

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CASCADE METROPOLITAN DISTRICT NO. 1  
HELD MAY 28, 2019**

A regular meeting of the Board of Directors of the Cascade Metropolitan District No. 1 (the "Board") was duly held on Tuesday, the 28th day of May 2019 at 5:30 p.m. at the Cascade Fire Station, 8015 Severy Road, Cascade, Colorado. The meeting was open to the public.

**Directors in Attendance Were:**

Mike Whittemore  
Troy Eason  
Mike Herr  
James Borden

**Also in Attendance Were:**

Heather Hartung, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law (via telephone)  
Mark Hornberger  
Kevin Walker, Walker Schooler District Managers  
Kristina Kulick, Walker Schooler District Managers  
Charmaine Dregalla, AT&T  
Members of the public (see sign-in sheet attached)

1. **Call to Order:** President Whittemore called the meeting to order at 5:33 p.m.
2. **Declaration of Quorum/Director Qualifications/Reaffirmation of Disclosures:** President Whittemore confirmed a quorum and noted that he would need to leave the meeting early. The Board discussed the requirements pursuant to Colorado law to disclose any potential or existing conflicts of interest to the Board of Directors and to the Secretary of State. Ms. Hartung reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. No additional disclosures were noted.
3. **Approval of Agenda:** Director Eason moved to approve the Agenda and excuse Director Soloyanis; seconded by Director Herr. Motion passed unanimously.
4. **Consent Agenda Items:**
  - a. Acknowledge Operations Report
  - b. Acknowledge Manager's Report
  - c. Approval of Board Meeting Minutes from the Regular meeting held on April 23, 2019 Meeting
  - d. Approval of Payables for the period ending May 24, 2019 in the amount of:

General Fund:	\$ 25,596.32
Capital Projects Fund:	\$ 64,705.28
Grant Capital Projects Fund:	\$ 21,229.16
Debt Service Fund:	\$ 31,266.84
Total	\$ 142,797.60

- e. Acceptance of Unaudited Financial Statements as of April 30, 2019, the schedule of cash position updated as of April 30, 2019 and bank statements
- f. Ratify approval of Requisition No. 44 to UMB Bank, as Trustee, for payment of Working Capital Project funds from Water Enterprise Revenue Refunding and Improvement Bonds, Series 2015A and 2015 B
- g. Approval for Director Borden to be a signatory on the checking account

Mr. Walker noted there were no changes to the Consent Agenda. Director Herr moved to approve the Consent Agenda; seconded by Director Eason. Motion passed unanimously.

**5. Consideration of items removed from Consent Agenda: None.**

**6. Management Matters:**

- a. Update on Construction Project
  - Report on CSU status and General Project Report – Mr. Hornberger updated the Board and said the crews have been working since April 8<sup>th</sup> and that scheduled progress was being made. Mr. Hornberger reported that the team was making good progress on curb stop locations and that the contractor was prepping for asphalt and hoping to get paved soon if the weather is good. Director Borden noted CSU had completed their review of the Highway 24 crossings and leak testing with good results. Borden said there are 306 stop boxes working out of 362 and the ones on Rampart Terrace and Ute are complete. The ID with measurements and drawings for CSU has not been done yet and will wait until the end of the project. It will depend on funding left at the end of the project and they will need to find everything first.
- b. Easements – Ms. Hartung told the Board they are moving along on Phase 2 of the easements.
- c. Other Approve Project Contractor Pay request for May:
  - (i) GMS Bond Payable - \$27,277.84
  - (ii) RMS Bond Payable - \$27,277.84
  - (iii) RMS Grant Payable – \$21,229.16

Mr. Hornberger went over the pay requests from GMS and RMS. The Board noted the total for the month did not match the numbers. Mr. Hornberger said he will check with his office to confirm and get the correct amounts. Director Eason moved to approve the pay requests with the final amount to be determined by the District Manager; seconded by Director Herr. Motion passed

unanimously.

- d. Report on request by AT&T to lease water tank site: President Whittemore left the meeting at 6:00 p.m. Ms. Charmaine Dregalla presented the concept to the Board including a 60-80 foot mono-pole to be installed at the tank site that can be painted any color. She added the pole could be made to look like a tree, but after 10 years they don't look great and suggested painting it green to blend in. A higher pole would improve service coming up Highway 24 and the extra 20 feet from 60 to 80 is significant as far as coverage. Ms. Dregalla explained that carriers other than AT&T could put their equipment on the pole which would benefit more than just those with AT&T. Ms. Dregalla reviewed the location where the pole would be installed and said they would prefer a 60' x 60' fenced in area for the pole which includes a small equipment shelter. AT&T will need 24-hour access in case the signal goes down and needs to be repaired due to FCC requirements. Ms. Dregalla went over the lease agreement and said it would be a 25-year minimum lease, but they would prefer to do a 30-year lease. She said there are clauses in the lease agreement that could allow the District to end the contract, but due to the expense of installing the tower they prefer long term leases. Ms. Dregalla explained that emergency response services would work off the pole. Mr. Walker asked about the process from here forward in terms of zoning. Ms. Dregalla explained that she will be the contact from now until construction, and she will arrange a site walk and take care of the zoning. She explained they would offer a lease and then get zoning drawings done after the site walk. Once they are approved by the Board, she would then submit for official zoning and nothing would be put on the property until the lease is signed. Mr. Walker noted that AT&T has offered \$1,800 per month so far but that is not enough so they are still negotiating. Director Borden moved to allow AT&T to go forward with the zoning and site walk; seconded by Director Herr. Motion passed unanimously. Mr. Walker said he will pass the information along to the District's attorneys to move forward with the lease negotiations.
- e. Request for leak reimbursement from rate payer: Mr. Walker explained a new rate payer asked to be reimbursed for fixing a leak with their toilet. Director Herr said that there had been an earlier issue and the Board agreed to have them pay the District cost. Mr. Walker explained the difference was that the previous issue was an undetectable service line leak that was not noticed to the owner in a timely manner. The refund would be \$113 if we took an average of their usage. The Board discussed the issues with setting a new policy. Mr. Walker suggested deciding on this and the Board can discuss policy moving forward. Director Eason moved to offer them a discount of the average and overage split in half, refund totaling \$113. The motion died for lack of a second.
- f. CSU Project Turnover  
Mr. Walker said this item will give the Board a beginning point to discuss the turnover. The first issue is paying off the bonds. Bond underwriter, George K. Baum was contacted to review options; the current debt cannot be refinanced

until 2023 and there is a balloon payment due in 2035 and 2036. The idea was to refinance and extend out the length of the loan to 2049. The Board discussed the funds needed to cover continuing costs for the District. Mr. Walker clarified that the Board is not in any danger of not making the payments and could wait until 2023 to decide on what to do. Director Herr asked about applying for grant money for relief on the bond from the State. Mr. Walker went over operating costs for the District. The Board discussed the costs associated with taking down the pump houses and the water tank. The Board decided to continue this discussion over the next year and keep as a regular Agenda item.

**7. Operations Matters:** Director Borden reported on Operations and said the testing was done and there explained there were 2 complaints about water. Mr. Walker confirmed he was aware of the complaints.

**8. Financial Matters:** There was no discussion.

**9. Legal Matters:**

- a. Posting meeting notices on the website, on-site, etc. pursuant to new state statute: Mr. Walker explained that the District can begin posting notices on the website starting August 2<sup>nd</sup>. Director Herr moved to approve posting meeting notices on the website pursuant to the new state statute beginning with the August meeting; seconded by Director Borden. Ms. Hartung recommended putting something on the June and July meeting postings to give advance notice to the public that they will be posted on the website moving forward. The Board suggested putting it on the water bill as well. Motion passed unanimously.

**10. Public Comment:** A gentleman from the public said he is selling his property this summer and asked if the District has a document that explains the current status so that they could remove concerns. After discussion, Mr. Walker suggested using the newsletter. She said he could contact her office with specific requests and they would be happy to provide documents. Ms. Hartung also recommended the buyers contact the title company as well since they usually help with those disclosures.

**11. Other Business:**

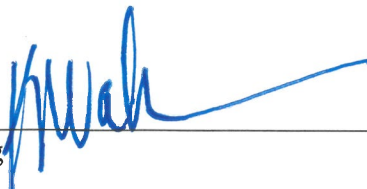
- a. Next Meeting— Scheduled for June 25, 2019 at 5:30 p.m.

**12. Adjournment:** Director Herr moved to adjourn the meeting at 7:00 p.m.; seconded by Director Eason. Motion passed unanimously.

Respectfully submitted,

By:

Secretary for the Meeting





THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 28, 2019 MINUTES  
OF THE CASCADE METROPOLITAN DISTRICT NO. 1 BY THE BOARD OF  
DIRECTORS SIGNING BELOW:

  
\_\_\_\_\_  
Mike Whittlemore  
\_\_\_\_\_  
Mike Herr  
\_\_\_\_\_  
Troy Eason  
\_\_\_\_\_  
James Borden  
\_\_\_\_\_  
Susan Soloyanis



**May 28, 2019**

Name	Address	Telephone/Email	Public Comment Please check if you wish to address the Board. Please note comments are limited to 3 minutes.

[illegible]