

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

Thursday, May 28, 2009 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, Pedro Velazquez, Paul Anderson, Cindy Monroe, Sandy Goad

I. Preliminary

- A. Call to Order
Director Cantin called the meeting to order at approximately 5:02 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

Special Item: Executive Session with Colorado Springs Utilities and Bradley Heights representatives to update the Board on the progress of negotiations to provide interim services to developments within the City but also inside Colorado Centre.

A motion was made and seconded to enter into Executive Session at 5:04 pm. Upon a voice vote, the motion passed unanimously.

A motion was made and seconded to close the Executive Session and resume the Regular Board Meeting at 5:40 pm. Upon a voice vote, the motion passed unanimously.

- A. Approval of the Minutes of the Regular Meeting of April 23, 2009.

A motion was made and seconded to approve the Minutes of the Regular Meeting of April 23, 2009. Upon a voice vote, the motion passed unanimously.

B. Review of District Finances – Cindy

- Bank Balances

Ms. Monroe gave the report on bank balances at this time. Ms. Monroe reported that as of May 27, 2009 the District has \$3,719,414.84 in funds with \$3,640,499.33 unencumbered. The ColoTrust rates have dropped to 0.42%. The First Community CD's are at 2.00%, 2.60% and 2.50%. A transfer letters was signed for monies for payables and payroll (employees and contract fire fighters).

A motion was made and seconded to authorize the transfer from ColoTrust into Wells Fargo checking of \$50,000 for payables and payroll. Upon a voice vote, the motion passed unanimously.

- Budget Review

The budget comparison for the month of April, 2009 was reported on. All funds are pretty much on target at this point in the year (33 percent into the year).

C. Approval of Payables

The Board reviewed the list of payables.

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

D. District Operations

- Water and Sewer Operations – (Pedro)

Field Superintendent, Pedro Velazquez reported that water and sewer operations are going well with no major problems.

The City has finished "TVing" the line and detected no infiltration. The field personnel have started the process of checking the meters to determine if there might be any malfunctioning which could cause mistaken readings. Dr. Testa stated that another possibility that might have caused the infiltration is the water leak that was found and repaired. The water from the leak could have infiltrated into the sewer line.

A new "vacuum" utility machine was purchased for cleaning all the water valves. The clean-up of the valve areas will enable the field personnel to exercise all the valves and keep them in working order. The field team has been doing extensive work in the parks (fertilizing and weeding), and clean-up along Horizonview Drive. They have also been clearing a trail on the land conveyed by the County.

- Parks Update
Grant Application

Director Cantin reported that they met with the County Board of Commissioners and the park Grant Application for \$25,000 has been approved. A condition that had to be met was to make the equipment handicap accessible. This is a matching Grant and the matching monies were budgeted for the park climbing equipment.

- Water and Sewer Demand and Augmentation Reports (AI)

Dr. Testa reported that for the month of April, 2009 the District produced approximately 5.5 million gallons of water and sold approximately 5.3 million gallons. The loss dropped significantly from 10.4 % in March to 5.3% in April. The leak on Sleepy Creek was repaired mid month so hopefully there will be a bigger drop next month. The sewer numbers are down and the wastewater to water ratio is 79.9 percent.

The sewer line in the 25 vacant lots in Morning Sun could be causing some infiltration problem. Director Ingraldi mentioned that we need to possibly pursue further action in regards to these vacant lots. The District has filed a lien on those lots plus has inquired about them being donated to CCMD. To date no response has been received from Tresmar (the owner).

A motion was made and seconded to pursue collection of Tresmar lien fees via a tax lien collection procedure through El Paso County. Upon a voice vote, the motion passed unanimously.

The Augmentation report is not available this month because the State did not send the diversion data for Spring Creek.

- Update on Cuchares Development

Dr. Testa introduced Mr. Tom Benkert, project manager for Cuchares. Mr. Benkert commented that they are laying the sanitary pipe at this time and have started service. The goal in the 1st phase is to have it paved before winter. Aspen View homes will possibly be building 50 homes with a 2010 start-up. The price range will be \$180,000 to \$250,000. They will probably have three builders at minimum.

The road at Shining Star will be paved; they are waiting on approval from the County. There will be a water main loop back to Anvil Drive and Myrtle which will connect to Horizonview. There will be two mains for our area and Cuchares. The Drennan and Bradley intersection will be "softened up" and widening and restriping will be part of Phase One.

- Parks Update
Grant Application

This item was reported on earlier in the meeting.

E. Legal Report – Paul Anderson

- Update on CSU/CCMD IGA

There have been several meetings between CSU, District Manager Al Testa and Paul Anderson concerning the IGA (interim services to Bradley Heights). An agreement has not been completed. This interim service will probably be in effect for 5-10 years. They are projecting approximately 150 homes by 2010. This agreement will help pay for fire and utilities and will be a win-win situation for all parties.

- Update of Fire Protection IGA Amendment to Include Cuchares Ranch

There has been an amendment to the IGA to include the Cuchares Ranch inclusion area in the agreement; thereby Fire Services will now be provided to the Cuchares Ranch inclusion area.

- Update on Water Tank Lease

Mr. Anderson has been conferring with Gary Mancuso from the City and aviation director, Mark Earle. There is a possibility of an additional \$2,000 needed for the deposit. Also, the agreement could be subject to annual appropriations (because of Tabor requirements that weren't in effect at the time of the original agreement). Mr. Anderson will keep us apprised of the situation. Dr. Testa would like Cindy to get an appraisal in place.

- Update of Fire Protection IGA Amendment to Include Cuchares Ranch

This was reported on earlier in the meeting.

- Resolution 20090528.1 For Fire Protection Employees

Mr. Anderson explained that this resolution will allow fire protection employees to be a part of the FPPA contribution plan. To date Tom Byes is the only employee and he is part-time.

A motion was made and seconded to approve Resolution No. 2009-05-28.1 Regarding Treatment of Fire Protection Employees. Upon a voice vote, the motion passed unanimously.

Going back to Cuchares issues Mr. Anderson stated that the Cuchares Water Case objection period ends at the end of June and he anticipates no more objections.

F. Emergency First Responder Services Report – Fire Chief

Captain Bob Throgmorton reported that the fire station is up and running and there have been four medical alarms (requiring ambulance transport to local hospitals) and one public assist since May 15, 2009.

J. Public Comments

Director Cantin introduced Mr. Mark James, a resident of Colorado Centre, who has asked to be heard regarding his opinions on the re-opening of the Fire Station. Via several e-mails to the District Manager and Board he is concerned about the legality of the re-opening and the process of funding the re-opening. Mr. James expressed his concerns and the Board, the District Manager and several residents responded to all his questions and comments. He was given a synopsis of the entire process that led to the decision to reactivate First Responder Services. Mr. James thanked all present for their feedback and for giving him the time to express his concerns.

One resident who was unable to be a part of the process because of his deployment asked about a volunteer fire department. Director Cantin explained that this was discussed quite thoroughly (with input from the County Fire Marshall) and the conclusion was that a volunteer department would not be sustainable in the Colorado Centre community. The Board felt that the decision they made was the best option for the community, financially and logistically.

One resident expressed concerns about the trash and debris thrown in and around Colorado Centre especially around Foreign Trade Zone. Director Cantin explained that they need to call the City and County code enforcement and the County Department of Transportation. He explained that all these departments have been called numerous times and it would help to get some clean-up action if more people made the calls also.

G. El Paso County Water Authority (AI)

Minutes of the April 1, 2009 meeting were included with the Board packets. The Transit Loss Model activities are the main items on the agenda in addition to the "Rainbarrel" Bill and the Metro Roundtable which allows participation at the State level.

H. Fountain Mutual Irrigation Company – (AI)

Minutes of the April 23, 2009 meeting were included with the Board packets. The City of Fountain has made a counter offer to buy their water rights. No

decision has been made as yet. Other issues are status of the Lorson Ranch Warranty on Canal Improvements; dredging at Big Johnson Reservoir; and the Gray Family Ditch No. 10 & No. 17 water rights. Dr. Testa believes that dredging of the Big Johnson Reservoir "needs to make business sense on its own".

I. Lower Fountain Metropolitan Sewage Disposal District (Mike Cantin)

Minutes of the April 9, 2009 meeting were included with the Board packets. Director Cantin reported that the contractor's bids for the interceptor project have been submitted and the contractor's have been pre-qualified. Approval from the Water Quality Board still has not been received. The Board would like Mr. Anderson to take getting this approval a step further and go to the Governor's office to inquire about the hold-up in getting the decision. They are looking at designs for the wastewater plant and types of equipment for disinfection.

For the benefit of all present, Director Cantin gave a brief history on the Lower Fountain Wastewater Treatment Plant process.

J. Public Comments

This item was addressed earlier in the meeting.

III. Adjournment

A motion was made and seconded to adjourn the regular meeting at approximately 8:10 p.m. Upon a voice vote, the motion passed unanimously.

Respectfully Submitted,

/s/

Michael Cantin, President

/s/

Shawn Eccles, Secretary