

ARISTOCRAT RANCHETTE WATER PROJECT, INC.  
MONTHLY BOARD MEETING MINUTES  
June 8, 2022

The meeting was called to order 7:00 P.M.

**PRESENT:** Board members Hurshell Malone, Dianne Gray, Deb Carpenter, Gus Porter, Dan Swesey Leti Hurtado and Gabe Saucedo. Administrator/Secretary Brian Filkowski, Attorney John Dent and Operator Andreas Adams were also present. Guest Erika Boyer was in the gallery.

It was determined that there were enough board members present to have a quorum.

A motion was made by Dianne Gray to approve the presented agenda. This motion was seconded by Dan Swesey. This motion passed.

A motion was made by Gus Porter to accept the Reading and Disposal of any unapproved minutes. This motion was seconded by Dianne Gray. This motion passed.

A motion was made by Deb Carpenter to accept the financial report. This motion was seconded by Leti Hurtado. This motion passed.

**NEW BUSINESS:** There was a discussion regarding what defines a "member in good standing" versus a "member not in good standing". Attorney John Dent also explained the legal concept of "estoppel" regarding accusations by censored former BoD member Paul Echternacht that the ARWP, Inc. BoD has acted improperly in the past. Attorney John Dent offered the opinion that the BoD had not acted in bad faith, and proper corrections of policy have been made accordingly. Furthermore, the use of confidential ARWP, Inc. communications by Paul Echternacht and the posting of such on a public Facebook page was discussed. Attorney John Dent was asked to help ARWP, Inc. define the parameters and definitions of what a "member in good standing" would be, as well as what constitutes a "member not in good standing" would be so the ARWP, Inc. BoD can determine what ramifications members would face if said behavior required appropriate action. The removal from membership and loss of the water tap being considered as a possible end result. Attorney John Dent will provide proposed language to edit the bylaws on this topic and help us redefine our audit requirements as listed in Section 2.06 Business Administration F. Audit. These proposed changes will be voted on at the July 13, 2022 meeting for adoption and implementation. Treasurer Dianne Gray and Secretary Brian Filkowski will meet to do a rough review of the bylaws prior to the July 13, 2022 meeting.

Goodwill procedures regarding the notification of shutoff to members was discussed and it was suggested that the Assistant Water Operator no longer do a knock and notify on the property due to insurance and safety issues. Customers due for shutoff will have tags hung at the property. No payments will be taken in the field. It was also determined by the ARWP, Inc. BoD that no member list of any kind would be made public or



available to members, except for any election related list required of Colorado nonprofits as determined to be applicable.

A motion was made by Gabe Saucedo to adopt these two items. This motion was seconded by Dan Swesey. This motion passed.

Quorum and election procedures were reviewed and explained and will remain in place as stated in the bylaws. The web site financial posting policy was adjusted after consultation with Direct Accounting Services and Hopp Consulting, CPA. The only financial documents to be posted will be the Statement of Activity and Statement of Financial Position. These are generated in QuickBooks and provided by Direct Accounting Services on a monthly basis. The budget will also be posted annually. Only GAAP approved forms will be posted. The website financial page will be redesigned prior to the July 13, 2022, meeting, at which time the BoD will vote on and approve any changes.

The BoD was informed that the new post card billing was implemented and successful. The BoD was informed that quotes were being obtained for the new security gates to be located at the office and the pumphouse in preparation for the US Security Assessment associated with the project funding requirements. BoD members were encouraged to view the security infrastructure implemented at the new Fort Lupton Water facility located at the end of CR 16 (Barley Avenue).

Member Erika Boyer was included in all the discussions in hopes that her questions could be answered, and it be acknowledged that postings on the Facebook page she administers, contained false information. Her comments and accusations posted on this Face book page were read into the record verbatim by the ARWP Secretary. It reads as follows:

***What indeed are they hiding?***

***It's interesting that they've never met their quorum requirements to vote. You would think they would do \*something\* to encourage participation by the members, instead of burying it and doing business as usual. I personally have a big problem with that, as it's been clear that the board is not operating as representatives of the membership.***

***For instance, the last board meeting I went to in Feb 2020, there was a vote to increase the price of a tap for 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> filings, and not to have the membership bear the brunt of those costs in infrastructure. Following that meeting, I experienced a personal loss and was unable to attend subsequent meetings, but my main concern for being there was the price increase, so I thought it was over. Imagine my surprise when they increase the price that summer!***

***I've heard that they have someone door-knocking for late payments, I'm sure that's not legal.***

***I have concerns that there is an incestuous relationship between the board and the Zoning department, which seems to be targeting the poor and elderly here, and it appears those properties wind up in the hands of a certain developer who also has a relationship with someone on the board. I'd like to make a FOIA request to obtain documentation regarding those being reported for Zoning violations, but I haven't***

*had time to research that process.*

*There is no transparency with the board. I think it's important that the shareholders are made aware of what's going on in that room once a month, especially since they've closed the office and the meetings to share holders unless they have "permission" to attend. I think the minutes draft should be mailed and the shareholders should have a chance to review and engage in discussion prior to any votes being finalized, at the least. And any documentation including audits and Financials need to be made public and available. Finally, I think people need to show up and question what they're doing with our money and resources. It's not Brian's Water Project, it's Aristocrat's. He and they work for us.*

After the reading of the above Facebook entry posted by Erika Boyer, the BoD attempted to address her issues one by one. After discussion, Erika Boyer indicated that many of her questions and concerns were addressed and clarified.

The BoD agreed that criticism presented by Erika Boyer was constructive and welcome. The issue, as mentioned above, is when said criticism is not fact based and then becomes harassment.

**ADJOURNMENT:** With no further business a motion was made by Deb Carpenter to adjourn. This motion was seconded by Gus Porter. This motion passed.

**SUBMITTED:**  
Brian Filkowski  
Secretary

*Brian Filkowski* 7/13/2022

**APPROVED:**



**APPROVED**