

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
BOARD WORKSHOP MINUTES
September 9, 2009 – 10:00 am
Shaw Construction

Board Member Present

Chuck Keller - Richard Talley - Dale Reece - Bill Milius - Clark Atkinson

Also Present

Fred Eggleston & Tom Minerick (10:00 – 11:00 only)

Teri Cavanagh (10:00 – 11:20 only)

Dave Younger & Jerrod Pearson (11:00 – 12:00 only)

Diane Hatfield

Dale Reece greeted Fred Eggleston and Tom Minerick, representatives of Xcel Energy. Dale gave a brief synopsis of the goals, challenges, and accomplishments to date of the Horizon Drive Business Improvement District. Dale relayed to them the single largest concern of the constituents of the district – power outages. Power outages in themselves are inconvenient, but when they last for a considerable amount of time, the financial consequences to businesses in the area can be great.

With the aid of a district map, Fred Eggleston indicated the power feeders bringing electricity to the district. The cables above ground are easily repaired, but the cables underground are a different story; they are not easily accessible, and the corrosive elements in the Grand Junction soil are extremely destructive to the cable. With an investment of seven million dollars, Xcel Energy has been replacing the underground cables in our district with heavier conduits that have two times the diameter and much greater capacity. Several other corrective measures are being taken care of, and by year's end, Excel expects significant power outages to be a thing of the past.

Dale thanked Xcel Energy for working diligently to handle the demands of our growing district. He also thanked Fred and Tom for being so responsive and informative. Before Fred and Tom left, Tom offered his assistance to the constituents of the district with issues of energy efficiency and rebates.

Teri Cavanagh updated the Board as to postings on the internet and at City Hall. She suggested new software that is more flexible. The switchover would cost up to \$2,000, but the new technology would enable Cobb & Associates to build a new website that is more user friendly. This would be a great tool for the Board and the community. The board decided that more discussion would be necessary before any action on this matter is taken.

Dale Reece reported that he and Eileen Blanchard had met with the mayor of Grand Junction, Bruce Hill, to discuss the Statutory Property Tax Revenue Limitation. It is

Bruce's opinion that the Horizon Drive BID is not an entity unto itself, but falls under the guidance of the City. Therefore, the City's legal staff and services should be available to Horizon Drive BID. Bruce plans to attend our next meeting, scheduled for October 7th to discuss the results of his research into the Statutory Property Tax Revenue Limitation.

Dave Younger and Jerrod Pearson joined the workshop at 11:00. Dale informed them that all meetings and workshops are posted, but clearly defined guidelines for conducting meetings and workshops were needed.

Executive Session was then suggested to further discuss Statutory Property Tax Revenue Limitation, 5.5% limitations, and TABOR. The board is firmly in agreement that we submit our findings to John Shaver's office immediately. The mil levy needs to be filed with the Assessor at the end of September, and how we file will be dependent on the response we receive from John Shaver's office. The board agreed that in this situation, we want to err on the side of safety, and it should be addressed now.

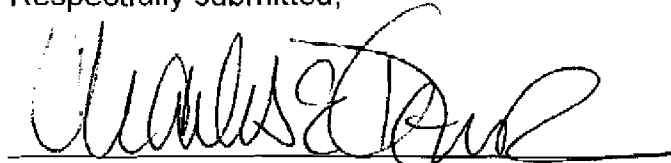
Previous discussions led the board to questions of saving reserves for future spending projects. Dave Younger and Jarrod Pearson reported that the Horizon Drive BID is able to accumulate reserves through saving, and will not be penalized for saving or spending. As long as revenue and expenditures are less than \$500,000 in any given year, the board is not subject to an audit, which is presently the case. They are, however, required to file an exemption by March 31st.

To date, the amount spent on legal counsel has been considerable, but Dave Younger believes this will soon be a thing of the past, with his services being required for specific issues. Clark Atkinson pointed out that we need to make sure that we are good stewards of legal fees, being very conscientious about the amount of work and number of attorneys needed to satisfy the Board's needs.

The Board is in agreement that while the Horizon Drive BID has made great strides, an Executive Director is still preferred. After considerable discussion, it has been decided that the position will begin as part time, and may later lead to a full time position. The board will consider the two remaining top candidate choices. It is unanimous in thought that the Executive Director be amenable to the direction the board wants to take instead of leaving it up to their discretion.

The workshop ended at 12:45 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chuck Keller", written over a horizontal line.

Chuck Keller, Secretary