

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
HELD**

August 18, 2020

A regular meeting of the Board of Directors of the Triview Metropolitan District was held on Tuesday, August 18, 2020, beginning at 5:30 p.m., at the Triview Office, 16055 Old Forest Point, Suite 300, Monument, Colorado 80132. This meeting was open to the public. The meeting was called to order at 5:35 p.m.

ATTENDANCE

In attendance were Directors:

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

Absent

Secretary/Treasurer: James Barnhart whose absence was excused.

Also in attendance were:

James McGrady, District Manager
Wendy Brown Assistant District Administrator
Shawn Sexton, Water Superintendent, Via Conference Call
Matt Rayno, Parks and Open Space Superintendent
Cathy Fromm District Accountant
Chris Cummins, District Water Attorney
Gary Shupp, District General Counsel
Jennifer Kaylor, Our Community News
Rob Oldach, Creekside Development, Via Zoom
Mike Taylor Creekside Development, Via Zoom

PUBLIC HEARING Public Hearing regarding the amendment of the Triview Metropolitan District's 2019 Budget. The Public Hearing was opened at 5:40 P.M. No members of the Public were in attendance. The Public Hearing was closed.

A motion was made by Director Fiorito to amend the 2019 Budget as presented. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously.

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SPECIAL PRESENTATION THE VILLAGE AT JACKSON CREEK

Presentation by Rob Oldach and Mike Taylor of Creekside Development. At the conclusion of the presentation the Director Fiorito made a motion to support the formation of a Special District known as the Jackson Creek Commercial Metropolitan District, to finance the construction of infrastructure and maintain infrastructure located outside the public right of way. The motion was duly seconded by Director Otis. A vote was taken and the motion carried unanimously. See attached documents.

ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed for the Board’s approval the proposed agenda. Mr. McGrady suggested moving item 10 E and consider said item following presentation by Ms. Fromm regarding the Amendment of the 2019 Budget. A motion was made by Director Fiorito to approve the agenda as amended. Upon a second by Director Otis, a vote was taken, and the motion carried unanimously.

Consent Agenda –

- a. Prior Meeting Minutes July 23, 2020 Regular Board Meeting (enclosure)
- b. Billing Summary Rate Code Report
- c. Sanctuary Point Taps for July 2020
- d. Tax Transfer from Monument

A motion to approve the Consent Agenda was made by Director Fiorito. 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)

- Mr. McGrady provided updates on the following projects in his monthly report which was submitted to the Board.
- Well A-9 D-9 Status
- A-Yard Building status
- Agreement with the Town of Monument related to inspection services

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Public Works Parks and Open Space Updates (enclosure)

- Mr. Rayno provided updates on the following topics:
 - Tree Evaluation and Replacement
 - Timing of Concrete Repair
 - Sanctuary Rim Drive Landscaping
- Jackson Creek Landscape Installation

Utility Department Updates (enclosure)

- Mr. Sexton provided updates on Utility Operations on the following topics:
 - Monthly water use for the month of July 2020
 - Completion of C-Plant Renovations

BOARD

DISCUSSION: August 24, 2020 Work Session with the Monument Town Council.

ACTION ITEMS:

- a. Review and Consider Approval of Resolution 2020-09, a Resolution of the Triview Metropolitan District's Board of Directors Modifying Water Development Requirements and in Lieu-of-Fees/Supplies. (enclosure)

A motion to approve Resolution 2020-09 was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

- b. Review and Consider Approval of Resolution 2020-10, a Resolution of the Triview Metropolitan District's Board of Directors Adopting Policy in Regard to Pre-Paid Water and Sewer tap Fees. (enclosure)

A motion to approve Resolution 2020-10 was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

- c. Review and Consider Approval of an Intergovernmental Agreement between the Triview Metropolitan District and the Town of Monument for Inspection Services. (enclosure)

A motion to approve an Intergovernmental Agreement between the Triview Metropolitan District and the Town of Monument for Inspection Services was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

- d. Review and Consider Approval of a Professional Services agreement between

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LRE Water to provide Environmental Permitting and Technical Support for Excess Capacity Contracting in Pueblo Reservoir (Fryingpan-Arkansas Project) and authorization for the District Manager to sign. (enclosure)

A motion to approve a Professional Services agreement between LRE Water to provide Environmental Permitting and Technical Support for Excess Capacity Contracting in Pueblo Reservoir (Fryingpan-Arkansas Project) and authorization for the District Manager to sign was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

FINANCIAL MATTERS

Approve or Ratify Checks Greater than \$5,000 - The Board reviewed the payment of claims greater than \$5,000. A motion to approve the checks greater than \$5,000 was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

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

PUBLIC RELATIONS

August newsletter is complete and will be sent to the printers in the next several days.

EXECUTIVE SESSION

A motion was made by Director Fiorito for the Board to enter into Executive Session pursuant to C.R.S. §24-6-402(4)(a), (b) and (e) Legal Advice, Negotiations regarding the following general topics:

- Settlement discussions in pending FMIC Change Case No. 16CW3010;
- Negotiations associated with water delivery infrastructure;
- Negotiations associated with wastewater infrastructure;
- Negotiations associated with water storage on the Arkansas River and its tributaries; and,
- Negotiations with potential contractors and miners concerning the Stonewall Springs Reservoir Complex;
- Negotiations regarding acquisition of renewable water resources

The Motion was motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously. The Executive session began at 7:53 P.M.

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The executive session was adjourned, and the Board returned to regular session at 9:02 p.m.

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 9:03 p.m.