

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TRIVIEW METROPOLITAN DISTRICT AND THE BOARD OF DIRECTORS OF THE WATER ACTIVITY ENTERPRISE, USING ZOOM FOR THE VIDEO CONFERENCE HELD

May 20, 2020

A meeting of the Board of Directors of the Triview Metropolitan District was held on Wednesday, May 20, 2020, beginning at 5:30 p.m. The meeting was conducted online using Zoom. This meeting was open to the public. The meeting was called to order at 5:36 p.m.

Swearing in of Board Members

Marco Fiorito and James Otis were sworn in as Board members for their next term of 3 years, ending in 2023.

ATTENDANCE

In attendance were Directors:

President:	Mark Melville
Vice President	Marco Fiorito
Director	Anthony Sexton
Director	James Otis
Director	James Barnhart

Also in attendance were on roll call:

James McGrady, District Manager
Joyce Levad, District Administrator
Shawn Sexton, Water Superintendent,
Jay Bateman, Parks and Open Space Superintendent
Chris Cummins, District Water Attorney
Gary Shupp, District Attorney
Nate Eckloff, Piper Sandler and Co.
Jennifer Kaylor, Our Community News

ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed for the Board’s approval the proposed agenda. A motion was made by Director Fiorito to approve the agenda. Upon a second by Director Otis, vote was taken, and the motion carried unanimously.

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Consent Agenda –

- a. Prior Meeting Minutes April 22, 2020 Regular Board Meeting (enclosure)
- b. Billing Summary Rate Code Report
- c. District Tap Fees received in April 2020
- d. Tax Transfer from Monument

A motion was made by Director Fiorito to approve the consent agenda. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously.

PUBLIC COMMENT

None.

OPERATIONS REPORT

District Manager Report (enclosure)

- The pumps for wells A-9 and D-9 have been sized, A-9 has a 240 hp pump which will pump approximately 300 gallons per minute. Well D-9 has a 120 hp pump and it should pump 200 gallons per minute. These wells should be operational around July 4th. The restroom in Sanctuary Point, which also serves as a pump house, will have the controls in the back of the building, construction should start on this soon.
- A letter was sent to Robert Fant, with the Air Force Academy, expressing our opinion, as far as, the routing goes for the NMCI.
- A new VFD has been put on well A-7 and it is back online.
- Mr. McGrady is working on Triview's "If and When" storage account in Pueblo Reservoir. The application is complete and will be submitted on June 1, 2020.
- Mr. McGrady and Chris Cummins did a field trip to lower Fountain Creek. They are working on the settlement negotiations for the Comanche shares that were purchased by Triview. The trip was to get the lay of the land for objectors' comments.

Public Works and Parks and Open Space Updates (Jay Bateman)

- Mr. Bateman stated in April all the irrigation in the District is up and running. The slide at Old Creek park has been installed. The District will remove all the tape on the playgrounds as soon as the Governor says it is o.k.
- Gleneagle will be paved from Baptist Road to Lyons Tail around the first week of June after the meter pit has been completed and the transverse cracks fixed.
- Phase 1 install completed on the median of Jackson Creek Parkway. Working with Kiewit on Phase 2 irrigation for 8 zones to be completed. Curb and gutter are completed along the Parkway.

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- There was a discussion by the Board about the trails in the District.

Utilities Department Updates (Shawn Sexton)

Superintendent Sexton went over his monthly report. Highlights included the following:

- Hydro Resources completed the rehabilitation of Well A-7 as well as the VFD control. Both the well and the VFD is complete.
- A program was installed at B Plant to control well A-1. This will give the District the flexibility to use all of Triview's wells at the same time, which would result in a increased capacity and allow up to 2,000,000 gallons per day to be treated.
- Plant A Repaired a feed pipe which was leaking
- C Plant working well.
- Timberline installed a UPS system at B Plant. The wash water basin was also cleaned out.
- There were 250 locates done.
- Water sampling coming up next month for the District.

BOARD DISCUSSION:

Director Fiorito gave a thank you to Nick Pallisco for his work installing the new cellular meter in his house. Director Fiorito commented on discussing the Districts' trail system once Sanctuary Point is built out.

Nate Eckloff, with Piper Sandler and Co., spoke about the results of working on the Bond Sale for the District. Mr. Eckloff submitted the results to Moody Investments and he was able to get Triview a rating report of A3 which helps with lower interest rates.

ACTION ITEMS:

- a) Review and Consider Approval of Resolution 2020-06, a Resolution of Triview Metropolitan District expressing the intent of the District to be reimbursed for certain expenses relating to the construction and/or acquisition of certain water and/or sewer improvements. (enclosure)

A motion was made by Director Fiorito to approve Resolution 2020-06. The motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

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- b) Discussion and Review of an Agreement to Buy and Sell Real Property by and between Stonewall Springs Quarry, LLC, a Colorado limited liability Company (“SSQ”) Stonewall Water, LLC, a Colorado limited Liability company (“SW”), Stonewall Springs Reservoir Company, a Colorado mutual water company (“SSRCo”) and the Triview Metropolitan District , a quasi-municipal corporation and political subdivision of the State of Colorado, dated January 23, 2020, as amended, and authorize the District Manager to proceed to the 1st Closing under said Amended Agreement concerning water rights, water storage interests, and land including the South Reservoir Property, to sign all closing documents necessary to complete such 1st Closing, and approving the appropriation of funds, to be derived from the Series 2020 Revenue Bonds previously approved, for purposes of closing, in the amount of \$16,702,840.00.

Mr. Cummins advised the Board that he would like to discuss this item in executive session before a decision is made. The item was tabled so that Mr. Cummins could discuss this further in executive session.

FINANCIALS AND PAYABLES:

Approve and Ratify Checks over \$5,000 – The Board reviewed the payment of claims over \$5,000. A motion to approve the checks greater than \$5,000 was made by Director Barnhart. The motion was duly seconded by Director Otis. The motion carried unanimously.

Monthly Cash Position and Unaudited Financial Statements – The Board reviewed the April 2020 unaudited Financial Statements as presented. A motion to approve the District’s April 2020 Financial Statements was made by Director Barnhart. The motion was duly seconded by Director Otis. The motion carried unanimously.

PUBLIC RELATIONS:

Triview is working on information on the purchase of the Stonewall Springs property for the newsletter.

EXECUTIVE SESSION

A motion was made by Director Otis for the Board to enter into Executive Session pursuant to C.R.S. Section 24-6-402(4) (b), (e), Legal Advice and Negotiations. Upon a second by Director Sexton, a vote was taken. The motion carried unanimously. Executive session was entered into at 6:45 p.m.

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REGULAR SESSION:

The Board came out of executive session and acted on Item 6 B of the agenda.

A motion was made by Director Fiorito to approve the purchase agreement to Buy and Sell Real Property by and between Stonewall Springs Quarry, LLC, a Colorado limited liability Company (“SSQ”) Stonewall Water, LLC, a Colorado limited Liability company (“SW”), Stonewall Springs Reservoir Company, a Colorado mutual water company (“SSRCo”) and the Triview Metropolitan District , a quasi-municipal corporation and political subdivision of the State of Colorado, dated January 23, 2020, as amended, and authorize the District Manager to proceed to the 1st Closing under said Amended Agreement concerning water rights, water storage interests, and land including the South Reservoir Property, to sign all closing documents necessary to complete such 1st Closing, and approving the appropriation of funds, to be derived from the Series 2020 Revenue Bonds previously approved, for purposes of closing, in the amount of \$16,702,840.00. The District also authorized Mr. McGrady to proceed to closing on approximately 800 acres of land and associated water rights including approximately 19,000 acre feet of junior storage rights for a not to exceed price of \$2,502,000

The motion was duly seconded by Director Otis. The Motion carried unanimously.

ADJOURN

There being no further business to come before the Board, a motion to adjourn the meeting was made by Director Fiorito. The motion was duly seconded by Director Otis. The motion carried unanimously. The meeting was adjourned at 8:11 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting