

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

Thursday, October 22, 2009 at 5:30 PM  
4770 Horizonview Drive  
Colorado Springs, CO 80925

Board Members Present:

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

Also Present:

Al Testa, Paul Anderson, Cindy Monroe, Pedro Velazquez, Sandy Goad

I. **Preliminary**

- A. Call to Order  
Director Cantin called the meeting to order at approximately 5:32 pm.
- B. Roll Call - Determination of a Quorum.  
A Quorum was present. Director Ingraldi was absent.
- 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 September 24, 2009.

**A motion was made and seconded to approve the Minutes of the Regular Meeting of September 24, 2009. Upon a voice vote, the motion passed unanimously.**

- B. Board's Time – Motion to Approve changing the December meeting from Thursday the 10<sup>th</sup> to Friday the 11<sup>th</sup> at 5:30 pm.

There is a conflict with the Fountain Sanitation board meeting which takes place on Thursday, December 10, 2009. Due to this conflict it is necessary to change the December CCMD regular board meeting.

**A motion was made and seconded to approve changing the December, 2009 regular meeting from Thursday, December 10th to Friday, December 11<sup>th</sup> at 5:30 pm. Upon a voice vote, the motion passed unanimously.**

Director Cantin commented on the proposed 2010 budget for Lower Fountain. CCMD will be paying \$15,000 for administration and \$565,000 for the interceptor. Approximately 2.3 million will be spent next year for the treatment plant. Director Cantin acknowledged the extreme benefit CCMD has by having Dr. Testa as the District Manager. An example given was that Dr. Testa was able to determine a \$300,000 savings to the District with regards to the interceptor.

C. Changes to the Agenda

No Changes.

D. Public Comments – Maximum of 5 minutes per person who has signed in.

Resident Andrew Tuthill had questions about the process of noticing special meetings. The Board and staff explained the process involved and that any time a special meeting is needed proper notice has been posted with the County, at the District offices and in two locations in the CCMD neighborhood. He also had questions regarding the water loss which occurs monthly. Al Testa and the Board explained that this is addressed every month in the District Operations reports and diligently monitored every month. The District's water loss is historically very minimal.

E. Review of District Finances – Cindy

- Bank Balances

Ms. Monroe gave the report on bank balances at this time. Ms. Monroe reported that as of October 20, 2009 the District has \$3,533,643.99 in funds with \$3,458,376.24 unencumbered. The ColoTrust rates are down (.30%). The Great Western CD's are at 2.00%, 2.60% and 2.50%.

- Budget Review – September 2009

Ms. Monroe reported on the budget comparison for the month of September, 2009. All funds are pretty much on target at this point in the year. Most of the property and specific ownership taxes have been collected for the year with approximately \$3,800 more coming in.

F. Approval of Payables

The Board reviewed the list of payables.

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

G. FY 2010 Budget Public Hearing (BODs and AI)

The public hearing on the 2010 proposed budget was opened at 6:00 pm. As required by State law (before October 15<sup>th</sup> of every year) Dr. Testa made a presentation of the Draft 2010 Budget. He has proposed that the First Responder fees will be reduced to \$29.86 down from \$33.00 and the commercial entities will be \$179.11 down from \$195.00. The water and wastewater tap fees will increase to \$5,775.00 up from \$5,500.00 (5% increase), the lost water charge will increase to \$.80 per kgal up from \$.77 and the excess sewer charge will be \$4.50 per kgal up from \$4.40 per kgal. All other fees will remain the same as 2009. There will be no salary raises except for those individuals who have earned additional certifications pertaining to their job responsibilities.

The District intends to provide the following services during fiscal year 2010: potable water, wastewater collection, trash collection, fire protection, park and landscaping maintenance, and general government liaison. Certain surplus revenues of the District at the end of each fiscal year are pledged to repay the non-G.O. bonds resulting from the CCMD US Bankruptcy Case No. 89 B 16410 J. The public hearing closed at 6:30 pm.

H. District Operations

- Water and Sewer Operations – (Pedro)

Superintendent Velazquez reported that water and sewer operations are going well with no major problems. Flushing of the lines is going on this week and will continue next week. We are trying to lower the BOD/TSS costs by using less ferric. Sampling is being done twice a week.

- Water and Sewer Demand and Augmentation Reports (AI)

Dr. Testa reported that the water loss is still up and no leaks have been detected. We are still monitoring this. Dr. Testa wants Pedro to check and see if the tank may be overflowing. Pedro will keep the tank at 28 feet and make this an automatic setting through the Scada system.

- Parks Update (Pedro)

Superintendent Velazquez reported that most of their time this month has been spent in the parks. The new playground equipment has been installed. All the costs will be submitted to the County so that the \$25,000 grant will be distributed to CCMD. Director Eccles asked about the repairs that are needed on the gazebo canvas that was damaged. Pedro is researching this to find the best way to facilitate the repair.

- Suggested Park Signage and Rules for Access and Dumping Issues (AI)

Dr. Testa has concerns about the dumping on property around Colorado Centre specifically on land owned by Banning Lewis Ranch Capital Pacific Holdings and the Widefield School District. He suggested we research the possibility of leasing the land from BLR and the school district (for a very minimal yearly fee) so that we could legally charge those owners for mowing and maintenance of the area. CCMD could also request the Sheriff to prosecute in the event of trespassing, dumping or vandalism. Mr. Anderson will do some research on this and report back to the Board.

The Park Signage and Rules for Access was discussed and Dr. Testa submitted example signage/rules. After discussion this was tabled. Mr. Anderson will research all the legalities and proper signage for the CCMD public park area.

- Update on Cuchares Development and Water Court Case (AI)

Dr. Testa reported that the developers are ready to pave if the weather cooperates. After the paving is completed they will be ready to start building. The developers have indicated to Dr. Testa that they have an interested builder. The Water Court Case is nearing completion.

I. Legal Report – Paul Anderson

- Cuchares Water Rights Issue

As Mr. Anderson reported previously there was an error on the deed as to the exact wells that were capped (two were conveyed erroneously). Mr. Anderson has the Correction Deed prepared (with the corrected well list) for Virginia Cuchares to sign for proper conveyance to Cuchares Ranch.

- Other

Dr. Testa commented that he has been conferring with CSU and they are hoping that the Military Reserve training center proposed for the area between Aerospace & FTZ Blvd. (Case Property) would become a reality. Dr. Testa will research this and feels that if this does become feasible they should have their own IGA (separate from Bradley Heights). This would be interim service for the next five to ten years and would generate substantial income for CCMD from system improvement fees and monthly fees.

J. Emergency First Responder Services Report – Fire Chief

Chief Tom Byes reported that the fire station had six runs in the last month. All runs were medical with two cardiac arrests and one DOA. The fire hoses were tested and Colorado Springs tested the pumper. The pumper will be taken to Denver in Nov. for a valve recall repair. Colorado Springs will loan us a truck while our engine is in Denver.

K. El Paso County Water Authority

The EPCWA May 6, 2009 board meeting minutes was included in the packets. The water authority will be intact for another year. The Transit Loss Model is the main issue being discussed. Dr. Testa feels that it is important to work out who operates the Transit Loss Model.

L. Fountain Mutual Irrigation Company – (A1)

Minutes of the September 24, 2009 regular meeting were included with the Board packets. Leasing of storage at Big Johnson continues to be an issue. Dr. Testa stated that a comprehensive study of leasing legalities is necessary before any leasing is started.

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

Minutes of the September 10, 2009 meeting were included with the Board packets. Director Cantin reported that the Construction Manager will be selected within the next two weeks.

Director Cantin had requested a tour of the Fountain Sanitation plant to better understand the workings of a wastewater treatment plant. He will confer with Jim Heckman to set up the tour so that any interested Board member can attend. He had suggested that a good time would be on December 10<sup>th</sup> before the Fountain Sanitation regular Board meeting begins.

**III. Adjournment**

**A motion was made and seconded to adjourn the regular meeting at approximately 7:40 p.m. Upon a voice vote, the motion passed unanimously.**

Respectfully Submitted,

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Michael Cantin, President

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Shawn Eccles, Secretary