



PUEBLO WEST METROPOLITAN DISTRICT

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

August 10, 2010

The Board of Directors of the Pueblo West Metropolitan District met in regular session at 109 East Industrial Boulevard, Pueblo West, Colorado, on August 10, 2010 at the hour of 6:30 o'clock p.m.

ROLL CALL: On roll call, Chair Mike French, Directors Chuck Green, Jerry Martin, John Lisi 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; Laurie Cozzetto, Committee of Architecture; Rick Morgan, Public Works; Frank Savage, IT, Dave Cosby, Fleet; Scott Fanning and JJ King; Fire Department; and eighteen citizens.

MINUTES: On motion by Director Green, the minutes for the regular meeting of July 27, and special meeting of August 4, were approved, vote unanimous.

FINANCIAL REPORT: Members of the Board had been provided with a check register dated August 10, 2010, listing the bills for payment. On motion by Director Green and Director Martin noting the large payments, the outstanding bills of \$157,975.35 is approved for payment, vote unanimous.

The investment report showed Certificate of Deposits \$9,186,330.98, CDARS \$5,851,922.11, Money Market \$8,465,412.06, Bond Reserve \$591,046.00 total cash of \$3,348,549.25, and year to date interest of \$200,610.54.

Director Green made a motion to accept the investment report, vote unanimous.

DIRECTOR'S COMMENTS: Director McCarthy commented on the water tour she attended and found it informative, interesting, and learned how the water gets to Pueblo. She encouraged all board members to attend this tour if they get a chance. Director McCarthy attended the COA meeting July 29, and was asked to read the Committee of Architecture report.

Director Lisi informed the board on his Desert Hawk meeting he attended, Monday, August 9, at the court house and issues that were discussed. He asked for information on the raw water provided to the golf course. There is another meeting scheduled for August 16, 1:30 p.m. at the court house. Director Lisi inquired about Coral Drive.

Director Green discussed the storm that passed through Pueblo West and phone calls he received from the community. He commented on the quick responses to the issues which could have been much worse.

Director Green commended Legal Counsel on his intense questions on the budget at the Desert Hawk board meeting he also attended. Director Green mentioned his involvement with a new website for the district and there will be a presentation in the work session. Director Green informed the board about teaming up with the Pueblo West Chamber brochure and writing a few articles about Pueblo West information as a special district to be included.

LAND SALES REPORT: Interim District Manager Caserta updated the board that there were no land sales for July, 2010.

DISTRICT MANAGER REPORT: Interim District Manager Caserta mentioned the work Greg Saweikis did on the copiers and savings for the district with a new contract. This will integrate one copy machine and eliminate desk top printers through a state purchase. A breakdown was provided for costs and savings. Director Martin asked what will happen to the desk top printers which will be put in the surplus for sale. Director McCarthy suggested changing the default from color to black which will save costs.

Interim District Manager Caserta asked the board for agenda items they would like to discuss with the County Commissioners at a quarterly meeting. Agenda items were discussed from board members.

Interim District Manager Caserta reported on August 2, rain storm calls received and road conditions. He mentioned Mr. Morgan being actively out in the storm monitoring areas for flooding areas and being proactive in the cleanup the next day. He mentioned 11 weather related emergencies with one motorist trapped in a current of water. Interim District Manager felt the situation was handled very proficiently.

Interim District Manager Caserta informed the board of the horse crossing concern with the traffic on West McCulloch and will identify other areas that may be a concern for placing signs in locations where needed with the help of Laurie Cozzetto. Director French asked if it would be appropriate to place flashing yellow signs which Mr. Morgan informed him how expensive they were and normally do not or required. Mr. Morgan will look at the high traffic areas to see if they would be warranted.

Interim District Manager Caserta asked the board if they plan on attending the Legislative Barbecue and reservations will be made for them. He gave the timeline and dates for the hiring of a district manager. The finalists will be announced and a contract will be discussed at the August 24th meeting. There will be public introduction on August 31, at Fire Station #3 with no public forum. There will be an executive session planned and then adjourn into a regular meeting for the announcement of the candidate chosen. With a contract acceptance the new district manager will start October 1. This is a tentative schedule.

Interim District Manager Caserta updated the cost of the unfinished project of CDOT not able to complete. The cost is \$53,125 to complete. The split for the County and Pueblo West is \$26,562.50. This is not budgeted for but with the cost savings in the project, asked for permission to use the money for this. Direction from the board is to go ahead. He also mentioned the TIGER II grant the County plans on submitting and using the \$3.5 million dollars of the 1A money for matching funds to complete Purcell Blvd. from Highway 50 to Joe Martinez and main McCulloch to John Powell for a total estimate of \$12 million dollars to complete these projects. This grant is asking the Federal Government for \$8.5 million dollars and using the \$3.5 million as the local match. After further discussion on shortfalls, not reading the grant, some of the board members first knowledge of this, being of no commitment or cost to the district they will support the letter. This grant had been brought up at a previous road task meeting. Mr. Morgan explained there is a short time span for the board to review if needed. Legal Counsel informed the board there is no financial obligation. The board agreed to submit a letter of support.

Director Martin made a motion to approve the letter of support once they have seen it, then withdrew; stating the letter said they reviewed the grant which the board has not.

Director Lisi asked about who could apply for these grants. Legal Counsel suggested revising the letter. No one has seen or reviewed the application of this grant submitted from the County. Director Green asked if any of the 1A money or obligation of it would be affected. Legal Counsel does not believe so. After further questions and discussion the letter of support was voted on.

Director Martin made a motion to approve a letter of support, subject by the two directors on the road task committee and their review and approval. Chair French, Directors Martin, Green, and McCarthy voted aye. Director Lisi voted nay.

Interim District Manager Caserta talked about notifying a consulting firm for the engineering of the Platteville project. Mr. Morgan notified Matrix Consulting firm and they gave an estimate of \$45,165.00. This would be paid from budgeted amount of \$500,000 and stay within this amount. Task #6 & 7 were questioned on Matrix costs and inquired why they are needed. Director Martin asked about Purcell and that project will be done in house and Mr. Morgan explained what will be done. Director French asked if after task #5 should it go over not pay Matrix for task #6 & #7 and have the option to change the proposal. Director McCarthy would like a cap on the charge for meetings.

Director Lisi made a motion on the contingency on task #6 & #7 to change the proposal should the project go over amount specified, vote unanimous.

There has been a change order on the West McCulloch project for damaged culverts. The culverts will have to be replaced at the cost of \$137,000 and why it is needed. Rick Morgan updated the board on Coral Drive about the delays due to drainage and a box culvert are needed. The school district will be contacted again for the delay and bus routes.

COMMITTEE OF ARCHITECTURE: Director McCarthy reported the Committee of Architecture's approvals for July, 2010, were four single-family homes, 22 miscellaneous items. Approvals for July, 2009, were eight single-family homes, and 60 miscellaneous items.

CITIZEN COMMENTS: Tony Breedlove commended the road crew on the great job they did on the roads after the rain storms. Mr. Breedlove mentioned attending the meeting on the golf course and how Legal Counsel held the County accountable as he felt the district was being railroaded by the County on the budget.

Phil Weber thanked the district for putting up the blinking light on Tejon and McCulloch. He also asked why an area on McCulloch to Nickels road is not a state highway to generate revenue from those that use it. Chair French and Legal Counsel talked about the toll booth, reasons for it, and money collected and why a toll booth was decided on to help recover reconstruction costs portion of \$250,000. Phil Weber suggested throwing away the entire district manager applications and have Brian Caserta take the job and why.

Linda Lowry gave a report on real estate for the month of July. The report included houses sold lots available, bankruptcies, and costs.

GOCO GRANT: Carol Cosby updated the board on the costs for a sports complex for a total cost of approximately \$12 million dollars for the O & M and phases. This project will be done in four phases. This grant is for \$700,000 and the districts match will be \$700,000. Conservation Trust funds will be used, and match money set aside for grants. Additional staffing will be needed. The grant will be awarded December 2, 2010. Further questions on revenue generated on rentals of field, water and roads, a motion was made.

Director Lisi made a motion to give permission to write this grant contingent on the water and road information, vote unanimous.

Interim District Manager Caserta will get with everyone on the board concerns but write the grant due to the timeline. Director Green mentioned Walker Ranch land. Director Lisi mentioned the support letter of the TIGER Grant. Carol Cosby mentioned she will need 15 support letters and will be contacting the County for one.

The motion was voted on and passed.

COMMITTEE OF ARCHITECTURE: Laurie Cozzetto asked the board to proceed with two litigations against the property owners for covenant enforcement. The board was provided with the information and pictures of the two properties. Director Green explained litigations can be very expensive and why. Director Martin wanted to know what the fire department does with weeds when they are determined fire hazards. The process is to cut them down and bill the property owner. Legal Counsel said the board has the decision to act and make these decisions for litigations. Director Martin questioned what happens after court as to a fine, or what happens if the property owner does not clean up the property. Legal Counsel explained what happens and costs incurred to the property owners. Collection is done with a lien and collected when the property is sold. Laurie Cozzetto explained the process when property owners do not comply with the covenants and said most property owners correct the issues. After further discussion on other processes questioned, a motion was made.

Director Martin made a motion to proceed with the litigations, vote unanimous.

FIREFIGHTERS LOCAL 4765: Scott Fanning made a public announcement that nine of the fifteen firefighters have joined the International of Firefighters. They are working on a GIS study that is no cost to the district stating what is involved in the study. Mr. Fanning feels there is a lot of personal perks and training available for members. The board asked how Fire Chief Caserta felt, which he has no issues with the local as all firefighters work together and there are no issues as to fulltime or volunteer status. He explained the difference between unions from the past and present unions and how they have changed for the betterment. The department will work collectively within the department and feels there should not be any issues. Comments were made from the audience on collective bargaining and unions.

Chair French explained the meeting will be adjourned, motion for an executive session, have the work session, and then after the work session have an executive session.

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) – San Isabel Electric

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 August 24, 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.

There was a work session on a proposal for a new website following the meeting.