

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

Thursday August 28, 2014 at 5:30 PM  
4770 Horizonview Drive  
Colorado Springs, CO 80925

Board Members Present:

Michael Cantin	President, Chairman
Shawn Eccles	Vice President, Vice Chairman
Joan Lucia-Treese	Treasurer
Karen Harvey	Secretary
Floyd Edwards	Assistant Secretary/Treasurer

Also Present: Dr. Al Testa, Cindy Monroe, Paul Anderson, Tom Byes, Josh Winter, Pedro Velazquez 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.
- 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 July 24, 2014.

**A motion was made and seconded to approve the Minutes of the Regular Meeting of July 24, 2014. Upon a voice vote, the motion passed unanimously.**

- B. Board's Time

None.

- C. Changes to the Agenda

No Changes.

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

Steve Mulliken, Bradley Heights Attorney, was in attendance and commented that the CSU Board met and made a presentation regarding the plan. This is the eighth draft of the Intergovernmental Agreement. Dr. Testa and Mr. Anderson will

receive a copy so that they can review it. The Planning Commission will act on this and the Mills issues will be clarified. The property is under contract for the first phase.

E. Review of District Finances (Cindy)

- Bank Balances

Ms. Monroe gave the report on bank balances at this time. As of August 27, 2014 the District has \$3,186,648.41 in funds. The District's expendable funds are \$2,953,658.13.

- Budget Review for July, 2014

Ms. Monroe presented the budget review for calendar year 2014, Month of July.

- Bank Transfers and Other Financial Activities

No transfer needed.

Ms. Monroe supplied the Board with a breakdown of Robinson Ditch expenses and revenue.

- Status on Colorado Labor Department Audit and Challenge

This item will be discussed in Executive Session.

- Request Approval to Launch New Customer Service Web Site.

Ms. Monroe gave a demonstration to the Board on the new CCMD customer service web site. Several customers have already made on-line payments.

**A motion was made and seconded to approve the Launching of the New Customer Service Web Site. Upon a voice vote, the motion passed unanimously.**

- Authorization to Certify Liens on Properties to El Paso County

**A motion was made and seconded to approve authorizing the Certification of Liens at the September 25, 2014 Regular Board Meeting. Upon a voice vote, the motion passed unanimously.**

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

- Request by Management to Stay All Rules and Regulations of the District Regarding Retirement Pending Legal Review.

Dr. Testa stated that there needs to be additional legal review of the Rules and Regulations of the District regarding retirement.

**A motion was made and seconded to approve to Stay All Rules and Regulations of the District Regarding Retirement Pending Legal Review. Upon a voice vote, the motion passed unanimously.**

Resident Andy Tuthill commented that he now works the night shift and would appreciate notice of when this issue regarding retirement will be an agenda item so that he can arrange with his employer to attend the meeting. The Board answered that this will be facilitated.

- Parks, Water and Sewer Systems (Pedro)

Mr. Velazquez reported that water demand is high. Due to the high rainfall, the parks and common areas are needing to be mowed more frequently. There have been no problems with the wastewater flow to Lower Fountain. The staff and Board complimented AJ Eccles for his outstanding work during his summer part-time job with Colorado Centre.

- Augmentation and Usage Reports (AI)

The augmentation report is for water paid in period November 2013-October 2014 and for Augmentation period November 2011-October 2012. All the data from Lower Fountain gets transferred electronically. All excess waters will be sold to CWPDA. They indicated that they didn't need to purchase any more water but they have to adhere to the contract which states that they must buy all the excess water.

- Main Contract for T-Bone Construction, Inc. and Change Order No. 1 for Jimmy Camp Creek Bank Protection Repairs.

Dr. Testa presented the main contract between Colorado Centre and T-Bone Construction. The project is the Water Filtration Plant, Administration Building, soccer/soft field, drainage repairs along Jimmy Camp Creek, and other projects that may come along in this fiscal year, all within the boundaries of Colorado Centre. The project may be the whole or only a part of the description.

**A motion was made and seconded to approve the Main Contract between Colorado Centre Metropolitan District and T-Bone Construction including but not limited to the Water Filtration Plant, Administration Building, soccer/softball field, and drainage along Jimmy Camp Creek as presented by Dr. Testa. Upon a voice vote, the motion passed unanimously.**

Dr. Testa stated that the work and time of performance will be agreed and priced using Change Orders. Dr. Testa recommended that the Board approve Change Order 1 regarding the JCC Channel slope repair and changes in contract price and times. Also, he recommended that the Board approve Change Order 2 regarding the Filtration Plant Building Design and changes in contract price and times.

**A motion was made and seconded to approve Change Order 1 For the JCC Channel Slope Repair as presented by Dr. Testa. Upon a voice vote, the motion passed unanimously.**

**A motion was made and seconded to approve Change Order 2 For the Filtration Plant Building Design as presented by Dr. Testa. Upon a voice vote, the motion passed unanimously.**

- Morning Sun IIA

Dr. Testa has been researching different scenarios for the Morning Sun IIA property that we now own. He met with the County and made application to reinstate the Plat. Director Lucia-Treese also attended the meeting and stated that the County seems to think this is a feasible scenario. We will be allowed to modify down from 25 lots and also establish restrictions on what is built. A trail in the area along the creek will also be accommodated. The monies from selling these lots would be used for protection/stabilization along Jimmy Camp Creek.

- Cuchares Filing 6 and 7 Drainage Fees for Jimmy Camp Creek Channel Improvements Alternative (AI)

Dr. Testa met with the County regarding reimbursement of drainage fees and their reply was negative. He has put in a request to have a meeting with Dennis Hisey. Director Cantin commented Cuchares Ranch developers have agreed to help us receive drainage monies for Filings 6 and 7.

- SCADA System Upgrade (AI)

Dr. Testa commented that the SCADA is near completion. He further stated that Rob Monroe has been a real asset during this process. Fountain Sanitation needs to complete their connection.

- Water Filtration Plant Design Progress- Grading Contract (AI)

Dr. Testa reported that we are moving forward on this. The Contract and Change Orders were addressed earlier in the meeting.

- Metering Station to Lower Fountain and Asset conveyance updates (AI)

As Mr. Velazquez reported the metering station is working efficiently. The asset conveyance is still not finished. This will probably not be completed until October; therefore the transfer check written for the conveyance payment will be transferred back into the appropriate Farmers State Bank account.

- Update on Cuchares Development (Cindy, Sandy).

To date there has been five new lots sold in August. The total to date for all the filings is 269 (Build out is 408). These lots are in Filing 5. Filing 6 is in process and Filing 7 is the last filing.

- Bradley Heights Update (AI)

This item was addressed earlier in the meeting.

#### H. Legal Report (Paul)

Mr. Anderson stated that he has been tracking several issues including the 303d Listing Methodology workgroup, Permit Issues workgroup, Waters of the US Proposed Rule, AFCURE, and Sediment Policy workgroup and pending EPA Rulemakings. AFCURE will have two meetings next month and will lay out the locations of monitoring stations for the members. The next meeting for the Regional Water Authority takes place on September 3, 2014.

Mr. Anderson has been developing a "Notice of Interest Form" with regards to all un-developed parcels and existence of infrastructures to protect any future financial interests of the District pertaining to these parcels.

Director Cantin inquired about the Ballot Initiative regarding Storm Water which is on the November Ballot. Director Lucia-Treese feels that this storm water issue needs to be addressed because further delays could make it even more fiscally burdensome. Mr. Anderson will research the implications for Colorado Centre.

#### I. Fire Department Report (Tom Byes and/or Josh Winter)

Chief Byes reported that the department had 15 alarms last month with the majority being medical assists. There was a traffic accident with two fatalities. Director Lucia-Treese dropped by the Station on that day to lend her support and

the firefighters were very appreciative of that support and recognition. Assistant Chief Winter reiterated how much this support is appreciated by the fire fighters.

Assistant Chief Winter also praised the work that Captain Roddy Bartlett did on getting the generator working properly.

J. Fountain Mutual Irrigation Company (AI)

Minutes of the July 17, 2014 Regular Board Meeting were included with the Board packets.

All is going well with FMIC in terms of irrigation and augmentation water. There are ongoing discussions involving CSU improvements at the FMIC Headgate.

Maintenance of the ditch areas is extensive because of the large amount of rainfall.

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

Minutes of the July 10, 2014 Regular Board Meeting were included with the Board packets plus the Agenda for the August 14, 2014 Regular Board Meeting.

- Activity Report.

Director Cantin commented that operationally LF is still working out some minor start-up and warranty issues..

Director Cantin stated that there is still a diversion of water issue. It appears that there is water being diverted and this is a real concern for Colorado Centre and the City of Fountain. Colorado Centre and the City of Fountain need to work together and determine who is implementing any diversion of water and put this person/entity on Notice. The City of Widefield has an interest in this also. Mr. Anderson will do some research on this situation.

Director Cantin reported that the Nitrogen regeneration project needs to get started. Most of the work concerns electrical work and Roger Sams wants to have McDade Woodcock do the project and be the Contract Manager At Risk.

**A motion was made and seconded to suspend the Regular Meeting and continue with Executive Session. Upon a voice vote, the motion passed unanimously.**

Director Cantin acknowledged Pedro Velazquez's ten years of outstanding employment with CCMD. A dinner function in honor of his 10 year anniversary took place at this time.

L. Executive Session, if needed. Used for legal, contract and personnel matters only.

**A motion was made and seconded to enter into Executive Session at 8:05 p.m. Upon a voice vote, the motion passed unanimously.**

Upon Motion the Board went into Executive Session at 8:05 p.m. pursuant to C.R.S. Section 24-6-402(3) (a) (II) and closed at 8:22 p.m.

The topics discussed during executive session were: (1) the on-going Department of Labor & Employment audit claims for unpaid unemployment taxes and options to resolve the same; and (2) the District's options regarding future scheduling of first responder contractors and ensuring that a sufficient number of first responders are available to provide contractor services to the District."

The Regular Board meeting continued at 8:22 p.m. No further discussion was needed.

### III. Adjournment

**A motion was made and seconded to adjourn the regular meeting at approximately 8:23 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

ACKNOWLEDGMENT, NOTICE AND CONSENT TO  
REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
COLORADO CENTRE METROPOLITAN DISTRICT

WE, THE UNDERSIGNED members of the Board of Directors of the Colorado Centre Metropolitan District, do hereby acknowledge receipt of adequate notice of the regular meeting of the Board held **Thursday, August 18, 2014** informing us of the date, time and place of the meeting and the purpose for which it was called. We do hereby waive any and all irregularities, if any, in such notice and in the manner of service upon us, and consent and agree to the holding of such meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before such meeting.

Slyd J Edwards

Karen M Haway

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[Signature]

Donna Louise Dreese