

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

ROCKY MOUNTAIN RAIL AUTHORITY Held: Friday,
January 23, 2009, at 1:00 p.m. at the Jefferson County
Administration Building, Lookout Mountain Room, 100
Jefferson County Parkway, Golden, CO 80401.

Attendance:

A meeting of the Board of Directors of the Rocky Mountain
Rail Authority was scheduled in compliance with the laws of
the State of Colorado, with the following Board members in
attendance;

Harry Dale, Chair, Clear Creek County (Commissioner)
Doug Lehnen, Vice Chair, Town of Castle Rock (Council)
Gail Drumm, Secretary, Town of Monument (Council)
John Tangen, RFTA Controller, Fiscal Agent RMRA (via
teleconference)
Rod Bockenfeld, Arapahoe County (Commissioner)(via
teleconference)
Terry Carwile, City of Craig (Council) (via teleconference)
Terence Quinn, Douglas County (Staff)
Greg Schroeder, Eagle County (Staff)
Randy Penn, Englewood (Council)
Forrest Whitman, Gilpin County (Commissioner) (via
teleconference)
Lee Behrens, Georgetown (Council)
Dave Sturgis, Glenwood Springs (Council) (via
teleconference)
Mary Jane Loevlie, Idaho Springs (representative)
Robert Valdez, Las Animas County (Staff)(via teleconference)
Brian Vitulli, PPRTA (Staff)
Bill Moore, Pueblo County (Staff)
Pepper Whittlef, City of Pueblo (Staff) (via teleconference)
Dorothea Farris, RFTA/Pitkin County (representative)
Bill Christopher, RTD (Board) (via teleconference)
Diane Mitsch-Bush, Routt County (Commissioner) (via
teleconference)
Diane Mitsch-Bush, Steamboat Springs (Representing as
alternate) (via teleconference)
Diane Mitsch-Bush, Hayden (alternate) (via teleconference)
Bob French, Summit County (Council) (via teleconference)
Pete Morlan, Trinidad (Council) (via teleconference)
Mark Gordon, Town of Vail, (Council) (via teleconference)
Bob Briggs, City of Westminster (Council)
Karla Harding, Town of Timnath (Council)
Karen Tussey, Town of Yampa (Council)
Tom Donnelly, Larimer County (Commissioner)
Bob Broom, City of Aurora (Council)

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Harold Anderson, City of Lone Tree (Council) * Membership approved at meeting

Janice Finch, City and County of Denver (Staff)

Joseph Siccardi, Jefferson County (Planning Commissioner)

Larry Brooks, Town of Avon (Staff) * Membership approved at meeting

Also present were:

Ed Icenogle- Icenogle, Norton, Smith, Blieszner, Gilida & Pogue, P.C. (RMRA Attorney)

Scott Meszaros- Town of Monument (Staff)

George Scheuernstuhl, DRCOG (Consultant) (via teleconference)

Miller Hudson

John Hoffman- Town of Carbondale (Council)

Identification of any Non-Board members on the Conference Call Line

Chair Dale asked for all non-board members on the conference call to identify themselves. There were none.

Call to Order

Chair Dale, noting the presence of quorum, called to order the meeting of the Board of Directors of the Rocky Mountain Rail Authority.

Public Comment Period

Chair Dale asked for any person wishing to come forward to address the RMRA Board with public comments.

Mr. Miller Hudson, came forward and discussed the possibility of an economic feasibility study/and possible stimulus package which may occur at the Federal level. He urged that the RMRA Board be ready to file an application for Federal dollars should the availability present itself.

Consideration and Approval of Minutes of November 21st Meeting

Chair Dale asked if there are any corrections to the minutes of November 21st.

Director Quinn (Douglas County) stated the spelling of his first name is "Terence" and asked that it be corrected in the minutes.

Director Moore (Pueblo County) stated that he was representing Pueblo County as alternate, not the City of Pueblo as indicated in the minutes. Ms. Pepper Whittlef was the City of Pueblo alternate (not Pueblo County as written). He clarified that he is an alternate for the City of Pueblo when their representative is not available.

Director Lehnen moved, Director Farris seconded, approval of the November 21st Minutes as amended and specified by Chair

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and Directors. Passed.

Consideration of Approval of New Member Jurisdictions

Mr. Ed Icenogle, RMRA Attorney stated that there are three (3) new member jurisdictions which have submitted paperwork to consider adding at this meeting. They are the Town of Avon, Lincoln County, and the City of Lone Tree.

Director Farris moved, Director Quinn seconded approval of the Town of Avon, Lincoln County, and the City of Lone Tree as new members of the RMRA Executive Board. Passed.

Financial Report

Chair Dale discussed the letter presented to the Board which he sent out regarding the cash flow problem facing the outstanding invoices. He detailed the invoices and outstanding amounts. He inquired with the RMRA attorneys regarding the possibility of taking out a loan for approximately \$200k to overcome the shortfall until the end of the project. Legal council affirmed that the Board cannot incur any debt obligations. He asked all member jurisdictions with outstanding contributions for 2009 dues to please expedite their payments which should assist with some of the shortfall.

Review of December 12, Executive Committee Meeting

Review of January 06 & 09 Executive Committee Meetings

Cash Flow Discussion

Approval of Bills

Director Tangen, RMRA Controller, detailed the Balance Sheet/ Statement of Net Assets as provided in the packet through December 31, 2008.

Chair Dale asked if there were any questions. None asked.

Director Lehnen moved, Director Loevlie seconded approval of paying bills as presented. Chair Dale stated that Mark Boggs has reviewed all requests for payment and verified them as fair and reasonable. Payments will be paid as money is available. Passed.

Director Moore stated that on the 2009 member contribution list, Pueblo County is correct (\$3125), however the City of Pueblo (stated as \$0 in the report) should also have a contribution of \$3125 added.

Director Bockenfeld stated that Arapahoe County is listed with a 2009 contribution of \$12,500, which as discussed at the previous Board meeting, will not be contributed in 2009 (should be amended to \$0).

Director Tangen stated that he would see that these items are corrected.

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Feasibility Study Steering Committee Report

Final Existing Conditions Report
Final Alternatives Development Report
Final Scoping Report
January/February 2009 Survey Update

Chair Dale stated that TEMS is in the process of evaluating all possible alternatives for the study. The Steering Committee has been very impressed with the work which has been done to date. On March 28th they will conduct a workshop to present the data collected. It will be up to the Steering Committee, and ultimately the Board to rule out various alternatives. TEMS schedule has been pushed out a month to the end of June at no additional cost. The Existing Conditions Report and Scoping Reports are now on the website, the February Survey Update will be coming soon.

Discussion ensued regarding having an executive summary or one-page analysis of the alternatives provided by TEMS prior to the end of the study. Chair Dale responded that the Steering Committee usually receives a two-hour report on the updated data collection and progress of the study which is a lot of information to go over. Mark Boggs, RMRA Project Director, will assemble an executive summary which is part of his scope. He stated that he did not see it within the scope or time frame for TEMS to assemble such a report during the process timeline of the study at this point.

Outreach Committee Report

Chair Dale stated that he presented to “Club 20” recently at the Denver Metro Chamber meeting. There was a very positive response. He stated that at the meeting, Centennial and Moffat County both voiced interest in joining the RMRA.

Director Lehnen stated that RMRA Directors should continue outreach to those jurisdictions who are not currently members.

Chair Dale stated that Golden and Greeley are in the process of completing their formal paperwork.

2009 Legislative Proposals

Chair Dale opened discussion on proposed 2009 legislative proposals.

Director Briggs discussed “SB 094” which would if approved, create a division of transit under CDOT. CDOT as an organization at this point in time could not do rail items without authorization; it is essentially a highway department. “SB 094 would allow us to meet with BN&SF and to work on rail related items with authority”. He explained that “HB 1134” is another bill moving forward simultaneously. This bill, if SB 094 does not work out for CDOT, would provide for a stand alone transit authority. He commented that progress has been made on both bills.

Chair Dale commented that if SB 094 gains approval, he hopes to see that CDOT gets the expertise out and into the regions, not just at headquarters. He stated that the RMRA

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Board may voice an opinion by taking a position on either of these bills, or continue to monitor them and if necessary to take a position at a later date.

Director Lehnen stated that he would like to see the Board monitor the progress until further into the process.

Next RMRA Board Meeting

Chair Dale stated that the next Board meeting will be held on February 27th at 1:00pm, Jefferson County Courthouse, Lookout Mountain Room.

Adjournment

In that there were no further items of business to discuss, the meeting stood adjourned at 2:25 p.m.

Secretary of the Meeting