

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

Friday, December 12, 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, and Josh Winter

**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.
- C. Acknowledgment, Notice and Consent to Regular Meeting-Entered with the minutes.

**II. General Business Items**

- Approval of the Minutes of the Regular Meeting of November 20, 2014.

Director Lucia-Treese noted that Mr. Andre Brackin's name was misspelled on page 2 paragraph 2 in the last sentence. It should be Brackin not Brakken. This was corrected.

**A motion was made and seconded to approve the corrected Minutes of the Regular Meeting of November 20, 2014. Upon a voice vote, the motion passed unanimously.**

- Board's Time

Director Lucia-Treese reported that she received the "Letter of Responsibility" (in lieu of posting collateral for Colorado Centre improvements along the west bank of Jimmy Camp Creek) from the County (Jennifer <sup>J.P. 12/12</sup>Ervin) and she passed it on to Dr. Testa. This needs to move quickly because the County is in the process of revising the engineering criteria manual and the "Letter of Responsibility" will no longer be in the manual. After discussion the Board agreed that the letter should be submitted to the County.

**A motion was made and seconded Directing the CCMD attorney (Paul Anderson) to send a “Letter of Responsibility” to the Board of County Commissioners wherein we will state the objectives that are in the letter as well as CCMD ownership of said project and the letter shall be sent by year’s end. Upon a voice vote, the motion passed unanimously.**

- Changes to the Agenda

No Changes.

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

Don Lester from FMI Cuchares Ranch was in attendance and discussion concerned development at Cuchares Ranch and the Inclusion Agreement and Service Plan. Per the Inclusion agreement any SFEs (single family equivalents) for which capital costs have been paid but the SFE not constructed by the end of 2014 (to date there are approximately 300 SFEs with the total being 408) may receive an extension to construct the SFE for a period not exceeding 12 months. Dr. Testa has concerns that the Service Agreement of Cuchares Ranch has conflicts with the CCMD service agreement and the agreements submitted to the County should be the same in order to protect the interests of the CCMD District. Dr. Testa has frustrations with the discussions with CRMD regarding drainage fees. The service agreements must be consistent with CCMD’s applicable Rules and Regulations and Colorado Law. A Resolution from Cuchares Ranch Metropolitan District must be facilitated by January 15, 2015 in order for any extension to be granted.

**A motion was made and seconded that per the Inclusion Agreement an extension will be granted for construction of the remaining SFEs until December 3, 2015 with the condition of receiving a Resolution that their District Service Agreement will be amended to “piggyback” with the Colorado Centre Metropolitan District Service Agreement and stating that the Cuchares Ranch Metropolitan District is a financing only District. Upon a voice vote, the motion passed unanimously.**

Steve Mulliken, Bradley Heights Attorney, was in attendance and stated that things are moving ahead. They went to the County pre-planning commission last week with plans for the first two phases and next week they will be going to the formal planning commission and the City of Colorado Springs Council.

Dr. Testa commented that discussions continue with the attorneys and they have set up a meeting to take place next week. Dr. Testa also commented about the possibility of Bradley Heights Development recovering some of the costs of the IGA if used by others. This will be discussed in future meetings.

- Review of District Finances (Cindy)
  - Bank Balances

Ms. Monroe gave the report on bank balances at this time. As of December 11, 2014 the District has \$2,989,917.49 in funds. The District's expendable funds are \$2,751,184.71.

- Bank Transfers and Other Financial Activities

A transfer letter from Farmers' State Bank into Wells Fargo Checking was signed by the Board for payroll, payables and contractor checks.

- 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.**

- Approval of 2015 Budget

Discussion continued regarding the 2015 Budget. No changes were necessary. Dr. Testa remarked that the Assessor numbers were higher and this will be a factor regarding future budgets.

- Approve Resolution 20141212.1

**A motion was made and seconded to adopt Resolution 20141212.1 "General Tax Levies, Fees, Charges and Penalties for Fiscal Year 2015". Upon a voice vote, the motion passed unanimously.**

- Approve Resolution 20141212.2

**A motion was made and seconded to adopt Resolution 20141212.2, "Enterprise Rates, Fees, Charges and Penalties for Fiscal Year 2015". Upon a voice vote, the motion passed unanimously.**

- Approve Resolution 20141212.3

**A motion was made and seconded to adopt Resolution 20141212.3, "Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Colorado Centre Metropolitan District (District), Colorado, for the Calendar Year Beginning on the First Day of January, 2015 and**

**Ending on the Last Day of December, 2015.” Upon a voice vote, the motion passed unanimously.**

- Approve Resolution 20141212.4

**A motion was made and seconded to adopt Resolution 20141212.4, “Summarizing Expenditures and Revenues for Each Enterprise Fund and Adopting a Budget for the Water And Wastewater Enterprises of the Colorado Centre Metropolitan District (District), Colorado, for the Calendar Year Beginning on the First Day of January, 2015 and Ending on the Last Day of December, 2015.” Upon a voice vote, the motion passed unanimously.**

- Approve Resolution 20141212.5

**A motion was made and seconded to adopt Resolution 20141212.5, “Levying General and Special Property Taxes to be Collected in Year 2015 According to the Provisions of the Colorado Centre Metropolitan District’s Plan of Reorganization, Case No. 89 B 16410 J, to Allow for the Optimum Recovery of Bondholder’s Investment in the District After Specific Allowances for Operational Expenses are Satisfied for the 2015 Budget Year”. Upon a voice vote, the motion passed unanimously.**

- Approve Resolution 20141212.6

**A motion was made and seconded to adopt Resolution 20141212.6, “Appropriating Sums of Money to the Various Funds and Agencies in the Amounts and for the Purpose as Set Forth Below for the Colorado Centre Metropolitan District, Colorado, for the Budget Year 2015”. Upon a voice vote, the motion passed unanimously.**

- Approve Resolution 20141212.7

**A motion was made and seconded to adopt Resolution 20141212.7, “Appropriating Sums of Money to the Various Funds of the Water and Wastewater Enterprises of the Various Funds of the Water and Wastewater Enterprises of the Colorado Centre Metropolitan District in the Amounts and for the Purposes As Set Forth in the Budget of the Colorado Centre Metropolitan District, Colorado, for the Budget Year 2015”. Upon a voice vote, the motion passed unanimously.**

Director Cantin commented that he wanted the Board to be apprised of the fact that he had a confrontation with a resident who was riding on his ATV on District property and wanted input about the appropriate thing to do in a situation like this. He pointed out to the resident that there are signs stating “No Motorized Vehicles” allowed but the resident became very confrontational, threatening and

even wrote threatening e-mails to Director Cantin and Dr. Testa. Dr. Testa and Mr. Anderson will research the best way to handle these types of situations. Also, this incident will be reported to the Sheriff.

Directors Lucia-Treese and Eccles left the meeting at this time because of other commitments.

- District Operations
  - Parks, Water and Sewer Systems (Pedro)

Dr. Testa commented that all is going well with parks, water and sewer systems.

- Augmentation and Usage Reports (AI)

The District produced 4.3 million gallons of water in November and sold approximately the same amount. There was approximately 4.4 million gallons of wastewater metered to Lower Fountain. The augmentation report is for water paid in period November 2014-October 2015 and for Augmentation period November 2012-October 2013. There is some surplus water this month.

- Upgrade at Water Tank

Dr. Testa commented that we still haven't received the final costs. This will be received in January, 2015

- 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 are almost finished. Dr. Testa furnished a preliminary layout of the plant and the Board was very pleased with it.

- Update on Cuchares Development and Status of Conditions by CCMD (Cindy, Sandy, AI).

Ten lots were sold at the end of November and the first part of December. The total to date for all the filings is 292 (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 and Request to Have Costs of IGA be Recoverable by Bradley Heights, if used by others (AI)

This Item was discussed earlier in the meeting.

- 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. The State Water Board Triennial Review is scheduled for June, 2018.

He continues to work on the Service Plan. Dr. Testa would like to work with Mr. Anderson on this Service Plan to make it more specific and understandable. Also, Mr. Anderson continues to work on employment issues regarding retirement and benefits.

- Fire Department Report (Josh Winter)


Chief Winter commented that the District will be losing contractor Dan Olson. Captain Roddy Bartlett's last day is Sunday. He will be honored at the Christmas party. For the year 2014 we had 152 alarms with 62% being medical. He remarked that he is working on a well-organized approach to 2015 involving all facets of running a fire station.

- Fountain Mutual Irrigation Company (Al)

No minutes were available. They are still working on management issues. The Field Manager continues to do an excellent job. The new Board will be voted on in January, 2015. CSU has bought some shares so may pursue a position on the Board.

- Lower Fountain Metropolitan Sewage Disposal District (Mike Cantin)

Minutes of the November 13, 2014 Regular Board Meeting were included with the Board packets plus the Agenda for the December 11, 2014 Regular Board Meeting.

Director Cantin commented that the Budget for 2015 was approved. There are still ongoing nutrients issues. The contract was signed with McOade Woodcock, the organization selected for the Nutrient Control Project. The project will be completed by June, 2015. As Mr. Anderson reported earlier, the State Water Board Triennial Review is scheduled for 2018. The last review was in 2013 and out of this came Regulations 31 (regarding permits) and 85. The data should be more accurate when making decisions in 2018. We are still working with AFCURE with regards to nutrient issues. 

Director Cantin commented that he would like Dr. Testa to confer with Jim Heckman of Lower Fountain regarding replacement costs that need to be a part of future budgets.

- Approval of Next Year's Meeting Schedule (Sandy)

Notice will be given that the Board of Directors of the Colorado Centre Metropolitan District of the County of El Paso, State of Colorado, will hold a regular meeting at 5:30 p.m. on the dates listed below at the Colorado Centre Offices, 4770 Horizonview Drive, Colorado Springs, Colorado 80925, for the purpose of any business that may come before the Board. This Notice will be posted with El Paso County, at Colorado Centre Metropolitan District, in the Colorado Centre Metropolitan monthly newsletter, and on the Colorado Centre Metropolitan District website.

Thursday, January 22, 2015  
Thursday, February 26, 2015  
Thursday, March 26, 2015  
Thursday, April 23, 2015  
Thursday, May 28, 2015  
Thursday, June 25, 2015

Thursday, July 23, 2015  
Thursday, August 27, 2015  
Thursday, September 24, 2015  
Thursday, October 22, 2015  
Thursday, November 19, 2015  
Friday, December 11, 2015

These meetings are open to the public. If any of the posted dates and/or the time and/or the place of the meetings change, a new announcement will be posted.

**A motion was made and seconded to approve the 2015 Regular Meeting schedule. Upon a voice vote, the motion passed unanimously.**


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


No Executive Session needed.

### III. Adjournment

**A motion was made and seconded to adjourn the regular meeting at approximately 6:55p.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