



PUEBLO WEST METROPOLITAN DISTRICT

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**REGULAR BOARD MEETING
729 E. GOLD DRIVE
TUESDAY, AUGUST 27, 2019 – 6:00 P.M.**

MINUTES

The Board of Directors of The Pueblo West Metropolitan District met at 729 E Gold Drive, Pueblo West, Colorado, on August 27, 2019; at the hour of 6:00 P.M. President Proal called the Regular Meeting to order.

- A. CALL TO ORDER**, President Doug Proal
- B. INVOCATION**, Ron McPheeters, Amazing Grace Fellowship
- C. PLEDGE OF ALLEGIANCE**

D. ROLL CALL

President Proal called the roll: Director Mike French, Director Judy Leonard, Director Matt Smith, Director Terry Zupan, and President Doug Proal were present.

Also present was Nina Vetter, District Manager; Harley Gifford, General Counsel; Laura Savage, Assistant to the District Manager; Roni Kimbrel, Budget and Accounting Manager; Brian Caserta, Fire Chief; Shawn Winters, Interim Public Works Director; Laurie Cozzetto, Community Development Director; Katherine Kallenbach, Utilities Program Coordinator; Garrison Gurule, IT Support Technician; and 11 audience members.

E. APPROVAL OF AGENDA

President Proal motioned for the approval of the agenda. Motion was moved by Director French and seconded by Director Smith. Motion unanimously passed.

F. SPECIAL RECOGNITION

1. RESOLUTION 2019-070 A RESOLUTION RECOGNIZING LAURIE COZZETTO FOR HER DISTINGUISHED AND OUTSTANDING SERVICE AS AN EMPLOYEE OF THE PUEBLO WEST METROPOLITAN DISTRICT

President Proal read the resolution and commended Ms. Cozzetto for her years of service. Ms. Cozzetto reminisced about her 33 year career with the District and stated she was proud to be a part of the community.

Director Zupan motioned for the approval of the resolution, seconded by Director Smith. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

Also, President Proal honored Director Leonard with a certificate of appreciation on behalf of the Pueblo Area Council of Governments for her service as a representative.

G. SPECIAL GUESTS

1. PUEBLO WEST HIGH SCHOOL UPDATE

Pueblo West High School Principal Chris James and Athletics & Activities Director Zach Odell, along with Stormy the Mascot and several coaches, thanked the Board for their support and encouraged members to attend the upcoming rivalry football game against Pueblo County High School.

H. APPROVAL OF CONSENT AGENDA

Director Zupan motioned for the approval of the Consent Agenda; it was seconded by Director French. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

1. FINANCE REPORTS

I. OLD BUSINESS

1. RESOLUTION 2019-071 A RESOLUTION ADOPTING A WRITTEN BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL PROGRAM

Director French motioned for the approval of the resolution, seconded by Director Smith. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

2. RESOLUTION 2019-072 A RESOLUTION APPROVING BALLOT LANGUAGE FOR THE LEVY OF A 1% SALES TAX FOR FIRE PROTECTION, INCLUDING CONSTRUCTION OF A FIRE STATION, FIRE STAFFING AND FIRE DEPARTMENT EXPENSES FOR THE NOVEMBER 5, 2019 ELECTION

Mr. Gifford presented the resolution and ballot language, then discussed the limitations based upon statute regarding the collection and expenditure of the related revenue generated from the sales tax. President Proal opened the floor for public comment.

Lee Sternal, 1219 Greenbrier, expressed concern regarding increased calls for medical services and questioned the statutory authority providing medical services versus fire services. He then expressed concern regarding American Medical Response's attentiveness to providing ambulatory services within the District due to contracts with neighboring entities. Lastly, he commented on the need to charge residents by assessing a fee per call for services instead of generating revenue through a property tax or sales tax. Mr. Gifford discussed the state statute providing specific special districts taxing authority, discussed the language that includes "emergency medical services", and noted the District is in negotiations with American Medical Response regarding ambulatory services.

Lew Quigley spoke in favor of the proposed sales tax and addressed the importance of well-built public facilities and well-paid and trained public employees.

Director Zupan motioned for the approval of the resolution, seconded by Director French. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

J. NEW BUSINESS

1. STATEMENT AND NOTICE OF CONFLICT OF INTEREST

In reference to the Board's recent site review of the facility at 109 E. Burlington Drive, President Proal addressed the public: "As the Board is aware, prior to touring the real estate building at 109 Burlington that houses the Hanson Clinic, I fully recused myself prior to introducing the Board to the CEO of Hanson Clinic to review that building as a potential purchase by the District for our district offices. I made that recusal prior to introducing the Board with our district manager and one of our board members and tonight I want to make that formal recusal here in a public meeting. So, I recuse myself from any contact made, any description, any negotiating that should happen to occur because my father-in-law is Charles Hanson and he is one of three owners of that real estate. Just for public record's sake, I want everyone to know I recuse myself completely from this issue."

Upon President Proal's request, Mr. Gifford described the legal description of a full recusal and discussed President Proal's potential conflict of interest in the event future Board decisions are to be made regarding the real estate in question.

2. RESOLUTION 2019-073 A RESOLUTION APPROVING A CONTRACT FOR SALE OF DISTRICT PROPERTY TO ANTHONY MAND

Director French motioned for the approval of the resolution, seconded by Director Smith. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

3. RESOLUTION 2019-074 A RESOLUTION APPROVING A CONTRACT FOR SALE OF DISTRICT PROPERTY TO C.A. ENTERPRISES, LTD.

Director Zupan motioned for the approval of the resolution, seconded by Director Smith. Ayes: French, Leonard, Proal, Smith, Zupan. Nays: none. Abstained: none. Motion carried 5-0.

K. CITIZEN'S COMMENTS

Dale Hampton, 1033 S. Los Charros Drive, inquired about the District's property tax mill levy of about 20 mills and the amount collected from Pueblo County for roads and bridges, then expressed concern about the condition of the county's roads, continuation of building grant-funded trails, and need for revenue to be spent on road infrastructure.

A brief discussion was held on the past two failed sales tax initiatives with the intent to fund road maintenance.

L. DIRECTOR'S COMMENTS AND COMMITTEE REPORTS

Director Leonard reported on the Planning Commission's approval of a silo-designed cell tower to be located on El Sobrante Dr. A text amendment regarding modification of property line length requirements was brought forth, however it was postponed due to resident opposition.

Director Zupan commented the civic building committee recently met and recommends the Board move forward with the Spaulding near Purcell location. An RFP for engineering and design will be published soon.

Director French expressed concern with the need for the Board to approve the location. It was determined a future agenda item will provide Board direction.

M. ANNOUNCEMENTS AND EVENTS

See agenda for list.

N. EXECUTIVE SESSION

President Proal motioned to move into executive session and cited item as indicated below. The motion was moved by Director French and second by Director Smith. Motion unanimously passed.

1. §24-6-402(4)(e) C.R.S., DEVELOPING STRATEGY FOR NEGOTIATIONS, INSTRUCTING NEGOTIATORS AND DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; SALE OF DISTRICT OWNED PROPERTY

O. ADJOURN

There being no further business to come before the Board, President Proal adjourned the meeting. The next regular

meeting is scheduled for September 10, 2019 at the hour of 6:00 P.M., presently set for the meeting room of the Board of Directors, 729 E. Gold Drive, Pueblo West, Colorado.

Secretary

Approved 10/15/2019