

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

October 11, 2011

The board of Directors of the Pueblo West Metropolitan District met in regular session at 109 East Industrial Boulevard, Pueblo West, Colorado, on October 11, 2011, at the hour of 5:30 p.m. for an executive session and 6:30 p.m. for the regular board meeting.

ROLL CALL: Chair Jerry Martin, Directors Christine McCarthy, John Lisi, Bill Vickers and Mike French were present.

Also present were Jack Johnston District Manager, Tom Mullans, Attorney for the District; and 25 citizens.

MINUTES: On motion by Director Lisi, the minutes of the regular meeting September 27, were approved, with adding an addition to a motion by Director French, vote unanimous.

FINANCIAL REPORTS: Members of the Board had been provided with a check register dated October 11, 2011, listing the bills for payment. On motion by Director McCarthy noting the large payments, the outstanding bills of \$511,029.83 are approved for payment, vote unanimous.

The investment report showed Certificate of Deposits \$7,505,417.27, CDARS \$7,998,728.06, Money Market \$8,275,959.79, Bond Reserve \$599,887.40 and total cash of \$5,183,436.24, financials were also approved, vote unanimous.

DIRECTOR COMMENTS: Director McCarthy mentioned the budget committee meeting and a special budget meeting is scheduled for next week. District Manager Johnston mentioned other dates, November 8, 2011 public meeting, special budget meeting, October 21, 1:30 p.m., Ft. Carson Community Covenant Ceremony, October 20, 2:00 p.m. at Fire Station #3.

Director Lisi talked about the golf course meeting and will finish out to 80% to 85% of budget. He also attended the Twin Lakes water tour and mentioned how interesting it was.

Director French thanked everyone who participated in the dunk tank and was a lot of fun. He mentioned a community drive for the holidays for the military. He would like to see an emergency community exercise and classes for the board and administration with other entities included.

Director Vickers thanked the board for his appointment. He asked about the road escrow account and District Manager Johnston said it was stopped and why and the money can't be utilized will be returned to the property owners or those who paid into it. The money can be used for improvements in front of the lots but with cost increases there is not enough money for any extension that would be worth it.

Chair Martin read Mr. Green's resignation from the Desert Hawk Golf Course board. He assigned Director Vickers to COA and road task, Director McCarthy from COA to Pueblo West Chamber. Chair Martin will take Mr. Green's place on the golf course board and PEDCO. Chair Martin mentioned the legal aspect to appointing any person to any seat that had been recalled. Legal Counsel said there was none.

DISTRICT MANAGER REPORT: District Manager Johnston updated the board on the Bureau of Reclamation RFP for development of hydroelectric power has been extended until October. He mentioned the annual Twin Lakes Reservoir and Canal Company tour September 30th, with John Lisi, Dave Cosby, and Scott Eilert and feels the water supply is in good hands by the operators. The Parkdale Reservoir geotechnical study completion will be forthcoming this week with positive preliminary results and mentioned partners for storage. The construction estimates will be in the study along with additional drilling.

Engine 4 is now in service and will be used for many purposes and missions. The Pueblo West Fire Department will participate in the Pueblo Veteran's Day Parade Saturday, November 5th.

Main McCulloch median will be finished next week with traffic switching to the west side and ahead of schedule. There have been 3 change orders of \$62,300, with a savings of \$75,000 and still \$12,700 below budget. A few more items needed for Coral/Elbow Drive should be completed within the week. The asphalt patching should be starting provided there are no weather delays with 40 days maximum to complete. City-County Health Department community sponsored clean up was September 24th. 730 yard roll offs were filled with solid, yard and metal waste; 41 mattresses, 34 tires; 12.33 tons total. The district gave \$2,000 and 2 road employees helped with the event. The cost for advertising is done by the health department who coordinates the event. This is a growing event with 70 loads this year compared to 48 last year and 10 home pickups for the disabled. This event counts towards fulfillment of our state storm water permit. There will be a joint Pueblo West Metro District and County work session October 13, 2011 at the court house to discuss an equitable road funding formula.

Rafeal Cisneros was appointed as an alternate for the COA board and will replace Bill Vickers as board member. Committee of Architecture approved 2 new homes, 24 accessory structures, 7 hearings are slated for the October 13, 2011 agenda.

The budget committee has met with all departments and more discussion to be conducted on October 10th a public meeting November 8th, anticipated adoption December 13th. A proposal to the board will be made electronically by October 15, along with public access. Personnel policies are being finalized and recommendations expected at the October 25th regular board meeting. Health insurance has been locked in with a 2.8% increase and finalization renewals by end of October. Dental insurance had no increase in cost for 2012. The premium for workman's comp dropped \$48,000 with another \$20,000 drop projected. The district is requesting San Isabel remove twenty three of the thirty eight existing street lights along McCulloch for cost reduction, nineteen on the west side and four on the east side. With the main McCulloch project they will have to be removed and replaced and in these areas are not needed. Director French suggested they be used for the Civic Center design. Concerns on political signs being placed in the easements will be removed by district employees. Mr. Chris Burke from Black Hills will attend the board meeting October 25th to discuss rate increases. Chair Martin said there may be some opposition from board members on the increase and for Mr. Burke to be aware of this. Sheriff Taylor will also be attending the board meeting.

The Economic Development Corporation Pueblo West met on September 28th to begin a capital campaign with Mullans, Piersel & Reed being the first to commit with others committed.

District Manager Johnston mentioned speaking at CSU-Pueblo on October 6th, upcoming Ft. Carson Community Covenant at Fire Station #3, October 20th at 2:00 p.m., and will be speaking October 24th on Pueblo West to the League of Women Voters. Community Planning Technical workshops will be held at Fire Station #3 from 5:30 – 8:00 p.m. on Community Services/Parks & Recreation October 18th, Utilities Infrastructure October 19th, Economic Development/Land Use October 20th, and Transportation October 21st

Chair Martin mentioned the complaint on ATV use in the easements and discussion will take place with the Sheriff Department. The easements will have signage that no motorized vehicles are allowed for Sheriff Department enforcement. Other discussions for ATV control were on a press release needed, notify the licensing dept., and find an area for the kids to ride.

CITIZENS' COMMENTS: Mr. Rick Clark thanked the board for his opportunity and appointment by two board members which was unsuccessful, but plans to be more pro-active with concerns in the district.

Robin Faricy voiced her concerns at Cattail Crossing with trash in the area, possible fees for littering, and post more signs. She is pleased with the process on the algae removal. She thinks to be truly involved, information should be more readily available, not a Matrix fan, and feels the workshops should be open to all residents interested in participation. Chair Martin inquired about the trash at Cattail Crossing and notification on the technical workshops. District Manager Johnston said the workshops are open to all the community and who the information was sent to.

COMCAST FRANCHISE AGREEMENT: District Manager Johnston explained the need for the agreement and prior discussions that took place on cost, locations, service, and negotiations. The agreements have been done in three month increments and a new contract was needed. Mr. David Sered and Ms. Jenkins from Comcast were introduced. Mr. Sered talked on their service and how they can provide service to areas in the community. Questions were asked from District Manager Johnston if data services were included in gross revenues drawn on in Pueblo West or are they included, any other

licenses with other communities for data services, a service in the future, term of agreement and why seven years, characterize their contributions to the community, wire up at the water treatment plant at no cost as with the fire station, and customer count for Pueblo West. Mr. Sered said they would pay half the cost for TP1. The business agreement was discussed and Comcast's profit margin. Board members asked about employee numbers, if not licensed in a community, franchise fees, and construction costs or money used for donations, and other services. There were questions Mr. Sered could not answer due to confidentiality. Director McCarthy suggested tabling the agreement and discussing this with his company representatives on what was presented. Other questions were asked about Comcast in other areas, other technologies, services provided now in Pueblo West, and what Comcast could do for the District.

Director McCarthy made a motion to table this agreement until the next board meeting and give Comcast representatives a time to discuss options, vote unanimous.

CIVIC CENTER MASTER PLAN: The agreement with Thomas & Thomas Planning Urban Design Landscape Architecture, Inc. is for a creation of a Civic Center Master Plan. Thomas & Thomas will gather existing base map information of the 33 acre site plan, conduct a site analysis, existing cultural factors and recreation needs, consider public input, create two alternatives for development of a proposed Civic Center, develop an estimate of probable cost to develop entire proposed Civic Center, do a final master plan document, for a fixed cost of forty four thousand dollars (\$44,000.00). Chair Martin asked for a clarification on what was stated in the letter and agreement as to additional travel costs not included in the \$44,000. Mr. Thomas clarified that the total was the \$44,000 which did include all costs. Legal Counsel clarified the agreement that was attached with the Resolution was correct. Mr. Thomas explained the service agreement and proposal agreement standing by his proposal that all costs will not exceed \$44,000.00. The October 3, letter was an amendment which Legal Counsel had not received with the correction. After further discussion and questions the Resolution was approved.

RESOLUTION NO. 1941: A Resolution Approving An Agreement With Thomas & Thomas Planning Urban Design Landscape Architecture, Inc. For Creation of A Civic Center Master Plan

Director Lisi made a motion to accept Resolution 1941, vote unanimous.

PERMANENT EASEMENT: San Isabel is asking for a permanent easement to install an electric transmission line in Parcel C of Subdivision Exemption 2007-002 which is on the eastern side of McCulloch Blvd next to Golden Guardian Park.

RESOLUTION 1942: A Resolution Authorizing The Execution Of A Permanent Easement With San Isabel Electric Association, Inc. For The Installation And Maintenance Of An Electric Transmission Line In A Portion Of Parcel C, Subdivision Exemption 2007-002

Director McCarthy made a motion to accept Resolution 1942, vote unanimous.

SALE OF PROPERTY: This is property owned by the Pueblo West Metro District for two lots for a cost of \$15,000 each. The sale is to Soaring Eagles Center For Autism with presentation from Director Karen Colvin explaining what they plan on doing with the land. They will plan for expansion, play area, and more parking.

RESOLUTION 1943: A Resolution Authorizing The Sale Of Real Property Of The Pueblo West Metropolitan District To Soaring Eagles Center For Autism

Director Lisi made a motion to accept Resolution 1943, vote unanimous.

INTERGOVERNMENTAL AGREEMENT: This Intergovernmental Agreement is between Pueblo, County, Colorado on behalf of the Pueblo County Sheriff's Office Emergency Service Bureau and The Pueblo West Metropolitan District. This agreement will provide Fire Apparatus and Equipment with the agreement with the County, County Sheriff's Office Emergency Services Bureau and the Chemical Stockpile Emergency Preparedness Program (CSEPP) from Pueblo West who is a mutual aid partner.

RESOLUTION 1944: A Resolution Authorizing The Approval Of An Intergovernmental Agreement Between The Pueblo West Metropolitan District And Pueblo County On Behalf Of The Pueblo County Sheriff's Office Emergency Services Bureau Related To Hazmat Support Vehicles

Director French made a motion to accept Resolution 1944, vote unanimous.

SDS UPDATE: Mr. John Friedel made a presentation explaining the construction progress. A power point slide presentation was shown and voiced Pueblo West has been valued as a partner, along with the help of Mr. Johnston. In the power point presentation slide he talked about the construction and the process of testing valves, and explained the raw water pipe construction. The pipeline construction will be done in 3 sections. The pipeline in Pueblo West will be a 6.4 mile section and pictures and videos are being taken so the property will be restored to how it was before construction along with wildlife assessments. Colorado Utilities hopes to wrap the pipeline through Pueblo West in 2013. Public outreach was discussed by Margaret Bradford and what the plans and goals are and how they are handling this by education, contacts, stages of construction, letters, website, and presenting information to the houses within the construction site of the pipeline. Each property owner is asked to walk the easements and ask questions to help with the reconstruction of the area. Other events will be planned for the partners and property owners. The houses purchased were mentioned for demolition and any usable contents were donated, held safety training, and the other houses will be resold for those that were not demolished. There have been numerous workshops, website set up to follow the construction, and can be contacted by phone or e-mail. Chair Martin questioned the impact on the roads. This is being looked into with Pueblo County as to costs and construction. Increase costs, budget costs, funding, and total costs were discussed.

ADJOURNMENT: There being no further business to come before the Board, Director Lisi adjourned the meeting. The next regular meeting is scheduled for October 25, 2011, regular meeting to start at 6:30 p.m. presently set for the meeting room of the Board of Directors, 109 East Industrial Boulevard, Pueblo West, Colorado.