

ity modifications or a reuse station built with partner Woodmoor Water and Sanitation, Tharnish said. "I've been telling you that this town needs to be investing in reuse water and renewable water, which is the future, not the wells. There are only so many more wells we can drill."

Coopman and Trustee Jeffrey Bornstein continued to argue with Tharnish that the town didn't have

enough water to provide to this new development. Town attorneys told the board the aquifers had seven to 11 years of water left, Bornstein said. He asked Manning if the town would be sued by the development if it couldn't provide the requested water, but Manning answered, "I'm not an attorney, I can't help you with that question."

Wilson asked the board to move forward and take accountability instead of continuing to obstruct each water project brought forward by staff. Elliott said, "We need to annex this land!"

Tharnish seemed frustrated, standing at his desk, and said the town needs to be investing in water reuse and renewal. He worried the board was saying it won't approve any future development. Coopman responded that he is in favor of development, growth, and business as long as it is done in a responsible manner.

Before the final vote, the developer Gordon Brown of Polo Brown came to the podium and made a passionate plea. "You guys are saying no to development," Brown said.

He told the board he felt conned by the town after being told if he built a collector road through the development and a bridge, the annexation would be approved. The road would have given the town right of way to water tank storage space it owns at Forest Lakes that it currently cannot access.

Both annexation requests failed in 3-2 votes with Bornstein, Coopman and Trustee Laurie Clark voting no on both. When Wilson asked for a motion on the zoning request, Elliott said, "We know what the outcome will be," so no motion was made.

**Temporary water tank fix approved; lingering litigation lifted**

Tharnish requested temporary coating repairs for the deteriorating 50-year-old roof of the town's only water tank. The request was approved 4-1 with Clark voting

no but giving no reason for the no vote.

During the discussion, Clark asked if a new, secondary tank could sit next to the old one located on Beacon Lite Road. She referenced Board of Trustees minutes from a 1999 meeting at which there was agreement the current location would be satisfactory for a second tank. Tharnish explained the one-acre parcel of land where the existing tank sits would be too small for a second tank, and the town would have to use the same supply and return lines that have been there for years. The elevation of the current tank is at roughly 7,300 feet, creating the need for pressure-reducing valves to be used.

Tharnish said one possible location for the new, secondary tank would be on land the town purchased in Forest View Estates. Tharnish explained the elevation of this property would provide the right water pressure for a new 1.2 million-gallon tank, as well as providing redundant supply and return lines. But due to homeowners' association covenants that allow only single-family homes, it wasn't possible to put the tank or any other water project on this parcel.

In December 2016, the town initiated eminent domain proceedings to remove covenants barring the water tank by the Forest View Neighborhood Association. The homeowners' association filed a lawsuit against the town. See <https://www.ocn.me/v17n5.htm#mbot0417>.

At the July 16 meeting, with the lawsuit results still pending, Tharnish asked the board to approve geologic testing, surveying, and engineering design at another parcel at Synthes and Mitchell Avenues in order to put one of three possible water projects on it—a secondary 1.2 million-gallon water tank, a new water reclamation facility, or a new stormwater detention facility—when and if the outcome of ongoing litigation was favorable. The request failed.

During tonight's meeting, attorney Joseph Rivera of Murray, Dahl, Beery and Renaud LLP, who represented the town on this lawsuit, said it has been settled in favor of the town in the Colorado court of appeals, allowing it to move forward with installing the water tank.

**Interim town manager**

At the Oct. 1 meeting, without a new vote, the board reversed its previous intention to hire Mike Foreman as the interim town manager. Bornstein, Clark, and Coopman accused Human Resources Director Robert Bishop of withholding information pertaining to two of the three finalists for the position. Coopman said during that discussion that a letter had been sent from HR Green—which all trustees said they had received—letting the board know their clients, Mark Fleming and Jason Wells, both of whom were eliminated as finalists in the manager discussions, would be willing to negotiate the terms of a contract. Because Bishop was directed by the board to negotiate only with Foreman, the other two candidates did not receive the same considerations. Smith was directed to speak with HR Green to determine whether either candidate could be re-interviewed by the board.

Fleming was not at the meeting, but Wells, the interim town manager for Green Mountain Falls, was present.

Coopman said the town needs an interim manager to help search for a permanent manager, maintain day-to-day operations, and help with budgeting. Wells said his availability would be very limited and suggested the needs of Monument might require a full-time manager. He could only be here two days per week, which wouldn't be appropriate for handling day-to-day needs and would only represent a "smidgeon of what your true needs are," he said. The board made no votes or decisions.


**Town attorney replacement**

At the Sept. 4 meeting, the board directed Bishop to create a request for quotes (RFQ) for contractual legal representation. Four candidates came to the meeting

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