

**MINUTES OF THE BOARD OF DIRECTORS
COLORADO CENTRE METROPOLITAN DISTRICT
REGULAR MEETING**

Thursday, January 24, 2008 at 5:00 PM
4770 Horizonview Drive
Colorado Springs, CO 80925

Board Members Present:

Michael Cantin	President, Chairman
Floyd Edwards	Treasurer
Frank Ingraldi	Vice President, Vice Chairman
Shawn Eccles	Secretary
Michael Terry	Assistant Secretary/Treasurer

Also Present:

Dr. Alvaro Testa, Paul Anderson, Cynthia Monroe, Sandy Goad

I. **Preliminary**

- A. Call to Order
Director Cantin called the meeting to order at approximately 5:00 pm.
- B. Roll Call - Determination of a Quorum.
A Quorum was present.
- C. Acknowledgment, Notice and Consent to Regular Meeting-Entered with the minutes.

II. **General Business Items**

- A. Approval of the Minutes of the Regular Meeting of December 6, 2007.

Director Cantin noted an error in the amount of bank balance funds. The correct amount should be \$2,103,860.03.

A motion was made and seconded to approve the Minutes of the Regular Meeting of December 6, 2007 with the noted correction. Upon a voice vote, the motion passed unanimously.

- B. Review of District Finances - Cindy

- Bank Balances

Cindy Monroe gave the report on bank balances at this time. A new account (Bradley Heights) has been opened. This is an escrow account established for payment of legal and consulting fees incurred by Lindsey Case's development plans for his property.

Ms. Monroe reported that our Conservation Trust quarterly distribution in December was cut in half. After inquiries it was determined that the State determined that because the Widefield School District overlaps our boundaries they are entitled to one-half of the CCMD distribution amount. After discussion the Board advised Dr. Testa to challenge this decision at the State level.

- Budget Comp.

The Budget Comparison for calendar year 2007 was presented by Ms. Monroe.

- Bridge Loan Renewal for LFMSDD's Project

Dr. Testa presented the paperwork for the renewal of the bridge loan for the Lower Fountain project.

A motion was made and seconded to approve the Bridge Loan Renewal for LFMSDD's Project. Upon a voice vote, the motion passed unanimously.

- C. Approval of Payables - Cindy

The Board reviewed the list of payables.

A motion was made and seconded to approve the current list of payables as presented. Upon a voice vote, the motion passed unanimously.

- D. Grant Research Update – Cristy Testa of PCI

Ms. Testa was in attendance to give an update on her Grant research. Targeted areas are conservation trail grants, Great Outdoors Colorado Grants, U.S. Department of Agriculture Grants, and Fitness Trail Grants. Ms. Testa will submit all the required paperwork by the deadlines. Director Terry suggested that Ms. Testa contact Jerry Bahner of El Paso County for information on available grants.

- F. District Operations – Al

- Parks – John Wheeler

Mr. John Wheeler was in attendance and reported that at the end of 2007 extensive dirt work was completed and \$30,000 of equipment was purchased for the park. The application for power was granted by Mountain View Electric.

- E. Legal Report – Paul

- Cuchares District and Development

Mr. Anderson reported that the Cuchares District has their next meeting in March. Mr. Meylan contacted Mr. Anderson and stated that they will be doing a more comprehensive financing on the development. They will be contacting Dr. Testa regarding payment of tap fees. After discussion regarding the tap fees, the Board tabled this matter and will schedule a Special Meeting for review and decision making.

- Jimmy Camp Creek Park Site Matter- No Activity

This matter is still on hold with no substantive action being taken.

K. Lower Fountain Metropolitan Sewage Disposal District

Mr. Anderson reported that the EPA has never received the certification from the State regarding the 208 Plan Amendment decision. He has requested that the EPA fast track this issue. He will report back to the Board regarding the status.

- Fire Protection IGA w/CSFD

The IGA still needs to be reviewed by the City Attorney before it is signed.

H. Customer Hearings

Ms. Monroe and Dr. Testa presented the background information on the Bross' request and the Nue's request.

- Bross' Request

Mr. Bross presented his case regarding his potential sewer base rate for 2008.

- Nue's Request

The Nue's presented their case regarding the Penalty assessed against 4112 Harvest Moon terrace for tampering with the water system.

At this time (6:20 pm) a motion was made and seconded to enter into Executive Session to review all the facts and petitions regarding the Bross and Neu requests.

A motion was made and seconded to close the Executive Session (7:00 pm) and resume the regular meeting. Upon a voice vote, the motion passed unanimously.

Regarding the Bross request the Board ruled as follows:

A motion was made and seconded that the Bross' will have to pay \$349.52 of the additional sewer flow caused during the month of December, 2007 and

that their 2008 sewer base will be the average of all the January through December 2007 water usage readings (\$51.15 per month). Upon a voice vote, the motion passed unanimously.

Mr. Bross was present and accepted the ruling.
Regarding the Neu request the Board ruled and motioned as follows:

A motion was made and seconded that the Neu's will pay \$500.00 in costs for the time spent by the District Management and staff dealing and helping correct the problems caused. Upon a voice vote, the motion passed unanimously.

Mr. Neu was present and accepted the ruling.

Letters will be sent by the Board to the Bross' and the Neu's regarding the decisions ruled on.

- F. District Operations - AI
 - Water and Sewer Operations

Dr. Testa reported on water and sewer operations. We are still pumping more sewage than producing water. There is a damaged manhole that will need to be repaired. We are looking for infiltration and have ordered two in line meters to try to determine where any infiltration problems might be occurring.

- Approval of Avalon Open Contract for Minor Construction and Repair Work in 2008.

Dr. Testa submitted a letter agreement with Avalon Building Corporation. The letter agreement is for performing individual work tasks identified by separate Work Orders issued by the District as projects arise. These Work Orders will not exceed \$25,000 in cost.

A motion was made and seconded to approve the letter agreement between CCMD and Avalon Building Corporation for performing individual work tasks identified by separate Work Orders to be issued by CCMD as projects arise during calendar year 2008. Upon a voice vote, the motion passed unanimously.

- Augmentation Report

We still have a surplus and Dr. Testa is working with Fountain to try and get some credit for augmented water.

- Parks – John Wheeler

This item was discussed previously in the meeting.

G. Fire Services – Lonnie Inzer

- Activity Report – Brush Truck Order Contract

Chief Inzer was unable to attend. Dr. Testa reported that the brush truck has been ordered and will arrive in May, 2008.

Captain Tom Byes reported that there was a cardiac incident and a car fire in the last month.

Highlights of last year's work at the District will be composed by Sandy and Dr. Testa and placed in the February newsletter and on the web page.

H. Customer Hearings

- Bross' Request
- Nue's Request

These items were addressed earlier in the meeting.

I. El Paso County Water Authority – Minutes

A decision on who will be the lobbyist for the authority is being scrutinized. Minutes from the November 7, 2007 and December 5, 2007 meetings were included with the Board packets. Dr. Testa is now on the executive board.

J. Fountain Mutual Irrigation Company

Dr. Testa reported that FMIC is doing great and is trying to acquire more senior water rights. Minutes from the November 14, 2007 and December 18, 2007 meetings were included with the Board packets.

K. Lower Fountain Metropolitan Sewage Disposal District

- Proposal by FSD to catch up with CCMD investment in LFMSDD project.

Dr. Testa included a letter from Fountain Sanitation District regarding a proposed Resolution to LFMSDD Pre-2003 Contribution Discrepancy. They are proposing to build a pipeline extension close to the easement for the interceptor. This would save CCMD 2.5 million dollars. The Board instructed Dr. Testa to move forward on the concept of the proposed agreement by FSD.

- Minutes

Minutes of the November 15, 2007 meeting were included with the Board packets.

- General progress update

Director Cantin reported that we are close to breaking ground for the interceptor.

Discussed at this time is the need to appoint an Election Official for the May 2, 2008 election. Three of the five Board of Director positions are up for election. The three positions are for four (4) year terms. Self-nomination and acceptance forms will be available at the District's office on February 1, 2008. The Certificate of Appointment of Designated Election Official was signed by the Board of Directors and Sandy Goad took the Oath of Designated Election Official as presented by Director Cantin.

A motion was made and seconded to appoint Sandy Goad as the designated Election Official for the May 6, 2008 election. Upon a voice vote, the motion passed unanimously.

L. Public Comments

No public comments.

III. Adjournment

A motion was made and seconded to adjourn the regular meeting at approximately 7:54 p.m. Upon a voice vote, the motion passed unanimously.

Respectfully Submitted,

Michael Cantin, President

Shawn Eccles, Secretary