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county," he said.
 Forsgren Associates and the town have held public neighborhood meetings in both Forest View Acres and Red Rock Ranch to address objections from neighbors about the proposed tank. For example, see www.ocn.me/v16n4.htm#rrrhoa0314.

Later in the meeting, Lowe presented a resolution to the trustees regarding the property in Forest View Estates that the town had purchased for the new water tank. "We have the issue of restricted covenants that we would like removed from that piece of property. We would need to authorize the eminent domain proceedings on that parcel. It's a very nice site where tank can be made very inconspicuous. There are a number of good reasons for this parcel that have already been explained. We intend to do this in the most respectful way that we can in that neighborhood but also protecting our ability to have a decent water system that has redundancy in future," Lowe said.

Lowe explained further, "Forest View HOA, which is outside the town boundaries and water service area, filed suit against us asking for a temporary and permanent injunction preventing us from constructing a tank in that location, citing restrictive covenants. However, at the advice of counsel, the town determined that it was necessary to condemn the property, which would remove the applicability of the covenants. Our counsel is confident that this is an appropriate way to respond to the lawsuit, which will also allow us to ultimately construct the tank. We are confident that the site, upon completion, will be very inconspicuous and will actually add to the value of the neighborhood as it may be accessed by some resident for emergency fire suppression," with the addition of pressurized hydrants along the water transmission line.

He said that alternative sites that have been proposed but are not acceptable for various reasons, and if the court disallows the condemnation petition, "which we feel unlikely," it could delay the construction of a second tank.

The trustees unanimously approved the resolution authorizing the acquisition of certain interests in real property through eminent domain proceedings for the construction of water storage facilities and related improvements.

At 10 p.m., during public comments at the end of the meeting, Raymond Decker, who is a resident of Forest View Estates IV, said, "I don't live in town limits, but I feel like I am part of this community. It saddens me that you are going to go with eminent domain with this. What if someone built a water tank or sewage treatment or methadone clinic next to your property? We all bought property up there because we had a certain ideal of where we were going to live and what we wanted to be around, and this water tank is not part of it. I met with all the property owners here in the last week and it was unanimous, we are going to oppose this legally; we don't want to do that I just wondered if maybe you are getting bad advice?"

Maggie Williamson also spoke on this issue during

public comments, saying she respected Decker's views, but said they are camouflaging the tank with all the trees and making the ground look good.

Note: Because OCN's coverage focuses on the deliberations of governmental entities and Dec. 5 was the first time the litigation was discussed during a public meeting of the Monument Board of Trustees, this is the first time OCN has covered this litigation. A letter to the editor would have been another way of including this topic in OCN, but none on the topic has been received.

Emergency interconnection

Moore explained the pros and cons of constructing an emergency water interconnection. "I hope you never need to use it, ever!" he said, but since Monument's current water supply is all from wells and is a "stand-alone" system, it would give the town "peace of mind" to have options in case of a waterline break, fire, or problem with system security.

Of all neighboring districts, WWSD stood out in terms of accessibility, cost, and compatibility with possible future regional water system options, either connecting with Colorado Springs Utilities or the Pikes Peak Regional Water Authority (PPRWA). Moore said it would benefit WWSD to team up with other entities to pipe the renewable water they own in the JV Ranch up to its customers here. He said the PPRWA Area 3 report is looking at those options now.

On the other side, WWSD is also a stand-alone system and in an emergency their first priority would be to serve their own customers before helping Monument.

**Parks master plan update
 and possible sales tax vote**

Public Works Director Tom Tharnish explained about the current proposed updates for the four town-managed parks west of I-25. Some of the plans are similar to those previously proposed for Limbach Park (with a water splash pad), Dirty Woman Creek Park (with a skate park and another playground north of the creek), and Lavelett Park (with exercise equipment), but the idea for Park Trail Park has changed completely from a BMX dirt bike track to a set of tennis courts.

The town has applied again for a \$350,000 GOCO grant and hopes to use that money to pay for the Limbach park features. Tharnish also said that voters might be asked to approve a sales tax with a five-year sunset clause to help pay for improvements at all four parks, for which the total cost could be \$1.7 million. He hoped that the improvements could be done on an aggressive timeline so that people could see the results sooner.

For many more details on the proposed parks feature improvements, see pages 56-63 of the Board of Trustees packet for Dec. 5 at <http://monumenttownco.minuteson-demand.com/>.

Triview discussed

Trustee Kelly Elliott had several questions about the methods used in the Triview Metropolitan District and how much oversight the town has in monitoring its water quality, managing its long-term water supply, and paying its huge debt. She wanted to know if Triview could present information to the town on a more regular basis and if the town could work more closely with them.

Lowe said, "It takes two to tango," and that his biggest frustration was not being able to guarantee the same level of service to town residents depending on where they lived. He said Tharnish had already been assisting Triview with advice.

Kaiser said it had already been arranged for joint meetings between the town and Triview, and that Triview District Manager Valerie Remington would speak about the "State of Triview" at the Jan. 17 Board of Trustees meeting.

Koger said that Triview has been a participant in the first two phases of the PPRWA regional water supply system and that the state limits how much water is pumped from Denver Basin aquifers and maintains safe drinking water standards.

See related Triview Metropolitan District article on page 14.

The meeting adjourned at 10:01 p.m.

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