

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

December 28, 2011

The Board of Directors of the Pueblo West Metropolitan District met in special session at 109 East Industrial Boulevard, Pueblo West, Colorado, on December 28, 2011, at the hour of 5:15 p.m. for an executive session and 6:00 p.m. for a special meeting.

EXECUTIVE SESSION: There was a need for an executive session for conferences with an attorney for this district for the purpose of receiving legal advice on specific legal questions - C.R.S. 24-6-402(4)(f) - Personnel Matters C.R.S. 24-6-402 (4)(f)

ROLL CALL: On roll call Board Members Chair Jerry Martin, Director's John Lisi, Bill Vickers, and Mike French were present. Director McCarthy attended the meeting by telephone.

Also present were Jack Johnston, District Manager, Tom Mullans, Attorney for the District, Judy Leonard; Administrative Assistant, and 19 + employees from various departments of the District.

RESOLUTION 1948: A Resolution Authorizing Amendment And Restatement Of Retirement Plan VIA Adoption Of Valic Retirement Services Company Governmental Volume Submitter Plan

District Manager Johnston explained what would take place after this is adopted and sent to Valic. He also gave the outcome of the employee survey with the highest percentage for keeping the 7 1/2 percent match. Chair Martin noting the large employee presence at the meeting waiting to address the board on the pension issue asked for a spokesperson. A few of the employees stated their opposition requiring to participate, employee benefit cuts, keeping the percentage at 7 1/2, and other concerns. Director French asked for the state and federal statutes in regards to the pension plan and all information to research. Director French explained why this is being taken care of and issues if it is not. District Manager Johnston stated the statutes for him to research. An employer contribution to a 457 plan was mentioned and this would have to be added as income and taxed to the employees. The district is not required to provide a pension plan. The difference with FPPA for firefighters requirement and pension plan differences were discussed. Director Vickers stated 56% of employees are not contributing to the 6% and the board is trying to minimize the impact to the employees. Chair Martin said the plan can be changed in the future and the district is looking into other plans but any pension plan will be an employee and employer equivalent match. Director French voiced his concerns that a sliding scale for contributions is not available due to a state statute for governmental entities. Director McCarthy also is concerned with the affect on the employees paychecks and why there was an adjustment in 2011 for all employees. After further discussion on a pension plan and what is available for the district with a decision that will not make everyone happy the Resolution was voted on.

Director Vickers made a motion to adopt Resolution 1948, vote unanimous.

RESOLUTION 1956: A Resolution Authorizing A Memorandum Of Extension Of The Farm Lease Agreement Between The Pueblo West Metropolitan District And Bobby J. Baker And Dale W. Baker

District Manager Johnston stated the lease has been with the district since 1985 and done every year for one year extension.

Director French made a motion to approve Resolution 1956, vote unanimous.

RESOLUTION 1957: A Resolution Modifying The Rules & Regulations Of

The Pueblo West Metropolitan District Water, Wastewater Service Fees For Implementing A Debt Service Fee

This will expire when debt is completed and bond is paid off. An explanation of this debt service fee will be put on the water bills to inform customers it will affect.

Chair Martin made a motion to accept Resolution 1957, vote unanimous.

RESOLUTION 1958: A Resolution Establishing A Park Investment Fee Fund For Recreation Programs Of The Pueblo West Metropolitan District Parks and Recreation

Director Lisi made a motion to accept Resolution 1958, vote unanimous.

District Manager Update: District Manager Johnston mentioned a meeting set up for DM Evaluation, employee evaluation goals be noted and signed by employees January 16. Chair Marin inquired as to how soon the DM evaluation information will be completed. District Manager Johnston mentioned agenda items for January 10, and possible discussions and executive sessions at beginning and end. He also mentioned items on the agenda for January 24, and having a special joint workshop meeting with the Commissioners before their quarterly statutory meeting. Chair Martin would like more discussion on an executive briefing of what the district is doing, goals, spending, and future projects. The other directors concur and would like the information stated in the View which would show more transparency to the citizens as well. Director French would like the employee evaluation have input and feedback from the employees.

District Manager Johnston informed the board of this meeting with Scott Lenn General Manager of AMR for Colorado and Wyoming and have him come to clarify a few misconceptions about AMR services. Mr. Lenn is willing to come and talk at a meeting. Chair Martin said if he does come and talk to put a time limit on him. Director Vickers thought the district is not transporting so not sure why he would need to come. District Manager Johnston informed him of what he can address about their services to the communities.

ADJOURNMENT: There being no further business to come before the Board, on motion by Chair Martin, the meeting was adjourned. The next regular meeting is scheduled for January 10, 2011, 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.

Secretary

