



## PUEBLO WEST METROPOLITAN DISTRICT

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### MINUTES OF REGULAR MEETING THE BOARD OF DIRECTORS OF PUEBLO WEST METROPOLITAN DISTRICT

April 13, 2010

The Board of Directors of the Pueblo West Metropolitan District met in regular session at 109 East Industrial Boulevard, Pueblo West, Colorado, on April 13, 2010 at the hour of 6:30 o'clock p.m.

**ROLL CALL:** On roll call, Acting Chair Mike French, Director's Chuck Green, Jerry Martin, and Corynne Hyatt were present. Chair Van Auken was present by a conference call.

Also present were Larry Howe-Kerr, District Manager; Judy Leonard, Administrative Assistant; Tom Mullans, Attorney for the District; Finance Director Tammy Jameson; Steve Harrison, Utilities; and 22 citizens.

**MINUTES:** On motion by Director Green, the minutes for the regular meeting of March 23, were approved, vote unanimous.

**FINANCIAL REPORT:** Members of the Board had been provided with a check register dated April 13, 2010, listing the bills for payment. On motion by Director Green, noting the large payments, the outstanding bills of \$649,087.94 are approved for payment, vote unanimous.

Director Martin has some concerns and would like to have a meeting next week to discuss these with the District Manager.

Director Green mentioned why the payments were high noting the onetime expense payment to Twin Lakes Reservoir & Canal for O&M Assessments.

**DIRECTOR'S COMMENTS:** Director Green mentioned the Dog Park coming under budget and breaking ground in two weeks and in use in 6 weeks. He gave the board an update on the roads bill. Director Green mentioned the meeting on a joint effort promoting Pueblo West with the Pueblo West Chamber. He mentioned the photo contest for the brochure promoting Pueblo West with a deadline of May 1, 2010. Director Green referred to an article in the Pueblo Weekly Surveyor on a story of a town in Colorado, Berthoud, receiving a GOGO grant of \$469,000 for their Pioneer Park with matching funds of \$239,000. He voiced his concerns that there is money available for grants and Pueblo West needs to go after that grant money and same with the County money to the District.

Director Martin commented on the Community Pride Day and mentioned groups helping and how pleased he was with the outcome.

Director French also commented on the cleanup and other groups not mentioned that helped and make it a continuing project. He updated the board on the Road Task Committee projects and their concerns and issues. Director French talked about his continuing meetings with Commissioner Chostner on water issues. He informed Mr. Weber that the warning lights were in and what is needed to put them up on McCulloch and Tejon. Director French voiced his concern on the sign that was placed on McCulloch about the school sports teams and his disappointment in it.

Director Van Auken felt the community clean up was a great idea and pleased how the community came together to get this done.

The board recognized Taylor Perry for her article she wrote which she received national recognition and was presented with a certificate from the District signed by Director French. The board congratulated here and told her how much the board appreciated her achievement. Taylor Perry gave a brief synopsis of her article.

**LAND SALES REPORT:** District Manager Howe-Kerr updated the board that there were no land sales for March, 2010.

**DISTRICT MANAGER REPORT:** District Manager Howe-Kerr updated the board on the RFQ and would like direction from the board on what they would like to do. Director Green and Director French explained how RFQ's (Request for Qualifications) were done. The board members feel it would be okay to go forward with RFQ. District Manager Howe-Kerr mentioned the Governor's Energy Office sending information and establishing an MOU and combining this presentation with a work session with Mary Gunn from the Packard Foundation for helping with district strategic planning. The work session will be done after the May 4<sup>th</sup> election.

District Manager Howe-Kerr updated the board on understanding how the water is charged out of the budget and debt service is paid and presented the board with a memorandum for Desert Hawk golf course. When the bonds are paid off the ownership will be both Pueblo County and Pueblo West Metro District. Director Hyatt informed the board the County may want to refinance the bonds again. Legal Counsel explained how this was done in the past with the finance portion of the bonds.

District Manager Howe-Kerr attended the EPAC/PACOG meeting on the Pueblo West Metro District proposal to amend the 208 plan. He gave a brief synopsis of the meeting and all the work that was done. Another meeting will be scheduled as there were not any agreements, but thought the meeting was more positive than at past meetings. Director Martin attended the meeting and said PACOG does not have the final say but goes to the state for a final decision.

District Manager Howe-Kerr updated the board on the EMS meeting and a difference in data between AMR and Pueblo West Fire Department. The plan is to get the correct data to the board as soon as completed. Director Hyatt asked when the correct information is done would Gemsbok Consulting be involved and mentioned how much money was already spent for their involvement. District Manager Howe-Kerr does not think they will be.

District Manager Howe-Kerr talked about the RFP's that went out on creating a new web site for the District. The two companies were Navigator IT from Pueblo West, and designKiln from Grand Junction. Meetings will be held in the next couple of weeks for presentations on what they have to offer.

District Manager Howe-Kerr mentioned his attendance of the Arkansas Basin workshop and how important water resources in Colorado are and impact Pueblo West. He also would like to have a work session in early June to discuss reasonable options within the budget for the immediate needs for Parks and Recreation facilities and fields. He has had discussions with Vladimir Novy from Super Nova Fitness and there have been discussions with Pueblo West Christian Academy on how they could help with some of the issues Parks and Recreation have.

District Manager Howe-Kerr told the board of the discussion at a staff meeting about garbage issues and what department should pick it up. This has become a serious issue and solutions are being discussed.

District Manager Howe-Kerr updated the board on the pickup of the Quint Fire Truck and an agreement was worked out with Classic Fire that they would cover all the expenses except for the air fare of approximately \$600.00 from the original \$3,500 cost. Director Green stated this was a good example of citizen involvement with their interest of tax payer's money being spent. Staff was also involved with the savings. A RFP will be forthcoming on how the Quint Fire Truck will be financed.

Director Green inquired about the fountain having a pond or well pump. Utilities Director Harrison explained the type of clear water well pump the pond has and how it works.

**COMMITTEE OF ARCHITECTURE:** District Manager Howe-Kerr reported the Committee of Architecture's approvals for March, 2010, were five single-family homes, zero mobile home, zero multi-family, and zero commercial. In March, 2009 there were three single family homes, zero mobile homes, zero multi-family, and zero commercial approved.

Director Green explained the new approach of how the violations will be done and involvement of the Pueblo West View.

**CITIZEN COMMENTS:** John Lisi mentioned his research on what has been done in the past on Parks and Recreation and still nothing has been accomplished. He gave previous costs for studies and to look at the Feasibility Study and Master Plan done in the past to use in the work session on Parks and Recreation. He mentioned the 35 acres on Nickols donated to the District to be used as conservation easements. He questioned the use of the Master Plan and if anything has happened with it, which is still operative. Mr. Lisi voiced his concerns with Carol Cosby being sent out to look at building sites and have someone else do this for her. This takes time away from her job and is concerned on not applying for Legacy Grants available because her time is spent elsewhere.

Mr. Lisi said he has been inquiring on the Ferguson building and asked that District 70 is part of the work session. Legal Counsel mentioned the 35 parcel was not ever completed or recorded to the District. There was a Resolution 1762 on this. He asked if the district has approached Fran McClave and Mary Gunn, which board members have, but there is concern with the cost of their services. Director Green said when the workshop is presented there also is a forum for those who oppose recreation facilities. Mr. Lisi would also like to bring people who are involved in GOGO Grants and other professionals involved in recreation components. Linda Lowry gave a brief update on the housing market on sales, prices, and incentives which will not be renewed. She voiced her concerns on the lack of fire protection for the houses on Swallows Road. Fire Chief Caserta is working on contracts in that area. She has somebody interested in commercial land not on the market and if a contract could be presented. Director Martin said they could and asked how an inquiry on a piece of property is done. There will be a meeting set up with the District Manager to discuss how this should be done and how land sales will be handled. The proposal from Mr. Shelman and Mr. Anderson and any other proposals will be presented from all the realtors to market Pueblo West land will be on the agenda at the next meeting. Director French thinks a bid process should be done to make it fair for all realtors. There was a discussion on proposals on a market analysis and anyone could be a seller on any of the property. The board would like someone with a commercial and industrial land sale background and how talked about how this is different than residential. A list will be made for approval. Mr. Maggard mentioned an old Resolution on commission fees and commercial properties available. Which there is a current list available on the website.

**HOOKUP FEES:** Legal Counsel put together a memo on March 25<sup>th</sup> on the rules and regulations in effect and if the board wants to change it a modification can be made on assessment fees. He gave his opinion that to have an assessment paid before the tap fees are paid was not a good idea and why. He does agree a cost of living percent makes sense. Director Martin asked for clarification and gave his understanding. Legal Counsel does not suggest partial payment but pay when the tap fee is due. Other options were discussed and when the board decides what options they want to do, Legal Counsel will draw up that option and modify the rules and regulations. Director Martin suggested the District Manager draw up several options to present.

**STIFEL, NICOLAUS & COMPANY INCORPORATED:** This Resolution will allow the District to purchase securities; approved for public investments, through the use of a broker.

**RESOLUTION 1867:** A Resolution Allowing The Use Of Stifel, Nicolaus & Company, Incorporated For The Use Of Purchasing Securities

Director Martin asked the purpose for this Resolution and District Manager Howe-Kerr and Finance Director Jameson explained why. Director Martin gave his summary of why this was needed.

Director Green made a motion to accept Resolution 1867, vote unanimous.

**GREAT WESTERN BANK:** This Resolution adds signers on the newly opened money market with Great Western Bank.

After further discussion on how the signers were listed, Legal Counsel suggested the Resolution states the by-laws as signers and pass the Resolution with the amended suggestion.

**RESOLUTION 1871:** A Resolution Authorizing The Signers For Great Western Bank All Accounts

Director Martin, with changes in language, made a motion to accept Resolution 1871, vote unanimous.

**MULTI-BANKS SECURITIES:** This Resolution will allow the District to purchase securities; approved for public investments, through the use of a broker.

**RESOLUTION 1873:** A Resolution Allowing The Use Of Multi-Banks Securities, Incorporated For the Purchase Of Securities

Director Hyatt made a motion to accept, Resolution 1873, vote unanimous.

**FARM LEASE AGREEMENT WITH BOBBY J. BAKER AND DALE W. BAKER:** The Pueblo West Metropolitan entered into a lease with the Bakers in April of 1971 to lease 237.33 acres of land in the vicinity of the Town of Olney Springs. Under the lease the Lessee is required to pay all property taxes and assessments on 237.33 shares of capital stock of the Colorado Canal Company and 237.33 shares of the Lake Meridith Reservoir Company. In 2001, the District gifted to the Town of Olney Springs approximately 24 acres for their cemetery. The amendment removes those acres from the lease. All other conditions remain the same.

**RESOLUTION 1874:** A Resolution Authorizing A Memorandum Of Extension The Farm Lease Agreement And Amending Said Lease Between The Pueblo West Metropolitan District And Bobby J. Baker And Dale W. Baker

After further discussion, explanation, and correction on dates in the Resolution the Resolution was voted on.

Director Martin made a motion to accept Resolution 1874, vote unanimous.

**FOWLER STATE BANK:** This Resolution adds signers on the newly opened CD at Fowler State Bank. After further discussion, and amending the wording, this Resolution was voted on.

**RESOLUTION 1875:** A Resolution Authorizing The Signers For CDs At Fowler State Bank

Director Hyatt made a motion to accept Resolution 1875, vote unanimous.

**EXECUTIVE SESSION:** There is a need for an executive session for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators – C.R.S. 24-6-402(4)(e) – Southern Delivery System

Director Green made a motion for an executive session, vote unanimous.

**ADJOURNMENT:** There being no further business to come before the Board, Director Green adjourned the meeting. The next regular meeting is scheduled for April 27, 2010, at the hour of 6:30 p.m., presently set for the meeting room of the Board of Directors, 109 East Industrial Boulevard, Pueblo West, Colorado.