

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

Thursday November 20, 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
Floyd Edwards	Assistant Secretary/Treasurer

Also Present: Dr. Al Testa, Cindy Monroe, Paul Anderson, Josh Winter, Pedro Velazquez and Sandy Goad.

**I. Preliminary**

- A. Call to Order  
Director Cantin called the meeting to order at approximately 5:30 pm.
- B. Roll Call - Determination of a Quorum.  
A Quorum was present. Director Harvey was unable to attend tonight's meeting.

**A motion was made and seconded to excuse Director Harvey's absence. Upon a voice vote, the motion passed unanimously.**

- 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 October 23, 2014 and Work Session of November 8, 2014.

**A motion was made and seconded to approve the Minutes of the Regular Meeting of October 23, 2014. Upon a voice vote, the motion passed unanimously.**

**A motion was made and seconded to approve the Minutes of the Work Session of November 8, 2014. Upon a voice vote, the motion passed unanimously.**

- B. Board's Time

Director Lucia-Treese reported that she attended the Board of County Commissioner's workshop meeting on road issues. The County is concentrating

more on unincorporated areas of the County and getting more monies into these areas. She testified about the roads in Colorado Centre and Commissioner Hisey commented that he noticed the deterioration of the roads in Colorado Centre when he attended the workshop on wheels. One thing that Colorado Centre could get are ADA compliant sidewalks. Also, the Commissioners commented that some of the Tabor monies could be put back into unincorporated areas. There are possibly State and Grant monies available. They are working on ways to put more monies into roads.

Also, Director Lucia-Treese discussed the needs of Colorado Centre specifically in Morning Sun II with Andre Brackin. (He attended the workshop on wheels and is aware of the deterioration of Colorado Centre roads). He commented that there is a "Letter of Responsibility" in lieu of posting collateral that could be facilitated for the needs of Colorado Centre. The Board would like Director Lucia-Treese to work with Andre Brackin to put a letter together for Colorado Centre.

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 IGA re-draft has been completed. Dr. Testa and Mr. Anderson have had several meetings with the city and attorneys and feel that things are moving forward. The issue of paying the water back on Fountain Creek is a big deal and needs to be addressed and finalized. Also the transition of the northwest quadrant needs to be addressed and the sale of assets to them if we still have the parcels (Mr. Anderson is researching this.). If we still have the parcels then we have to have the right to service them at no cost to us. They are under contract with a potential builder and he feels very positive that things are moving forward.

E. Review of District Finances (Cindy)

- Bank Balances

Ms. Monroe gave the report on bank balances at this time. As of November 18, 2014 the District has \$3,182,006.40 in funds. The District's expendable funds are \$2,949,238.62.

- Budget Review for October, 2014

Ms. Monroe presented the budget review for calendar year 2014, month of October.

- Bank Transfers and Other Financial Activities

All the monies have been expended for the Bradley Heights Development consultations. Ms. Monroe had an invoice delivered to Mr. Case so hopefully it will be paid next week. A transfer letter was signed authorizing transfer of monies from ColoTrust into Farmers State Bank for Bradley Heights expenses incurred by Colorado Centre for the Bradley Heights Development.

Ms. Monroe commented that we did receive the credit cards for the Board but they were not embossed with the tax exempt number. Ms. Monroe will re-design the cards and distribute them when they are correctly completed.

A transfer wire from Farmers' State Bank into Wells Fargo Checking was authorized by the Board for payment to Fountain Sanitation for the pipe and metering station.

- Approval of Bondholder's Payment

The Bondholders payment was discussed and approved.

**A motion was made and seconded to approve the January 1, 2015 payment of \$132,475.16 to the Series "A" interest only bondholders. Upon a voice vote, the motion passed unanimously.**

Dr. Testa commented that after all the numbers are in and the budget completed we could possibly be able to give rebates to customers in November and December (for water usage).

**A motion was made and seconded to allow rebates to customers as the numbers show for November and December, 2014 Invoices. Upon a voice vote, the motion passed unanimously.**

- F. 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. Hearing on Proposed Budget Amendment for 2014.

The Public Hearing for the Proposed Budget Amendment for 2014 was opened at 5.55 pm. There was no public in attendance.

Discussion commenced regarding the possible necessity to appropriate and transfer some of its reserve fund balance to the General Fund to help defray the

cost of repairs of the Jimmy Camp Creek Bank protection damaged by flooding in July of 2014.

H. Approval of Resolution 20141120.1 Supplementary Budget and Appropriation

**A motion was made and seconded to approve Resolution 2014-11-20.1 to Amend the 2014 Budget and Appropriate Additional Funds of the Colorado Centre Metropolitan District. Upon a voice vote, the motion passed unanimously.**

The Public Hearing for the Proposed Budget Amendment for 2014 was closed at 5:57 pm. The Regular Board Meeting continued.

I. Hearing on Proposed 2015 Budget

The Public Hearing for the Proposed 2015 Budget was opened at 5:57 pm. There was no public in attendance. Dr. Testa commented that there were no changes as proposed at the October, 2014 public meeting. The proposed changes and comparison to last year is below:

**Water:**

2014   2015

\$11.00	\$11.00	Per Month-Administrative Service Charge.
\$ 3.00	\$ 3.00	Per Month-Capital Improvement Service Charge.
\$ 2.50	\$ 2.50	Per 1,000 Gallons-Use Charge up to 10kgal/mo.
\$ 3.50	\$ 4.00	Per 1,000 Gallons-After 10 up to 15kgal/mo.
\$ 4.75	\$ 6.00	Per 1,000 Gallons-After 15 up to 20kgal/mo.
\$ 8.00	\$10.00	Per 1,000 Gallons-After 20 up to 30kgal/mo.
\$16.00	\$16.00	Per 1,000 Gallons-After 30kgal/mo.

**Wastewater:**

2014   2015

\$11.00	\$11.00	Per Month-Administrative Service Charge.
\$13.00	\$13.00	Per Month-Capital Improvement Service Charge.**
\$7.50	\$ 7.50	Per Thousand (1000) Gallons-Use Charge.

(Based on the average monthly water consumption during the months of December & January).  
\*\*The \$10.00 of the \$13.00 sewer service charge is strictly for the LF wastewater treatment plant.

**Street Lights:**

2014- \$ 2.30 Per Month Service Charge/\$23.00 (Commercial)

2015- \$ 2.30 Per Month Service Charge/\$23.00 (Commercial)

**Trash Removal:**

2014   2015

\$13.25 \$13.50 Per Month Service Charge

**First Responder Services:**

2014- \$25.56 Per Month Service Charge/\$153.32 (Commercial)

2015- \$25.36 Per Month Service Charge/\$152.11 (Commercial)

The Public Hearing for the Proposed Budget for 2014 was closed at 6:00 pm. The Regular Board Meeting continued. The Budget will be approved at the December, 2014 Regular Board Meeting

J. District Operations

- Parks, Water and Sewer Systems (Pedro)

Mr. Velazquez reported that water demand is down. All is good with the water and sewer systems. With the cold weather we have had several calls regarding sprinkler system line breaks. The residents failed to winterize and this caused the breakage.

We are pumping approximately 130,000 gallons a day of wastewater to Lower Fountain.

We are continuing to pick up leaves and pine needles in the parks and common areas.

Director Cantin commented that if hedges (work session suggestion) are installed around the park areas it would be good to leave access gaps. Also, from the work session it was determined that the swing set needs to be replaced in the Horizonview Park (and possibly add a slide). This will be facilitated.

- Augmentation and Usage Reports (Al)

The District produced 6.9 million gallons of water in October and sold approximately 6.6 million gallons. There was approximately 4.4 million gallons of wastewater metered to Lower Fountain.

The augmentation report is for water paid in period November 2013-October 2014 (the year is finished) and for Augmentation period November 2011-October 2012. All the data from Lower Fountain gets transferred electronically. For the year we sold approximately \$157,000 worth of augmentation water. Dr Testa wants to confer with the State regarding eliminating the delay of payment. In order to do this we would have double flows for two years. He will report back to the Board regarding this situation and the best way to measure the augmentation water.

- Upgrade at Water Tank

Dr. Testa included a chart indicating the pumping average for plant booster pumps. The chart is indicating that the impellers are starting to wear. He will have Mr. Velazquez pull the pumps with a crane and check if repairs need to be made and if needed, they will be repaired or replaced at the same time.

We are trying to reduce the size of the lease parcel that we have with the City of Colorado Springs Airport. If we can do this then we could possibly lower the lease cost. This would involve compiling a lease amendment.

Dr. Testa that there is no need to have the building at the bottom of the water tank. The building will be removed and the transmitter, radios and solar panels will be installed to the top of the tank.

- Water Filtration Plant Design Progress (AI)

Dr. Testa reported that we are moving forward on this and everything is going well. The architects and engineers are working on the design and the grading is almost completed.

- MOA between FSD and CCMD, FSD conveyance of Assets to CCMD, and ROW conveyance from CCMD to LFMSDD (AI) – Review and Approval of Documents.

The Memorandum of Agreement between Fountain Sanitation District and Colorado Centre Metropolitan Agreement was discussed at this time. The MOA has been signed by FSD Board President Bobby Phillips.

**A motion was made and seconded to approve and sign the Memorandum of Agreement by and between Fountain Sanitation District and the Colorado Centre Metropolitan District established as the 12<sup>th</sup> day of November, 2014. Upon a voice vote, the motion passed unanimously.**

The Bill of Sale and Agreement of the Jimmy Camp Creek East Interceptor Sewer-MH No. 44 to Colorado Centre Metropolitan District (CCMD) Interceptor Sewer and the CCMD Meter Station was discussed at this time. The Bill of Sale and Agreement has been signed by FSD Board President Bobby Phillips.

**A motion was made and seconded to approve and sign the Bill of Sale and Agreement of the Jimmy Camp Creek East Interceptor Sewer-MH No. 44 to Colorado Centre Metropolitan District (CCMD) Interceptor Sewer and the CCMD Meter Station by and between Fountain Sanitation District and the Colorado Centre Metropolitan District entered into the 12<sup>th</sup> day of November, 2014. Upon a voice vote, the motion passed unanimously.**

- Update on Cuchares Development (Cindy, Sandy).

Nine lots were sold at the end of October and the first part of November. The total to date for all the filings is 282 (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.

K. Legal Report (Paul)

Mr. Anderson continues to track several issues including the 303d Listing Methodology workgroup, Permit Issues workgroup, Waters of the US Proposed Rule, AFCURE, Temperature Standards and DMR Guidance, Sediment Policy workgroup and pending EPA Rulemakings and storm water issues.

Regarding the Work Session issues he is still researching the possibility of incorporation. This is a complicated issue and he needs to do further research regarding any incorporation possibilities.

He continues to work on the Service Plan and employment matters.

- Approval of Resolution 20141120.2 – Notice of Interest in Public Utilities

Mr. Anderson has compiled a Notice of Interest in Public Utilities. Colorado Centre Metropolitan District wants to give notice that certain public utilities constructed, installed, financed and or paid for by the District are located upon or under certain, currently undeveloped real estate parcels located within the District's service area and other portions of El Paso County. (Maps and parcel ID's are attached to the Notice). The Board of Directors of the District has determined it is in the best interest of the District to formally record this notice so that current and future owners of the parcels, including all private or public entities that may be involved in the purchase, sale or site development of any of the parcels are on notice of the District's interest in the utilities so located on the parcels.

**A motion was made and seconded to approve Resolution No. 2014-11-20.2 of the Board of Directors of The Colorado Centre Metropolitan District Regarding a Notice of Interest in Utilities. Upon a voice vote, the motion passed unanimously.**

L. Fire Department Report (Josh Winter)

Chief Winter commented that the District had 16 calls in the last month. There were 5 calls in one day last month which is a record for Colorado Centre. Bob Throgmorton and Todd Hefner were on duty that day.

Regarding the Traffic Accident reimbursements we have submitted four to date and received one denial from State Farm.

Chief Winter reported that Roddy Bartlett will be retiring from contract work on December 14, 2014. All agreed that he will be greatly missed. Dave Lee will transition into his contractor position. Chief Winter has contracted with three new firefighters. They will start their shifts in December, 2014 and January,

2015. He has a new program for scheduling which he will share with Director Lucia-Treese. Since the City of Colorado Springs is part of our fire protection, he has arranged to meet with Chief Riley of Colorado Springs in early January, 2015 to discuss mutual interests and to maintain a good working relationship.

M. Fountain Mutual Irrigation Company (AI)

Minutes of the October 14, 2014 Regular Board Meeting were included with the Board packets.

All is going well with FMIC in terms of irrigation and augmentation water. We have a new field (ditch) manager which is separate from the management of the District. Concerns with the general management continues to be an ongoing issue. The new field (ditch) manager is doing an excellent job and has become a real asset to Fountain Mutual. He has finished his three month trial and has accepted the responsibilities of a full-time field manager.

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

Minutes of the October 9, 2014 Regular Board Meeting were included with the Board packets plus the Agenda for the November 13, 2014 Regular Board Meeting.

- Activity Report

Director Cantin commented that he attended the Budget Workshop. Budget items include the nutrients project and phosphorous testing. A proposed chemical feed station on Marksheffel was taken off the budget.

O. Christmas Party Update (Sandy)

Arrangements were made with the Hotel Elegante in Colorado Springs for the Christmas party. It will be held December 13, 2014 commencing at 6:30 p.m. Menu items were sent out and choices need to be received this week. Roddy Bartlett and Tom Byes will be honored at the Christmas Party.

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

**A motion was made and seconded to enter into Executive Session at 7:05 p.m. Upon a voice vote, the motion passed unanimously.**

Upon Motion the Board went into Executive Session at 7:05 p.m. pursuant to C.R.S. Section 24-6-402(3) (a) (II) and closed at 7:20 p.m.



The topics discussed during executive session were personnel matters and no action was taken.

The Regular Board meeting continued at 7:20 p.m. No further discussion was needed.

### **III. Adjournment**

**A motion was made and seconded to adjourn the regular meeting at approximately 7:21 p.m. Upon a voice vote, the motion passed unanimously.**

Respectfully Submitted,



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Michael Cantin, President

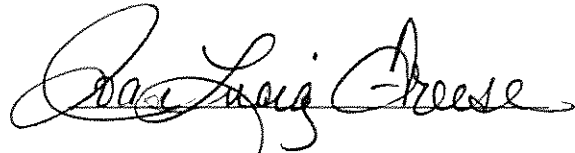


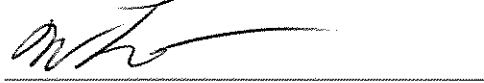
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Floyd Edwards, Assistant Secretary

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, November 20, 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.

  
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