

**Riverview Technology Corporation**  
**Minutes of Annual Meeting**  
**February 7, 2003**

---

RTC Members in Attendance: Walid Boumatar, Robert Bray, Bernie Buescher, Mike Bussey, Doralyn Genova, Chris Launer, John Newell, Bonnie Petersen, J. D. Snodgrass, Janet Terry, Pat Tucker

Others Present : Kerry Brown, Thea Chase, Herman Lucero (portion of meeting) Nancy McKenna, Dan Wilson, Esq.

***Call to Order.*** Bernie Buescher opened the meeting at 12:15 p.m. and introduced Kerry Brown, a business finance major student shadowing Thea Chase today. Bernie asked that a report from legal counsel be added to the agenda.

***Approval of Minutes.*** Minutes from the November 6, 2002 were approved as written on motion of Bonnie Petersen and seconded by J. D. Snodgrass. All Board Members voted unanimously to approve the Minutes.

***Finance Committee Report.***

***Year End and Current.*** Bernie presented a summarization of expenses charged to the DOE. for the Fiscal Year ending 9/30/02. The total figure billed was \$402,223.48 and the total figure paid was \$446,340.00. In a meeting with Eben Greybourne of the DOE, Bernie related that he agreed that we need not send a refund because the budget for this current year shows we will be spending \$104K more than we will be billing them. The DOE will apply the \$42K against the \$104K. At this point, we have a verbal agreement on this action but no confirmation in writing yet.

***Audit Report.*** Mike Bussey reported that the auditor, Paul Miller, has just about completed his work. The issue he's encountered is that we paid \$10 for the property. We need to find and provide him with a copy of the appraisal on the property. Discussion followed on replacement cost value, appraisal value and the ramifications of the value of the property on taxes and real property taxes. Mike presented the financial statements for the first three months of the fiscal year. On the Budget versus Actual, we are \$11K of revenues exceeding expenditures. Totally, we are ahead of budget by almost \$19K. Mike reported that our monies are now in repurchase agreements so we won't have more than \$100K cash sitting in a bank account, uninsured, any longer. This is much safer in terms of insurance. Bernie stated that including the \$150K grant, plus \$192 in cash flow and adding the personal property sold, we are \$100K ahead of projections.

***501(c)(3) Status.*** Mike reported that we have no new news on status.

***Real Property Tax Exemption.*** Thea is in the process of filing the exemption forms. A question remains as to whether we need 501(c)(3) status prior to filing the exemption application. Bernie states that part of the statute ruling on tax exemption states that the property must be "owned and used" for non-profit purposes. Since we lease instead of own, we may not qualify for the

exemption. Bernie wants to ultimately look into changing legislation on this tax issue. RTC paid \$1,255 in taxes for the year. If we are assessed at the potential value of the site, it could be \$30-40K. We feel we have a strong case for tax exemption.

The motion was made by Robert Bray to accept the Finance Committee Report. John Newell seconded the motion and all Board Members voted in favor.

### ***Property Management Committee.***

*Completed Items.* J. D. Snodgrass reported on items already completed: easements with the railroad and a lease agreement with WCBDC. Work continues on the fire sprinkler system on DOE's property; this is complete except for the wiring. Nothing has been done on the Incubator side yet in terms of fire sprinklers. Ken continues to work on personal property disposition, may advertise it on E-bay and/or hold an auction for whatever is left. The fire alarm system is operational, but continues to send error messages. This has been determined to be a software problem and the system manufacturers are coming to review and see what can be done. We have one bid from Deep Creek Inc. for lawn sprinklers for \$128,664. We may need to reconfigure the plan in order to save money on the installation. The Army hasn't done anything at this point on the Xcel gas conversion project. Letters have gone back and forth and it should have completed in June 2002. We need to urge them to take action. If the Army will put in the main line, we can tap into it and save a money. Estimates are still in the works regarding the Xcel electrical upgrade and Eben/DOE have been asked if they will accept \$135K as maintenance and thus be payable by the DOE. Eben is waiting for a formal response.

Mike Bussey made the motion to accept the Property Management Committee Report and Bonnie Petersen seconded the motion. All Board Members voted Aye.

***Governmental Committee.*** Robert Bray made his last report. He reminded the new members to not lose sight that the objective was keeping the DOE at the site, and extended his thanks to Doralyn Genova and Janet Terry who have been involved since the beginning. Robert urged the Board to keep the governmental relations committee going with a focus on bringing more jobs in through the DOE and the Incubator. The Committee has introduced Jim Archibald of Stoller around to the County, Chamber and the EDC. After the April election, Jim will be introduced to the City. He feels it is important to keep governmental relations and communications ongoing.

Bernie agreed that the focus of this organization is job creation not to make money on property management. Bernie thanked Robert as he had Chaired the organization through the first tough negotiations and feels we owe Robert a big round of thanks. Bernie stated that Chris Launer carried the brunt of negotiations with the DOE and stated that this organization and the community owe him thanks. Janet Terry expressed thanks to all the old timers, the City is indebted for the continuing work. She feels that Dan Wilson is also due a great deal of thanks. The project is worth a great deal and everyone should be very proud that the deal got done.

Bernie wants to talk Pat Tucker into staying on the Board for another year. It will be difficult with these members leaving as institutional memory is getting rather thin. New members must be ratified by the city and county. The Executive Committee has a couple nominees, Jim

Widdows has agreed to serve. Bernie would like a motion to invite him. Walid Boumatar made the motion to accept and Robert seconded the motion. All Members voted unanimously. Staff is to make request to city and county to ratify. Other possible members include Kerry Youngblood of UTEC, realtor Harry Makrakis and Kathy Hall. There will be two or three positions to fill. It was proposed to pass a motion for Bernie to approach these potential members to see if they have interest in serving. J.D. made the motion and Robert seconded. All Members agreed to take this action. Bernie is willing to serve as President for one more year, JD has agreed to serve as Vice President, Bonnie Petersen to serve as Secretary and Mike Bussey to serve as Treasurer. Robert made the motion to nominate these persons for the respective offices, Walid made the second and all Members voted Aye.

*ASER 2001 Report.* Herman Lucero joined the meeting and made a presentation on ASER. What we have received is the Executive Summary of a very detailed document. The only exceedences are those that have existed since inception, surface and ground water. Remediation is estimated at 50-80 years to clear the heavy metals out, using a natural flushing through the aquifer, up and down stream. Herman stated there is nothing out of the ordinary contained in this report. It was determined that Staff should obtain detailed documentation/the complete report which shows a color graph on the groundwater issue. Herman advised the Board to do any construction at a time of year when the water level is low in the Gunnison and possibly not contact groundwater.

*Strategic Planning.* Bonnie drew a picture on the board depicting four areas, Army, DOE, Incubator and the bone yard. Discussion followed on issues of developing and placing infrastructure. John Schler of the Colorado Center for Community Development Program has architectural students and he indicated for \$1,000 he would be willing to have them give us a concept plan for the highest and best use of the property. Issues include: The dike, is it solid enough to develop the back property? Who do we work with – city or county? Could this be a development for Incubator graduates who are not totally ready to hit the market? Bernie raised some fundamental issues: Where are we going with this property? What are the financial implications and the political implications? Should we hire an attorney with property expertise to help us understand the process and implication? Discussion followed on annexation issues. Bernie and Bonnie felt that we should (1) put together a strategic planning committee and (2) made a recommendation to hire Rich Livingston, real estate attorney, with expertise in subdivisions and annexations, as counsel. Thea stated that we could possibly get some grant funding for renewable energy projects. J.D. made a motion to authorize Bernie to negotiate with Rich Livingston and entering into a contract as counsel at a reasonable rate. Bonnie seconded the motion and all Members voted Aye.

Bernie would like to appoint three members of the Board to a Strategic Planning Committee and ask them to design a process. Walid made the motion to approve this action and Pat Tucker seconded the motion. All Board Members voted unanimously. Bonnie re-stated that John Schler's group at CU could be utilized and asked for a budget item of \$2500 for the Strategic Planning Committee to spend in their discretion for consulting. Mike made the first, Bonnie seconded the motion and all Board Members voted in favor of this expenditure.

### *Administrative Items*

Bernie said that an annual party would be held soon-- possibly at Pat's house-- and will get a date to everyone soon. In terms of "housekeeping," we are looking for a property transaction/closing book from Dan Wilson for the file. Also, there is an extensive checklist on property management generated by Wastren that needs to be located.

***Regular Quarterly Meeting Dates:*** 5/9, 8/8, 11/14 and 2/13/04.

There being no further business, the meeting adjourned at 1:55 p.m.