

**MINUTES OF REGULAR MEETING  
THE BOARD OF DIRECTORS OF  
PUEBLO WEST METROPOLITAN DISTRICT  
January 13, 2009**

The Board of Directors of the Pueblo West Metropolitan District met in regular session at 109 East Industrial Boulevard, Pueblo West, Colorado, on January 13, 2009 at the hour of 6:30 o'clock p.m.

**ROLL CALL:** On roll call, Chair Stan Hren, Director's Jeff Sloan, Bill Vickers, Steven Abel and John Van Auken was present.

Also present were Don Saling, District Manager; Judy Leonard, Administrative Assistant; Tom Mullans, Attorney for the District; Steve Harrison, Utilities Director; Brian Caserta, Fire Chief; Four Firefighters, Richard Morgan, Public Works; and 21 citizens.

**MINUTES:** On motion by Director Sloan, the special minutes of Dec. 8 and regular minutes of Dec. 9, 2008, were approved. Vote unanimous.

Chair Hren questioned a figure missing. The figure amount missing is \$360,000.00.

**FINANCIAL REPORT:** Members of the Board had been provided with a check register dated Jan. 13, 2009, listing the bills for payment. On motion by Director Vickers, noting the large payments, the outstanding bills of \$1,820,025.30 are approved for payment, vote unanimous.

District Manger Saling explained the check to the Bureau of Reclamation for operations and maintenance expenses for the water head behind the reservoir. Legal Counsel stated it is based on a formula by the Bureau of Reclamation. Director Vickers questioned the check to Pueblo Combine Courts. It was part of retention for Fire Station #3 to Colony Metal withheld from Bassett. Chair Hren inquired about the check to Centennial Insurance amount and Director Sloan inquired about the voided checks.

The investment report consisted of \$6,982,574.86 in Certificate of Deposits; \$15,741,198.22 in Money Market; \$592,120.88 in Bond Reserve; \$646,150.77 Year-to-Date Interest; \$904,171.31 Cash on hand; and total Investments \$24,220,065.27.

District Manager Saling updated the Board on CSAFE and that the District money is safe.

**DIRECTOR'S COMMENTS:** Chair Hren updated the Board and audience on the roads task force meeting held Jan. 5, 2009 with Commissioner Cordova, Greg Severance, Alf Randolph, District Manger Saling, Chair Hren, and Rick Morgan. The discussion was on setting priorities for 2009 roads and drainage. Chair Hren also mentioned the work on Industrial and is very impressed with it. He discussed the road and storm drainage projects in 2008 and the major roads identified to repair were Purcell, Industrial Blvd. and West McCulloch. District Manager Saling gave the figures from the 2009 budget available for roads of \$2.4 million and \$600,000.00. District Manager Saling talked about the Southern Delivery System and if approved, the roads that will be affected from construction. The County is negotiating with the SDS about including Purcell so the District should wait to see if the project goes forward. Chair Hren suggested West McCulloch as the next road project; District Manager Saling is concerned with the County's road standards for this project. District Manager explained how County has determined their funds for issue Ballot 1A and how that money has been distributed.

After further questions and discussions from Board members on the money from Ballot 1A and if not given the money, what the Board can do with regards to the IGA. Consensus of the Board is in favor of reconstructing West McCulloch with the money available and set money aside for storm drainage. The Board members also requested a meeting with the County Commissioners. District Manager Saling will get with the County to confirm if they will accept a 24-foot roadway on West McCulloch Blvd. and have Rick Morgan construct it in-house. He asked for a motion for approval for survey work of \$20,000.00. Chair Hren also brought up Buckboard and cost for chip sealing it and how the County does not accept this road. District Manager Saling explained the first step is for the County to go over the classifications of the non-accepted roads and determine what those road improvements would be for the County to accept. Rick Morgan is working with the County to get a cost estimate for these roads not accepted by the County to bring up to County standards and bring to the Board for approval. District Manager Saling talked about all the work that has been done on Buckboard. Rick Morgan explained chip sealing and what is needed to be done for County to accept the roads. Director Vickers mentioned that on these unaccepted roads the property owners pay taxes. District Manager Saling brought this up at the Task Force meeting and had sent the County information on the property taxes paid by these residents. Commissioner Cordova will bring the property tax issue up with the other Commissioners.

Director Sloan made a motion to approve expenditures of \$20,000.00 for survey work on West McCulloch subject to agreement of County acceptance of a 24-foot roadway, vote unanimous.

**LAND SALES REPORT:** District Manager Saling reported there was no closing for December, 2008, for total sales year to date of \$63,240.00.

**DISTRICT MANAGER'S REPORT:** District Manager Saling mentioned the letter to the State Department of Local Affairs and other entities informing them on contacts for the District and Board information which is a statutory requirement the first of the new year.

District Manager Saling informed the Board of the RFPs being placed in the Chieftain for engineering service designs on the Safe Routes to School Grant and CDOT enhancements for McCulloch Phase 2 Trail projects.

District Manager Saling told the Board of another notice in the paper regarding the proposed budget amendment of the 2008 budget in a public hearing. This will be done at the January 27, 2009 meeting. Based on review of the fund balances, the only fund to be amended will be the Water/Wastewater Enterprise fund of \$1.7 million because of the new Fire Station sewer line project in tract 234 and 235.

District Manager Saling had a request from Colorado Springs Utilities asking if the District would sell water to the community of Lakemoor West Property Association, Florissant, Colorado requesting 2 acre-feet of water. This would be a one-time sale at \$438.00 per acre-foot of water and that there is plenty of water in storage to sell 2 acre-feet of District water.

Director Vickers made a motion to sell 2 acre-feet of water at \$438.00 per acre foot to the community of Lakemoor West Property Association, vote unanimous.

District Manager Saling updated the Board on a proposal from Northstar Engineering for the next storm drainage phase study, this is a budgeted item in the 2009 budget for \$67,600.00 on the Wildhorse Creek drainage project and will need Board approval to go forward with this. Director Vickers would like to look at this project more and get more information. Director Van Auken asked for an explanation on this project. District Manager Saling explained that part of the master storm drainage plan for the District was divided into different water basins for phase studies. All of the south side basins have been completed and 3 of 5 basins on the north side. When they are all completed it will give the District a better concept on what will be needed for storm drainage projects in the District. Director Sloan inquired if there was only one basin project this year and one in 2010 for the storm drainage phases from Northstar Engineering. Director Sloan also mentioned the District is past the deadline but has received an extension from the State as long as the studies are in progress. After further discussion, consensus of the Board is to wait until the next meeting to vote on to go forward with this project.

District Manager Saling had a request from Fire Chief Caserta to go forward with purchasing a new med unit. District Manager Saling explained the purchase process and how the best price is determined. Based on the spec's for the unit there is a Colorado vender who is \$8,000.00 under the GHC price estimated at \$155,000.00 to \$158,000.00 and the budgeted amount in the 2009 budget is \$175,000.00. This would also have to be put out to bid for the finance process. Director Vickers talked about the meeting on this with the Fire Chief and had asked for statistics and if this would require more personnel. Fire Chief Caserta explained that at this time no new personnel would be needed and it replaces the 1994 unit and all the problems with the old unit and why it needs to be replaced. Director Vickers feels the Board has not had a chance to talk about these issues and would like further discussions or work session on this topic. Questions from the Board on the statistics of costs on the old unit, transportation, and size of this vehicle verses a smaller unit, a work session or further discussion at the next meeting will take place. Fire Chief Caserta explained the services of AMR as a private industry, why there may be a need for transporting if AMR is already on a call and not available, and how he would juggle the volunteers and personnel. Fire Chief Caserta explained why a larger unit is needed due to a critical patient may have up to 4 EMT's working on them and a larger unit will provide the space they will need for that patient. Fire Chief Caserta also stated the unit can be used as a rehab for his firefighters during inclement weather when fighting fires. Director Abel asked what happens to the old unit and Fire Chief Caserta explained it could be used as a backup, sold, or donated. He also stated it could be used at special events if still operable. Chair Hren inquired about the flight for life and Fire Chief Caserta explained the protocols the fire department has to follow when transporting critical patients.

District Manager Saling let the Board know of his meeting on Jan. 21, 2009 with the City of Pueblo on the access to PMI from Grouse Road that goes to Pueblo Blvd., which is actually not a Pueblo West road.

District Manager Saling talked about the public meeting by COA on Jan. 15, 2009 at 6:30 p.m. on wind generators so if the Board would be interested in attending. He also told them about a Special District Legislature Committee meeting he attended Monday, Jan. 12, 2009 in Denver and bills that could potentially affect the District. The one that would benefit the District is HB09-1005 granting special districts the authority to form a special improvement district and levy special assessments on the property specially benefitted by such improvements.

District Manager Saling mentioned the Pueblo West Chamber business after hour at Grease Monkey starting at 5:30 p.m. in the Safeway shopping center.

District Manager Saling had been approached by Dan Molllello about the Hewitt Robbins building being for sale. It is on 14.04 acres and is a 74,600-square-foot building for \$1.4 million. Mr. Saling thought it had potential for becoming a community center. District Manager Saling, Carol Cosby, and John Hurtado looked at it and will see what grants would be available to turn it into a community center. John Hurtado will make a presentation on Jan. 27, 2009 to discuss possible grants. The Board did agree for John Hurtado to proceed with possible grants.

Director Abel asked about the article in the Chieftain on the situation from the wastewater treatment plant as to the smell. District Manager Saling explained the

design for the outside lagoons and how that causes the bad odor and what can be done to try to eliminate this. Utilities Director Steve Harrison explained the sludge process and what happens that causes the smell in the lagoons. Steve Harrison apologized for this incident.

**COMMITTEE OF ARCHITECTURE:** District Manager Saling reported the Committee of Architecture's approvals for December, 2008 there were 3 single family homes, zero mobile home, 1 multi-family, and zero commercial. In December, 2007 there were twenty five single family homes, zero mobile homes, 2 multi-families, and zero commercial approved.

**CITIZEN COMMENTS:** Bob Hyatt said he is very pleased on the job done on Industrial Blvd. of \$1.4 million and the Board showing fiscal responsibility by a project within its budgeted cost and utilizing the Districts own Engineer and Board members by saving \$1.6 million of taxpayer's money. He hopes this continues by using District's resources and the Board continues this style of being frugal. He mentioned the Milwaukee Sentinel Journal that state employees are taking a 2½% cut in wages. He feels the employees are doing a good job, paid well, have good benefits but agrees that a wage freeze is necessary in hard economic times including the Board.

Tony Breedlove talked about a meeting he attended and learned that 7 out of the 8 men at the meeting will not make more money this year than last year and 1 was not taking a cut in wages. He appreciated what Mr. Hyatt said and has a tax bill in excess of \$3,600.00 dollars and is trying to figure out how to pay for it. Tonight he hears the District wants to spend more money and this upsets him and wants the Board to stay tuned to what is going on.

Ann Perez talked to the Board about her neighbor's pit bull dogs and asked if there was a ban on them and how they got under her fence and into her yard. She was asking the regulation of fences. District Manager Saling will contact Donna at animal control and give her the information although it is a County regulation the District can not do much.

Warren Frost also mentioned being attacked by this pit bull and discussed the ban of pit bulls and inquired as to what happened. Chair Hren talked about his crusade on loose dogs and will keep him informed. Director Sloan asked Legal Counsel if the District had jurisdiction to put a ban on pit bulls and was told it did not. Director Abel said it is one of his endeavors to get a ban on pit bulls as he was afraid of being attacked by one when he was walking and will take this up with the County Commissioners and help facilitate making the community safer. District Manager Saling reminded the Board and audience of the County Commissioner's statutory meeting February 3, 2009 at 7:00 p.m. in the board room and come and voice their concerns on this incident.

**POSTING OF MEETING NOTICES FOR 2009:**

The Colorado Revised Statutes, Revised, Section 24-6-402-2(c) requires, that annually a political subdivision of the state designate the public places for the posting of meeting notices. The resolution designates; the Administrative Offices, Pueblo West Fire Station 1, Pueblo West Fire Station 3, Memorial Recreation Center, and the Pueblo County Courthouse as those areas.

**RESOLUTION 1822:**

A Resolution Designating The Public Areas For Posting Of Meeting Notices For Calendar Year 2009

(Director Sloan made a motion to accept Resolution 1822, vote unanimous.)

**EXECUTIVE:**

An executive session is needed for conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions - C.R.S. 24-6-402(4)(b).

(Director Sloan made a motion for an executive session, vote unanimous.)

**ADJOURNMENT:**

There being no further business to come before the Board, Director Sloan adjourned the meeting. The next regular meeting is scheduled for Jan. 27, 2009, at the hour of 6:30 p.m., presently set for the meeting room of the Board of Directors, 109 East Industrial Boulevard, Pueblo West, Colorado.

A work session took place after the meeting on the Southern Delivery System.

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Secretary

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