
RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

CONSOLIDATED METROPOLITAN DISTRICT

Held Thursday, the 23rd day of July 2009 at 398 Arroyo Drive, Battlement Mesa, Colorado.

Attendance

A regular meeting of the Board of Directors of the Consolidated Metropolitan District, Garfield County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following Directors present and acting:

Ray Barbour
Fred Inman
Bill Nelson
Frank Lancaster
Lynn Shore

Jerry McMahan, Nick Graham, William Rotella, Steve Rippy, Anne Huber, Michelle Bargas, Keith Lammey and Sandy Yeager were also in attendance.

Call to Order

Director Nelson called the meeting to order at 9:00 a.m. and established that a notice of the meeting had been posted as required by statute. Director Nelson noted that a quorum was in attendance.

No potential conflict of interest disclosures were noted or filed on behalf of any of the Directors.

2008 Audit

Jerry McMahan and Nick Graham from McMahan & Associates presented the revised draft of the 2008 audit. The audit or an extension request needs to be filed with the Colorado State Auditor's office by July 31. Since the Board did not receive the revised draft until the meeting it was decided to file for a sixty-day extension and accept the audit at the August meeting. Director Shore moved to file a sixty-day extension with the Colorado State Auditor's Office for the 2008 audit; Director Lancaster seconded the motion and the motion carried unanimously.

William Rotella

William Rotella, a user of the Activity Center pool complex, came before the Board with a complaint regarding the use of a floatation device used by his four-year-old grandson. The device is a full-suit type with the float device in the upper torso section. He was told that he needs to be in the pool with the grandson at arm's length, while the child is swimming. He presented his complaint by stating that the child cannot slip out of the floaty and that the rule is ridiculous and needs to be scrapped. Director Nelson told Mr. Rotella that the Board will discuss the issue and get back with him.

After Mr. Rotella's departure, the Board discussed the issue and the current pool rules. Anne Huber mentioned that floatation devices give a child a false sense of security and they discourage the use of them. She also pointed out that the pool rules are posted throughout the pool area (copies of which were distributed to the Board). Michelle Bargas, aquatics director, reported that a child in such a device could roll over onto his stomach, and if no one was within reach of him he could be in serious trouble. Ms. Huber mentioned that the Rifle pool has similar rules to the Center's. Director Shore stated that he is not interested in changing the rules. Director Barbour stated that he felt the floatation device was safe and Mr. Rotella should be allowed to be within the pool complex, but not required to be within arm's length of the child. After discussion, Director Shore moved that the Board support the current pool guidelines; Director Lancaster seconded the motion and the motion carried with Director Barbour abstaining.

District Manager
Report

District Manager Rippy reported that he and Roger Bulla were going to Durango, following his report to the Board, to make the presentation to DOLA for the drying beds grant.

Mr. Rippy reported that the Board needs to ratify the letter from Grimshaw & Haring to the Garfield County Clerk & Recorder which states the District's intention of going forward with participation in the November election. The election resolution also needs to be approved. Director Inman moved to ratify the letter from Grimshaw & Haring to Garfield County Clerk and Recorder which states that in compliance with Section 1-7-116(5), C.R.S., Consolidated Metro District expects to participate in the November 3, 2009 election, subject to the clarification of the Tabor reference; Director Lancaster seconded the motion and the motion carried unanimously. A motion was made by Director Inman to adopt Resolution 2009-3 concerning the Consolidated Metro District's special election to be held November 3, 2009 to be

coordinated with Garfield County; Director Shore seconded the motion and the motion carried unanimously.

Mr. Rippy reported that he had received a proposal from Schmueser, Gordon & Meyer for mapping services. SGM would create an electronic map system that can be modified when needed. The system would eventually contain all trails, buildings, etc. The 2007 capital plan had estimated the cost for a new mapping system at \$408,000, but Mr. Rippy believes it can be done for around \$200,000, as Eric Schmela, Battlement Mesa Company President, has agreed to allow us to have access to the data they have supplied to SGM in the past. Mr. Rippy asked the Board to approve \$27,500 to begin with a basic map that would show boundaries, streets and water/sewer lines. Director Barbour moved to authorize \$27,500 to be spent on the basic electronic map system; Director Inman seconded the motion and the motion carried unanimously.

Mr. Rippy reported that he had provided a water rate study in the Board's packet, along with some recommendations. He stated, however, no action will be needed on this issue until the District is ready to begin next year's budget preparation.

Mr. Rippy reported that great progress has been made on the water main break on Battlement Parkway. The county is pleased with the work that has been completed on their roadway. He also reported that the District does not have insurance coverage for such breakages, but he will look into costs for coverage on 12" main lines.

The maintenance shop building is coming along on schedule. Plumbing, flooring and the tank for the street sweeper are in and the concrete floors will be poured next week.

Mr. Rippy reported that the BMSA did not approve the Memorandum of Understanding with the District. They would like the language in the contract and the MOU to agree with each another.

June Regular Meeting
Minutes

Director Barbour moved to accept the June 25, 2009 regular meeting minutes as presented; Director Shore seconded the motion and the motion carried unanimously.

Accounting Manager
Report

The June financials were reviewed. Director Barbour moved to accept the June 30, 2009 financial statements as presented, subject to audit; Director Lancaster seconded the motion and the motion carried unanimously.

BMAC Director
Report

Anne Huber reported that at an earlier Board meeting the Board agreed to change the minimum age for entry without adult supervision from twelve to eleven. However, she would like this changed to any child in the sixth grade, as some sixth graders could be younger than eleven. The Board agreed that the rule should be that a child should be at least eleven years old, or at the sixth grade level, whichever applies to the child.

Ms. Huber also asked the Board to consider changing the rule for children under the age of eleven or the sixth grade level, to allow them to be accompanied to the Center by their daycare providers, who must be at least sixteen years old, down from the eighteen-year-old requirement. This would allow increased use during the summer months. This will be discussed at the August meeting.

BMAC Funding

Director Shore reported that the proposed increase in the recreational assessment was well received by the public. Most of those who attended the meeting thought the Rec Assessment should be increased to \$250, but they were against a \$60 activation/membership fee. Director Shore recommends that the assessment request for the November election be \$240/year, with an annual increase of 5% or the current CPI, whichever is less, with a sunset of five years. He also recommends that the activation/membership fee be raised to \$25 per year, per person, with a maximum of \$100 for a family. Director Inman suggested that the sunset should be seven rather than five years. Director Shore moved that the Board authorize the Recreational Assessment be raised to \$240 per year, with an increase of 5% or the current Colorado CPI, whichever is less, with such authority to sunset in seven years; Director Lancaster seconded the motion and the motion carried unanimously. District Manager Rippy will coordinate this with Matt Dalton for the November 3 election.

Executive Session

The regular meeting was recessed for an executive session to discuss personnel and security issues at 11:10 a.m.


Reconvene Regular
Meeting

The regular meeting was reconvened following executive session at 11:32 a.m. Director Inman moved that to maintain best business practices and have in place proper internal control procedures, the list of authorized signers on the Petty Cash bank account should not include the Accounting Manager and should include members of the Board; Director Shore seconded the motion and the motion carried unanimously.

Adjournment

There being no further business to come before the Board and upon motion made, seconded and carried, the meeting was adjourned at 11:41 a.m.

The foregoing constitutes the true and correct minutes of the above referenced meeting and was approved by the Board of Directors of the Consolidated Metropolitan District on the 27th day of August, 2009.



Secretary