



PUEBLO WEST METROPOLITAN DISTRICT

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**SPECIAL BOARD MEETING
109 E. INDUSTRIAL BOULEVARD
THURSDAY, JANUARY 25, 2018 – 4:00 P.M.**

MINUTES

A. CALL TO ORDER

President Leonard called the meeting to order at 4:00 p.m.

B. ROLL CALL

Directors Mike French, Terry Zupan, and Judy Leonard were present. Directors Barbara Bernard and Mark Carmel were absent.

C. COMBINED MEETING WITH THE COMMITTEE OF ARCHITECTURE FOR ANNUAL REVIEW AND DISCUSSION

1. INTRODUCTIONS

Also present was Harley Gifford, Legal Counsel; Jennifer Pearson, HR Analyst; Laurie Cozzetto, Community Development Director; Sandra Casaus, Land Use Inspector; Diahn Rasmussen, Land Use Inspector; Committee of Architecture members Kent Shelman, Staphanie Cordova, Jim Maggard, Bill Vickers, and Leanna Lowe; and Rick Dickerson, Jennifer Mitchell, and 3 residents.

2. COMMITTEE OF ARCHITECTURE TRAINING AND CITIZENS' ACADEMY

Mr. Dickerson has attended and Ms. Mitchell is enrolled in the District's Citizens Academy to learn how the District operates as whole and see how each department supports others. Also, the two new members will undergo training with Ms. Cozzetto and staff to be prepared for their first COA meeting.

3. BUILT OUT TRACTS DISCUSSION

In tracts built out 90% or more, the COA no longer has standing to enforce the Declaration of Reservations. Mr. Gifford drew attention to the specific paragraph, and stated the process to amend the covenants is difficult. First, all property owners in each tract at almost build-out must agree to change the covenants, which would be in effect immediately. Second, a majority all owners must agree, but the changes would not take effect until 10- or 25-year cycles dependent upon tract. It was agreed that continued efforts to promote the COA and covenants should be upheld. A grassroots and community engagement effort would be the most effective way to approach property owners in each tract, as a previous attempt failed. Poor response rates from absentee owners and difficulty explaining the process led to the failure. It was proposed that future attempts should target one tract at a time and include a basic letter, yet remain legal. A discussion was held on incentivizing residents to participate in the process, selecting a small built-out tract to initiate a new process, selecting tracts near built-out, and phrasing of literature. Mr. Vickers proposed that modifications to the covenants could entice property owners to participate, such as RV covers, weeds, semi-parking, and dust control. A discussion was held on holding builders accountable for and enforcing dust control, revegetation, and landscaping for spec homes in built-out tracts, as well as verifying buyers receive a copy of the covenants and challenges with non-local realtors. Mr. Gifford recommended forming a committee to discuss and develop a plan.

4. INCOMPLETE DRIVEWAY ACCESS PROCESSING BY COMMITTEE OF ARCHITECTURE

A year ago the Public Works department began requiring submittal of driveway access permits for new homes and some accessory structures, which COA staff collects during their application process. Ms. Cozzetto stated if COA applicants do not additionally submit the driveway access permit, Public Works staff has asked COA to hold holds their application or find the property owners in violation if driveway compliance is not met. However, driveway access is outside the purview of the COA. A discussion was held on plan approval, and routing sheet procedures and requirements for pole barns. It was the consensus that the COA should not enforce driveway access permit compliance, therefore it becomes an enforcement issue for the District.

5. APPEALS OF COMMITTEE OF ARCHITECTURE DECISIONS TO THE PUEBLO WEST METROPOLITAN DISTRICT BOARD OF DIRECTORS

Ms. Cozzetto stated an appeal process exists, described the existing appeal process, and the information can be found in the bylaws. At this time, there is no desire to modify the process. A discussion was held regarding recent lawsuits, past COA boards, and the need for consistent COA decisions and approvals.

6. OTHER

There was no other business to discuss.

D. ADJOURN

There being no further business to come before the Board, President Leonard adjourned the meeting at 5:12 P.M. The next regular meeting is scheduled for February 13, 2018, at the hour of 6:00 P.M., presently set for the meeting room of the Board of Directors, 109 East Industrial Boulevard, Pueblo West, Colorado.

Secretary

Approved 4/24/2018