

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

Thursday, April 26, 2018 at 5:30 PM
4770 Horizonview Drive
Colorado Springs, CO 80925

Board Members Present:

Michael Cantin	President
Shawn Eccles	Vice-President
Joan Lucia-Treese	Treasurer
Floyd Edwards	Secretary
Jackie McClintock	Assistant Secretary/Treasurer

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

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 March 22, 2018.

A motion was made and seconded to approve the Minutes of the Regular Meeting of March 22, 2018. Upon a voice vote, the motion passed unanimously.

- B. Board's Time

No comments.

- C. Changes to the Agenda

No Changes.

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

Andy Tuthill addressed the Board with concerns about billing, collection policy, due date timelines and late fee practices. Mr. Tuthill would like the Board to review Colorado 4 CR 723.5 which gives details about the rights customers have and collections policies that businesses should use. Mr. Tuthill would like the Board to focus on section 54.1 on page 27. Additionally, Mr. Tuthill is concerned about the speeding on Daystar.

The Board advised Mr. Tuthill they will review Colorado 4CR723.5 and the billing/collection process.

Director Cantin suggested when residents see someone speeding to call El Paso County Sheriff's and report the violation.

Matthew Cossiglia asked the Board to consider creating a dog park for the community. Mr. Cossiglia would like a place that dogs can be off the leash which is fenced and safe for the animals.

Director Eccles likes the idea of a dog park but has concerns about pet owners cleaning up after pet waste. He also feels the dog park would need to have shade and fresh water.

The Board tabled the discussion for a later time.

Susan Vaughn is concerned that many new residents are not sure if they live in the County or City and believes that is why so many ATV's are being driven on restricted lands. Ms. Vaughn would like to see additional signs posted to let residents know that they cannot ride ATV's in certain areas.

Tony Cuchares asked the Board to replace the fence that was taken down when CCMD completed the Slope Stabilization Project along the creek. Mr. Cuchares feels it CCMD's responsibility to put the fence back up based off Colorado Open Range Laws. The fence will prohibit cows from roaming on CCMD's property. He would be happy with a three-wire fence.

Dr. Testa advised the Board that the fence came down from the second flood and was not removed due to the Slope Stabilization Project, and the fence was on CCMD property. He is able to show pictures before and after the project. Dr. Testa does not feel that CCMD should replace the fence.

Director Cantin advised Mr. Cuchares that the Board will look into and get back to him about the fence.

E. Election Update & Meet the Candidates (Amiee)

Ms. Long reported that everything is in place for the May 8, 2018 election.

Each candidate addressed the public and answered questions.

F. Appeal of Penalty – Mr. Spottsville

A hearing was opened at 6:44 pm.

Ms. Monroe reported that on April 14, 2018 a member of the community contacted her to report they saw Mr. Spottsville and another person taking rocks from the Slope Stabilization Project to their home. Ms. Monroe contacted Mr. Spottsville, and he admitted he has been taking rocks from the Slope Stabilization Project. He was informed that the District would be penalizing him for taking the rocks, and the minimum fine was \$1,000. All the rocks were returned on Monday. (Mr. Spottsville had originally said he would return the rocks on Sunday.) Ms. Monroe contacted the Sheriff's Department, and they indicted Mr. Spottsville could be charged with criminal mischief or possibly theft.

Mr. Spottsville appeared before the Board and asked that his fine be waived or reduced as it would create a hardship for his family to pay such a large fine. Mr. Spottsville understood that he was wrong for stealing the rocks and was very apologetic for his actions. He wanted to return the rocks on Sunday but was not able to get any help until Monday to return the rocks.

Director Cantin stated the Board will discuss his appeal in executive session and Cindy will mail him a letter informing him with the Board's decision.

G. Proposed Little Free Library Stations (Amiee)

Ms. Long asked the Board to approve two Little Free Library Stations in the parks. The residents would be able to take a book and leave a book at the stations for free. Ms. Long was asked by a couple residents if they could have the Little Free Library Stations. Ms. Long reports it would cost about \$150 each to build and set up the stations and Ms. Long already has the plan to build them.

Mr. Treese pledged \$150 toward the cost of the Little Free Library, and Ms. Bustos would be willing to donate additional monies.

Director Lucia-Treese thinks it a great idea but wants to make sure the stations have children and adult books. She would be willing to donate additional books for adults.

Dr. Testa feels the District is not covered to care for a library or use funds to maintain it. Dr. Testa suggested the District obtain guidance from Mr. Anderson.

Mr. Anderson advised that the District cannot run a library or use District funds to maintain a library structure. The District can offer a location for the library.

Director Cantin would like to start with one box to see out the community takes care of it and add additional stations at a later date.

A motion was made and seconded to approve tabling the discussion of The Little Free Library until the next Board meeting.

H. Community Resource Meeting in May (Amie)

Ms. Long reports that 1,100 post cards were made in office and mailed out to each resident the week of April 23rd. Currently there are twelve tables reserved by community agencies. CCMD plans to purchase extra tables for the event that can be used later as it more cost effective. There will be drawing for ACH and E-billing that will result in a \$15 bill credit. Ms. Long reports that Home Depot donated \$25 for an additional drawing. Dr. Testa will have two displays and Mr. Velazquez will present a meter exhibit. The District will provide water, coffee and cookies for members of the community that attend.

I. Review of District Finances (Cindy)

- Bank Balances

Ms. Monroe reported that expendable fund are \$2,034,783.84. The majority of the revenues and expenses are performing within budget.

- March 2018 Budget Review
- Bank Transfers and Other Financial Activities

The Board signed transfers from Colotrust accounts which were wired to the District's money market at Farmers State Bank.

- 2017 Audit Status

Ms. Monroe reported that the auditors were out the week of April 12th and will have the final audit report ready to present during the May 24th Board meeting.

- Status of Personal Safety Review

Ms. Monroe reported the assessment will take place on May 10, 2018 and it should last about three hours. After the review the results will be sent to Ms. Monroe and she will present the details during the May Board meeting.

Director Eccles requested that results be emailed to all Board members before the May meeting so they can review the results.

J. Approval of Payables (Board)

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

K. District Operations

- Parks, Water and Sewer Systems (Pedro)

Mr. Velazquez reported that all systems are running efficiently. The wells are pumping five days per week, averaging 200,000 gallons per day. There was a line break that was fixed the same day. We lost about 5,000 gallons of water due to the leak. One of the well pumps stopped working, and the pump will need to be ordered and replaced. Mr. Velazquez stated they completed all the fire hydrant flushes and blow outs (123 in total). Mr. Velazquez reported all sewer systems are running fine, and the flow is averaging about 165,000 gallons per day.

Mr. Velazquez reported that all park sprinkler systems are on and the grass has been fertilized.

Ms. Long reported that there is one bid for installation of the canopy and light pole in Mosko Park. We are waiting for one additional bid before the selection of a contractor.

- Augmentation and Usage Reports (Al)

Dr. Testa reported that 5.2 million gallons of water was used with minimal loss. Most of the lost water was due to the line break. 82% of the water is being sent down as wastewater and other 18% is being used in irrigation.

- District's Lands – Nothing to report

L. Legal Report (Paul)

Mr. Anderson reported that Colorado Springs City Council approved the Banning Lewis Ranch annexation.

Mr. Anderson has completed a draft of the Fire IGA renewal.

Director McClintock reported she heard on the news that the Banning Lewis Ranch encompassed 1/3 of all the land in eastern El Paso County.

Mr. Anderson reported that the election bill passed and will take effect in 2022. There will be a regular election in 2020 and 2022. Board members elected in 2020 will serve a 3 year term until 2023. The non-resident voting bill will most likely pass which means anyone who owns property in a district but lives outside the State of Colorado would be able to vote in an election for that district's election. They would not be able to run for the Board.

Special District Funding is still being looked at. If passed there could be less funding for Special Districts.

Dr. Testa asked what funding they are looking at because we do not receive any Special District funding and we are protected under the Bankruptcy plan.

M. Fire Department Report (Josh)

Fire Chief Winter reported there have been 24 alarms in April with 65 year to date. Currently El Paso County is on stage 1 fire restrictions and everyone needs to be mindful that restrictions can change with the daily depending on the weather.

Fire Chief Winter expressed appreciation for Norwood's fire mitigation around the four subdivisions in Colorado Centre .

Fire Chief Winter stated that when CSFD pulls resources to cover fires it results in longer response times for our residents. During higher fire dangers, Chief Winter plans to staff Station One with two additional fire fighters.

The current draft contract with CSFD is complete. The CSFD group agreed with the terms and has forwarded the agreement to the City's legal department for review. There is not an ETA on when it will be completed.

N. Fountain Mutual Irrigation Company (Al)

Dr. Testa reported the State is asking for additional repairs to the outlet structure and FMIC is anticipating a larger expensive.

The water case has been moved to 2019 and the new attorney proposed that we wait and see what happens and not spend any money for additional reports.

O. Lower Fountain Metropolitan Sewage Disposal District (Floyd)

- Minutes and latest LF Board Package

- Phosphorous Project Status

Director Edwards reported the plant still has a completion date of August 31, 2018 with a no later than date of September 30, 2018. Contract fees were reduced by \$17,445.

P. Executive Session, if needed. Used for legal, contract and personal matter only.

A motion was made and seconded to go into Executive Session. Upon a voice vote, the motion passed unanimously.

Mr. Anderson summarized the Executive Session. The Board discussed looking at the rules and regulations regarding late fees to make sure they are in compliance with the State rules.

The Board discussed the proposed penalty for Mr. Spottsville and potential options which included referral for criminal prosecution, lowering the penalty and leaving it as it was presented.

No decisions were made during the Executive Session.


A motion was made and seconded that Mr. Spottsville will be assessed a \$500.00 penalty and must pay the penalty in full within 90 days or the District will proceed with criminal charges.

Cindy will mail a letter to Mr. Spottsville with the Board's decision and conditions regarding the penalty.

III. Adjournment

A motion was made and seconded to adjourn the regular meeting at approximately 8:14 p.m. Upon a voice vote, the motion passed unanimously.

Respectfully Submitted,



Michael Cantin, President



Floyd Edwards, Secretary