
RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL WORKSHOP OF THE BOARD OF DIRECTORS

OF

CONSOLIDATED METROPOLITAN DISTRICT

Held Monday, the 16th day of June 2008 at 2:00 p.m. at 109 Tamarisk Trail, Battlement Mesa, Colorado.

Attendance

A workshop held by 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:

Lynn Shore
Raymond Barbour
Bill Nelson
Frank Lancaster
Fred Inman

Bob Jasper, Anne Huber and Sandy Yeager were also in attendance.

Call to Order

Director Nelson called the workshop to order at 2:10 p.m. He explained the purpose of the workshop was to give direction from the Board to District Manager Jasper.

CMD/BMSA Merger

The first item on the list for discussion was the merger of CMD and the BMSA. It was decided to not discuss this topic as it would be discussed at the joint meeting the following day.

Street Sweeper

District Manager Jasper explained that when we had the meeting with the Garfield County Commissioners regarding the roads, we had been awarded a grant to purchase a street sweeper, and the county had purchased a new, large one. Mr. Jasper mentioned that there was to be a discussion between CMD and the county to determine who would do what street sweeping, but nothing has been formalized as of yet. Director Lancaster reported that the BMSA has a contract to do the street sweeping, and in his discussions with Marvin Stevens of Garfield County, he says we should not count on the county's street sweeper to be sent to Battlement Mesa at all. Director Nelson expressed his concern that the BMSA has not approached the county with their request for

street sweeping funding to be included in the county's 2009 budget. The deadline for the request is June 30. Director Nelson also stated that he would like to have clarified what the county is going to do in Battlement Mesa so we can plan accordingly. Director Shore replied that the BMSA has pledged \$30,000 to CMD for 2009 street sweeping and whether or not they get \$30,000 from the county does not impact the CMD, as they will not be giving us \$60,000. Director Shore also stated that we should go ahead with the street sweeper purchase given the \$30,000 commitment from BMSA.

District Manager Jasper would like to purchase an Elgin Pelican sweeper. He also expressed his concern over not being able to abide by the District's purchasing policy to seek three bids, as there is only one company who sells the pelican. He would also like to work with Marvin Stevens on getting the county to commit to sweeping the arterial streets. He would also like to partner with the Town of Parachute to share staff for street sweeping, or hire a part-time/seasonal employee for this purpose.

After discussion, Mr. Jasper was directed to obtain bids on a 3-wheel wet sweeper, preferably from two or three different companies.

Tractor

District Manager Jasper mentioned to the Board that he would like to have Jack Kirkland from DOLA amend our heavy equipment grant to allow us to purchase a tractor for the spreading of biosolids. We have been renting a tractor for this purpose and the rental cost for this year was \$1,200.

Dump Truck

District Manager Jasper reported that when he got pricing for a new dump truck he went off the CDOT bids and not Garfield County's. He stated that CDOT bids for themselves as well as for many small towns throughout Colorado. The downside of their bid process is they bid what they need, not specifically what a town needs. He also stated that he feels comfortable with CDOT's bid process and would like to use it for the dump truck purchase. Director Nelson asked Mr. Jasper if CDOT bids both the larger and smaller size dump trucks, or do they bid only one size and then we pick from what they are bidding? Director Shore asked what the mix was on using Dan Cook. Mr. Jasper responded by saying Mr. Cook is reasonable in his pricing and he

does a good job, but we should have in-house capabilities. He also mentioned that the current CMD staff would prefer a smaller truck that does not require a CDL. However, if we were to purchase the larger one, staff could be paid additional, similar to our water/wastewater certification program, for obtaining their CDL. Director Nelson pointed out that it has taken the District a long, long time to build up our reserves, and if we spend on the biggest and best, it will not take long for it to be gone. The approximate cost of the dump truck with a snowplow is \$145,000. Anne Huber asked if the truck were purchased with snow plowing capabilities, would the Activity Center be able to use it to plow the parking lot? Director Shore responded that for the difference in money, the District most likely has a pickup that a snow plow could be installed on for plowing the lot. The base cost for the truck only is about \$91,000 and the dump would be an additional \$10-\$15,000. Director Shore would like to look at a truck without the plow or sand box, and the differences between the larger and smaller trucks.

Backhoe

District Manager Jasper reported that the backhoe he recommended would do the job. It has all the bells and whistles, except for a compactor. The compactor is an additional \$18,000. He stated that an air compressor and jack hammer could do a better job than the add-on compactor.

Equipment Summary

Director Shore summarized that for the June Board meeting, Mr. Jasper should have specs and prices for both sizes of dump trucks, for the street sweeper and the backhoe.

Storm Drains

District Manager Jasper requested that the Board set standards for new development regarding storm drains since the District owns and maintains them. He also mentioned that some new developments are using detention ponds and the District should not be required to maintain them. This should be the job of the homeowners' associations. He recommends that once storm drain standards are established, the county should refer new developers to the District for approval of their storm drain plans.

Maintenance Shop

District Manager Jasper reported that Studio DH Architecture is working on options for an administration building and the new maintenance shop. He mentioned that new office space is still not a sure thing. Director Barbour asked the purpose of a new maintenance shop. Mr. Jasper responded that it will be for storage and maintenance of equipment to include oil changes, etc.

Manholes Mr. Jasper reported that the budgeted replacement of manholes will not take place until autumn, after the irrigation season is over. Some of the manholes are located in residents' backyards that will need to be dug up.

Water Issues District Manager Jasper reported that the amount of water we are sending uphill from the river is not what we are billing for. We cannot find where the discrepancy is. A new meter is being installed at Zone A pump station at a cost of about \$2,000. This may help in tightening the gap in the discrepancy. Director Shore asked if the loss of water (what's sold and what's returned to the river) will impact future development. Mr. Jasper said it could.

Mr. Jasper reported that he is looking to purchase additional drought year water rights in 2010.

Street Widths District Manager Jasper reported that when the PUD adopted their regulations, road width requirements were adopted, which allows private roads to be narrower than public roads. He stated that all new roads are now private because the county does not maintain them. Mr. Jasper is requesting a text amendment to the road width regulations regarding private road widths. Director Shore responded by saying they are private roads, they are privately maintained and are of no concern to CMD. Increasing the width of the private roads would drive up the costs to developers who would lose sellable square footage. Director Shore also stressed that discussion of private streets is inappropriate for the CMD Board.

BMAC Anne Huber reported that in 2003 a DOLA grant was awarded to complete a facility master plan for the Activity Center. As a part of the facility master plan, deferred capital maintenance projects, new capital building projects and new capital site improvement projects were identified. Some of these projects have been completed, and some are on-going. Ms. Huber mentioned that the lists can be re-prioritized/updated to accommodate new residents. She mentioned that she is confident that funding is available for the installation of an elevator and that she would like to see that happen. Director Barbour mentioned that there is not nearly the need for an elevator since the handicap parking was increased. Ms. Huber stated that the mezzanine cannot be used because of ADA requirements for restrooms, etc. She also mentioned that they have no control over use of the Center because of two separate entrances, one on the upper level and one on the lower level and the front desk being located in the middle of the lower level.

System Development
Fee


Director Shore asked if any of the new \$9,000 system development fee is earmarked specifically for the Activity Center. District Manager Jasper said not specifically, but some could be. Director Shore recommends that this be done in next year's budget.

Director Shore reported that there is a possibility of litigation between Battlement Mesa Partners and CMD regarding the new system development fee. The question is, does BMP receive the full \$9,000 for each new water/sewer tap or do they receive \$5,000, the amount they have been paid in prior years. Director Shore believes the Board needs to be proactive on this issue now before a very expensive court battle ensues. It was decided that an executive session will be held with the District's attorney, Matt Dalton.

Adjournment

The special workshop was adjourned at 4:15 p.m.

The foregoing constitutes the true and correct minutes of the above referenced workshop and was approved by the Board of Directors of the Consolidated Metropolitan District on the 26th day of JUNE, 2008.


Secretary