



## PUEBLO WEST METROPOLITAN DISTRICT

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

May 25, 2010

The Board of Directors of the Pueblo West Metropolitan District met in regular session at 109 East Industrial Boulevard, Pueblo West, Colorado, on May 25, 2010 at the hour of 6:30 o'clock p.m.

**ROLL CALL:** On roll call, Chair Mike French, Director's John Lisi, Chuck Green, Jerry Martin, and Christine McCarthy were present.

Also present were Brian Caserta, Interim District Manager; Judy Leonard, Administrative Assistant; Tom Mullans, Attorney for the District; Carol Cosby, Parks and Recreation; Rick Morgan, Public Works Director; Mike Healy, Assistant Engineer; Two Fire Fighters and 12 citizens.

**MINUTES:** On motion by Director Green, the regular minutes of May 11, 2010, were approved, vote unanimous.

**FINANCIAL REPORT:** Members of the Board had been provided with a check register dated May 25, 2010, listing the bills for payment. On motion by Director Green, Director Martin noting the large payments, the outstanding bills of \$541,565.97 is approved for payment, vote unanimous.

**DIRECTOR'S COMMENTS:** Director Lisi updated the board on his meetings on recreation and the public meeting on July 9<sup>th</sup> at Skyview on recreation needs. He mentioned his meeting with Ryan Elarton from District 70 and they would like to partner with the District for recreational activities. Director Lisi talked about his 2020 meeting he attended and the grants 2020 have applied for and received. He said his meeting that Rick Morgan did on storm drainage issues in Pueblo West was very informative and talked on the costs involved.

Director Green said PEDCO has notified the District with a potential prospect looking for 150 acres for industrial development with all utilities in place. He mentioned the dog park being almost finished and needs a name. He discussed alternating COA meetings with Director McCarthy and the publication of violator's addresses in the Pueblo West View after they receive two violation letters. He thanked Mr. Spence for doing this in the Pueblo West View.

Director Martin added that the potential prospect looking for 150 acres has not been disclosed or what they would be doing on the property but want it zoned and utilities available for their business. Director Martin also said the District may never know due to PEDCO confidentiality.

Chair French gave his update on the road task meeting and TIGER Grant. He talked about the costs and what the District would be obligated for and the County costs for road improvements with the grant and without. In the meeting, main McCulloch was discussed and concerns on the water mains already in place and how to deal with those before construction. Chair French mentioned the stop light at Purcell has been ordered with installation completed in August.

Director Lisi informed the board on the possibility of obtaining land from Mr. Walker behind Merrill Drive for recreation options. Director Martin mentioned the wells of the District that is not used for potable water but suitable for irrigation. Legal Counsel said the judicated well water could be treated for drinking water but to run lines to the treatment plant would be costly. Some of the water may or may not be good for irrigation. The estimates for irrigation from these wells are approximately 40 acres. Chair French reiterated that this is just a concept presented and the board has a responsibility to look into all possibilities that may benefit the District.

Chair French said the board needs someone to represent the board on Action 22 committee and Christine McCarthy was nominated.

**DISTRICT MANAGER REPORT:** Interim District Manager Caserta updated the board on the need to appoint someone on the Desert Hawk Board to fill Gene Montoya's seat. Director Green nominated Director Lisi. A Resolution will be presented at the next board meeting.

Interim District Manager Caserta informed the board of the change in companies on background checks for employees. The new company will be Background Information Services (BIS) which will save the District \$18.27 a month from our past company ADP Services.

Interim District Manager Caserta discussed the issues with medical marijuana locations in Pueblo West and Pueblo County. There will be a public hearing on June 22 at Pueblo County Planning and Pueblo County will hear public comments at their meeting July 13<sup>th</sup>. There was discussion on dispensary locations in Pueblo West, fire codes, zoning, and licensing. Legal Counsel talked about special use permits and the restrictions.

Interim District Manager Caserta said he received a letter from an attorney representing Paul Saunders who plans to build in Tract 369 and with an agreement made in October 1996 between the District and Tract 369 Property Owners Association the District is required to pave in front of the building but not obligated for maintenance or any more after that obligation. This is not a budgeted item and may have to be put in the 2011 budget. Legal Counsel explained how this was inherited with the land and why this was done per business. Rick Morgan based the cost at \$20,000.

Interim District Manager Caserta mentioned Finance Director Tammy Jameson receiving a certificate as a Certified Public Funds Investment Manager from training she attended. He also mentioned the Excellence in Financial Reporting Award that the District has received since 2006 from the Government Finance Officers Association of the United States and Canada.

Interim Distinct Manager Caserta brought up the escrow funds that have been collected from businesses in the past for improvements in front of their property. He explained these improvements were never done and in order to do this now the pricing and standards have changed so there is not enough money to make these improvements. Public Works Director Rick Morgan is reviewing options of using the funds and the District subsidizing the rest or refunding the funds to the owners who have paid into the escrow. Mr. Morgan thinks lumping the projects together would be more beneficial and would accomplish more. Interim District Manager Caserta also updated the board on the road projects on West McCulloch Blvd. project prepping Calle De Caballos up to Rolling Prairie for paving which will continue on Dos Palos. He updated them on road grading, Coral Drive, and asked for direction on how the board would like the Streets and Roads department to split their time on trails and roads.

Interim District Manager Caserta told the board there is a grant writer statement of qualifications for their information from Fran McClave. He reminded them of the meeting at 9:00 a.m. on Wednesday, May 26, 2010. He was asked for an update on the applications for District Manager, which were six and mentioned their qualifications and education. Legal Counsel suggested there be an extension and possibly hire a head hunter if needed.

**CITIZEN COMMENTS:** None

**TRAIL UPDATE AND GRANT STATUS:** Parks and Recreation Director Carol Cosby gave an update on the trails and locations and what has been accomplished on them as to paving, costs, redesign of a trail to submit another grant, material needed for the community clean up trails, and what is needed to get them done. Director Martin suggested bidding the project out. Director Cosby gave him the costs and what was collected from the community clean up and \$3,000 can only be used for the Sierra Vista Trail. After further discussion, Director Cosby will get costs for 2 mile and 4 mile trails and costs for contracting them out and options for the trails. Director Cosby updated the board on the dog park that the fence is up, is coordinating with the paving company, dog stations are in, and what is still needed. Director Cosby said there was \$14,000 collected from the community for the cleanup and the District is to match those funds from the Conservation Trust Fund.

**AMENDING THE BYLAWS:** This Resolution reflects a change in the Pueblo West Metropolitan District Bylaws specific to Section 9.12 Check Issuance Authorization. This change allows greater flexibility in designating persons authorized to sign and issue checks on behalf of the District. All checks issued by the District shall require two (2) signatures. A Resolution approved by the board stating specific to those authorized to sign checks will still be required anytime a change is necessary due to staff changes or Board member changes.

**RESOLUTION NO. 1880:** A Resolution Amending The Bylaws Of The Pueblo West Metropolitan District

Director Green made a motion to accept Resolution 1880, vote unanimous.

**AUTHORIZING CHECK SIGNERS:** It is necessary from time to time to designate persons authorized to sign checks or drafts and transact other business as necessary by the Board of Directors from time to time. These changes occur due to staff changes or as Board members obtain or retain Board of Director seats. Verbiage is consistent with the Bylaws of the Pueblo West Metropolitan District as approved by the Board of Directors. This will correct issues of our Finance Director's inability to manage certain funds.

After further discussion on why this is needed, the Resolution was voted on.

**RESOLUTION NO. 1881:** A Resolution Authorizing Persons To Sign Checks And Drafts On Behalf of Pueblo West Metropolitan District

Director Martin made a motion to accept Resolution 1881, vote unanimous.

**CONSTRUCTION CONTRACT:** This Resolution approves a construction contract with Rocky Mountain Materials & Asphalt for the W. McCulloch Boulevard Reconstruction – 2010 Project. The project will reconstruct West McCulloch from West McCulloch Place to Dos Palos Drive. The roadway will be widened from the existing 24' wide two lane road to a 36' wide three lane road. Additional drainage culverts will be installed to improve drainage crossings. The project will take approximately 90 days to complete. Pueblo County will be paying for half of the cost of the project per the IGA agreement dated June 9, 2009.

**RESOLUTION NO. 1882:** A Resolution Awarding A Construction Contract To Rocky Mountain Materials & Asphalt For The West McCulloch Boulevard Reconstruction Project - 2010

Discussion on the costs, bid process, detour roads, and process of construction with timeline of ninety days. Public Works Director Morgan explained the bid process and how Rocky Mountain Materials & Asphalt was chosen with an error with their bid and how it was corrected. The money from the County was discussed and how that money for road projects will be disbursed.

Director Martin made a motion to accept Resolution 1882, vote unanimous.

Director French commented on Mike Spence leaving the Pueblo West View to work for the Pueblo Chieftain and how much he was appreciated for all his articles and covering the District. The Board recognized him for all his work and thanked him for all his accomplishments and wished him success in his new position. His replacement will be Tom Purfield a Sports Editor from the Pueblo Chieftain.

**EXECUTIVE SESSION:** There is a need for an executive session for conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions C.R.S. 24-6-402(4)(b) - Board

Director Martin 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 June 8, 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.