

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

Thursday, April 25, 2013 at 5:30 PM  
4770 Horizonview Drive  
Colorado Springs, CO 80925

Board Members Present:

Michael Cantin  
Shawn Eccles  
Joan Lucia-Treese  
Karen Harvey

President, Chairman  
Vice President, Vice Chairman  
Treasurer  
Secretary

Also Present: Al Testa, Cindy Monroe, Paul Anderson, and Sandy Goad

**I. Preliminary**

- A. Call to Order  
Director Cantin called the meeting to order at approximately 5:31 pm.
- B. Roll Call - Determination of a Quorum.  
A Quorum was present. Director Terry 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 March 28, 2013.

Director Harvey commented that the tour date of the LFMSDD wastewater plant took place on March 11, 2013 not April 11, 2013. This date was corrected.

**A motion was made and seconded to approve the corrected Minutes of the Regular Meeting of March 28, 2013. Upon a voice vote, the motion passed unanimously.**

- B. Board's Time

Director Lucia-Treese commented that she found out at the last HAC meeting that any and all road repair requests must now be submitted by individual residents by calling El Paso County at 520-6891 or by submitting a Road & Bridge Service Request on the El Paso County website (elpasoco.com). This information will be placed in the CCMD newsletter. Director Lucia-Treese would like the residents to give her feedback regarding any request that they make. This will be placed in the newsletter also. The process will begin in November and she will contact the

County at that time for information about Colorado Centre requests so that she can submit this information at the appropriate HAC meeting.

Director Cantin inquired about the legalities, etc. of Colorado Centre Metropolitan District operating/managing a Library and/or Community Center. Mr. Anderson will research the possibilities of getting this into the Charter for Colorado Centre and also if this could possibly be incorporated as an enterprise of Colorado Centre. Director Lucia-Treese will research the availability of Federal Grant monies to fund community projects.

C. Changes to the Agenda

Dr. Testa commented that the Robinson Water Rights Carriage Agreement is not completed as he originally thought so this will not be reported on.

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

No Public Comment.

E. Financial Review (Cindy)

- Bank Balances

Ms. Monroe gave the report on bank balances at this time. As of April 22, 2013 the District has \$4,258,558.52 in funds. The District's expendable funds are \$4,019,926.74.

- Budget Review

Ms. Monroe presented the budget review for March, 2013.

- Financial Transactions

The third payment is due for the Wastewater Loan. This is included in the payables. A transfer letter was signed to transfer monies into checking for the substantial payment to LFMSDD for the April, 2013 capital contribution for the Wastewater Treatment Plant.

- Update on 2012 Audit Process

The auditors were here doing their field work the second week of April, 2013. To date there has been no feedback. The audit meeting has not been scheduled. The audit needs to be sent to the State Auditor's Office by the end of July, 2013.

F. Review and Approval of Payables (Board)

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. District Operations

- Water, Sewer and Parks Operations (A1)

Dr. Testa reported that the field personnel have been flushing the system this week. Installation of the skateboard equipment has been delayed because of weather issues.

Dr. Testa commented that we had bought some lifting equipment a few years ago that we really can't use. Jim Heckman of Lower Fountain has a need for the equipment and would like to purchase it. This purchase will be arranged.

Director Cantin commented that the couch and carpet pieces have still not been picked up. He will e-mail the information to Dr. Testa and he will pass it on to the field personnel.

The Lower Fountain connection line is being bid now. Dr. Testa reiterated that there will be no operations payment until we are flowing.

- Water and Sewer Demand and Augmentation Reports (A1)

For the month of March we produced approximately 4.7 million gallons and sold approximately the same amount. The water loss is minimal. We pumped approximately 4 million gallons of wastewater to Widefield.

The augmentation report was given for the augmentation period November 2011-October 2012. CWPDA is interested in leasing the excess CCMD credits (\$325.00 per acre feet). This is a very beneficial situation for Colorado Centre to be in.

- Update on Cuchares Development (Sandy)

To date 105 lots have been sold in the current filings/phases. Filing 6 is under review. Director Cantin mentioned that he would like Dr. Testa to research the feasibility/practicality of setting up warning signs for the detention ponds.

- JCC Channel Improvements Design by Kiowa (AI)

The JCC Channel Improvements Design is 95% completed. It has been sent to the City for approval. Dr. Testa has conferred with County engineer Andre Brackin regarding reimbursement for channel improvements, detention ponds, etc. that CCMD has facilitated. Mr. Brackin is researching this.

- Bradley Heights Update (AI)

Mr. Case still wants to go forward with his development. He now wants to build up to 1000 homes. A new IGA will need to be worked out with Colorado Springs Utilities.

**A motion was made and seconded to enter into Executive Session pursuant to The Colorado Rules of Professional Conduct and C.R.S. (§24-6-402 Paragraph 3a) to address specific legal advice on specific legal questions which are confidential and protected by attorney-client privilege. Upon a voice vote, the motion passed unanimously.**

The recorder was turned off and Executive Session was entered into at 6:30 pm.

Executive Session ended at 6:45 pm and the Regular Meeting was continued.

- Robinson Water Rights Carriage Agreement (AI)

This item was deleted from the agenda.

- Relocation of CCMD's Sewer Effluent from FSD to LFMSDD

This was addressed earlier in the meeting.

#### H. Public Hearing – Rules and Regulations Update

The Public Hearing was opened at 6:46 pm.

Director Cantin had questions/clarifications that were addressed by Dr. Testa and Mr. Anderson. A final version will be completed and presented at the next Regular Board meeting for approval.

The Public Hearing was closed at 6:55 pm.

#### I. Legal Report (Paul Anderson)

Mr. Anderson stated that he has been working/researching future conveyance of facilities, interim service, and water rights within the Jimmy Camp Creek Basin.

The next nutrients rulemaking session is scheduled for June, 2013. Lower Fountain is working with the Arkansas River Fountain Creek Coalition for Urban/Rural River Evaluation Watershed Group. This group is a regional water quality monitoring workgroup being organized to consolidate efforts and resources of multiple agencies to meet requirements of the Nutrient Management Control Regulations 85 and 31.

Mr. Anderson commented that the organization which wants to lease CCMD's excess water, the Colorado Water Protective and Development Association helps provide water to small users who don't have their own augmentation supply. The CWPDA operates similarly to the Pikes Peak Community Foundation only on a larger scale.

Director Lucia-Treese commented that the Colorado Legislative Leadership has introduced a bill that will prove to be detrimental to Mountain View Electric Association and costly to the MVEA membership. SB 13-252 was introduced with requirements for the MVEA and their wholesale power supplier to increase the amount of renewable energy sources from the current requirement of 10 percent to 25 percent in six and one-half years. This bill more than doubles the existing mandate in less than half the time that was allowed under the existing law. This measure will cost rural Coloradans billions of dollars to comply. The CCMD Board actually has no real control of any outcome but Director Lucia-Treese would like everyone to be aware of this State Bill 13-252 and to contact the Colorado legislators to ask them to vote No on SB 13-252.

J. Emergency First Responder Services Report (Tom Byes)

Chief Byes was unable to attend the meeting. Dr. Testa said that he talked to Captain Bartlett and he expressed that it has been very quiet the last month and everything is within budget.

K. Fountain Mutual Irrigation Company – (AI)

Minutes of the March 21, 2013 regular meeting were included with the board packets.

Dr. Testa reported that the McRae Reservoir Augmentation station is almost complete. Discussions are ongoing regarding increasing storage in Big Johnson. The water rights 10 & 17 (Grey Family Trust) have still not been purchased.

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

Minutes of the March 14, 2013 Regular Board meeting were included with the Board packets plus the April 11, 2013 agenda.

- Progress Report

The Biosolids building is underway. The Culvert that will be built underneath old Pueblo Road should be going to bid soon. The Water Quality Control Division and nutrient standards is continuing to be a problem to deal with.

Dr. Testa commented that the audit meeting will probably occur at the May Regular Board Meeting. Because of personal commitments, he will not be able to attend the June 27, 2013 Regular Board Meeting. Also, Director Cantin expressed that he will not be able to attend the June meeting either.

**A motion was made and seconded to cancel the June 27, 2013 Regular Board Meeting. Upon a voice vote, the motion passed unanimously.**

If the audit cannot be presented at the May, 2013 meeting, a special meeting can be organized or it can be presented at the July, 2013 Regular Board Meeting. As stated earlier, the audit must be submitted to the State Auditor's Office by July 31, 2013.

M. Executive Session (if needed)

Executive Session was entered into at 6:46 pm and closed at 6:55 pm.

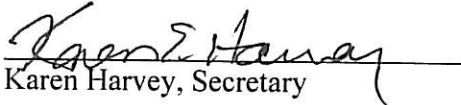
### III. Adjournment

**A motion was made and seconded to adjourn the regular meeting at approximately 7:30 p.m. Upon a voice vote, the motion passed unanimously.**

Respectfully Submitted,



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Michael Cantin, President



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Karen Harvey, Secretary