

**CROSS CREEK METROPOLITAN DISTRICT
MINUTES
REGULAR BOARD MEETING**

Thursday August 21, 2014, 11:00 am

The regular meeting of the Board of Directors of Cross Creek Metropolitan District was held Thursday, August 21, 2014. Board members met at 711 N. Cascade Avenue, Ste 100, Colorado Springs, CO 80903.

Board members present: Pat Skinner, Don Smith, Karl Pfamatter and Gerry Martinez
Also present: Elise Bergsten and Jennifer Kelly

The meeting was convened at 11:00 am.

Minutes

A motion to accept the minutes of July 2014 was made by Gerry Martinez, seconded by Karl Pfamatter and approved unanimously.

Developer Update - none

Legal Report – Pete Susemihl - none

Financial Report

Proposed payments are as listed below:

General Fund:	
BMSC	\$ 5,056.69
City of Fountain Utilities	\$ 2,000.00
Fire Inspections Plus	\$ 360.00
Haynie & Company	\$ 1,000.00
Land Management LLC	\$ 9,110.00
Susemihl, McDermott & Cowan	\$ 880.00
Total:	\$ 18,406.69

A motion to approve bill payments as discussed was made by Karl Pfamatter, seconded by Gerry Martinez, and approved unanimously.

Applegate’s final bill payment will be held again, since the Encroachment Easement and the non-potable system design are not yet complete.

Manager Report

C&S Road Streetscape

Mike Rothe estimates \$350 per month for maintenance. Still waiting to review a draft agreement from City of Fountain.

Cross Creek Regional Park

Mike replaced the door handles as well as the faucets in the bathrooms to better deter vandalism. Board members discussed signage, cameras and other methods of vandalism deterrent. The board agreed that research should be conducted online for additional methods and signs near the bathrooms should be installed stating the individuals are on camera as well as offering a \$500 reward for information leading to arrest and conviction of vandals. Elise would also like to install a metal sign with the park hours, rules and regulations to replace the message board, which has been vandalized repeatedly. Board members were in consensus to move ahead with these items.

Magellan Encroachment Agreement

Pete has reviewed this at length and presented his concerns. There is a clause that CCMD will have to pay an inspector to be onsite during construction within the easement. Steve Smith from Applegate estimated that construction would be in the easement for 1-2 weeks and the cost of the inspector to be \$4,500 a week. The board would like to add a limit of cost and clarify the parameters concerning the inspector. Elise will speak directly to Magellan about these parameters.

The initial draft had an indemnification clause that would conflict with state law regarding special districts. Magellan agreed to change this clause.

The board discussed a statement referring to “gross negligence,” but agreed by consensus to leave the phrase as stated.

SDA conference

The annual SDA conference will be held in Keystone on September 10, 11, 12, Elise suggests that Gerry attend, if possible, at the District’s expense.

A motion to approve paying for Gerry Martinez to attend the SDA conference was made by Karl Pfamatter, seconded by Pat Skinner, and approved unanimously.

Old Business

None

New business

None

A motion to adjourn was made by Karl Pfamatter, seconded by Pat Skinner, and approved unanimously.

The meeting was adjourned at 11:50am.

Respectfully submitted by

Elise M. Bergsten, Acting Secretary