

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

January 22, 2020

A meeting of the Board of Directors of the Triview Metropolitan District was held on Wednesday, January 22, 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 5:30 p.m.

ATTENDANCE

In attendance were Directors:

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

Director James Barnhart was absent, and his absence was excused.

Also in attendance were:

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 General Counsel
Jennifer Kaylor, Our Community News
Joe Houtz, Kiewit
Ann Howe, resident

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.

RECORD OF PROCEEDINGS

Consent Agenda –

- a. Prior Meeting Minutes December 11, 2019 Regular Board Meeting (enclosure)
- b. Billing Summary Rate Code Report
- c. Sanctuary Point Taps for December 2019
- 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

Ann Howe, resident asked a question on taxes owed from the Town of Monument. Mr. McGrady explained they have been behind on the sales tax for November and December. They are in the process of training a new Finance Director and they are, at this time sending the tax money to us after their next Board of Trustee meeting's approval.

Ann Howe asked for an update on the Economic Development discussions for Monument. She was told several members of the EDC got very good feedback on how Monument is on their next horizon because of the space available. The meeting was very productive. Members of the EDC have to sign nondisclosures about the companies wanting to come into Monument, that is the reason they cannot give names at this time.

Ann Howe asked about the emergency access road going up to Sanctuary. She was concerned about the safety since it has no sidewalks. Mr. McGrady said this is a temporary road that we maintain for our access to the Water Treatment Plant and for future work in Home Place Ranch.

OPERATIONS REPORT

District Manager Report (enclosure)

- Triview continues to work with Donala on the wheeling agreement. Director Melville and Mr. McGrady went to their Board of Directors meeting because Donala agreed to reconsider the wheeling agreement. This was discussed in their Executive Session with the Board members. The charges Donala came back with were all much higher than anticipated. The bottom line was they did not want to consider the wheeling agreement. Triview had to cancel the work that was going to be done by Velocity. Then the Donala Board came back and said they will consider the agreement, that put us behind about one month in getting Velocity to come in and do the work they were contacted to complete the interconnect meter. Mr. McGrady advised in his opinion, that Triview not do this interconnect due to the cost to

RECORD OF PROCEEDINGS

the District. Director Fiorito and Director Sexton thought Triview should install the meter for future use in case of emergency. Director Otis did say he wanted Mr. McGrady to continue negotiations on this matter.

- Director Melville asked about Triview's Change Case for the 500 Shares of FMIC. Mr. Cummins said they have been changed to municipal uses including augmentation. Storage started last Friday. New leases are getting ready to be signed including existing leases.
- Director Fiorito asked a question about work on the westside of I-25 to connect to Powers Blvd., if it will affect the NMCI project. Mr. McGrady said the engineer is looking at building the pipeline down from the temporary lift station that will be built east of the Bass Pro Shop. The pipeline on the west side of I-25 will run through an open field not affecting much infrastructure.

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

- December projects had a lot of clean up of trees and pine needles from the high winds.
- Working with Mark Button on the design for the medians on Jackson Creek Parkway. Looking on modifications of the revised plans for the Parkway.
- Rearranged the A Yard for preparations of the new building for this year.
- Numerous repairs to potholes along Leather Chaps. The cold patch was given to Triview, by Kiewit, at no cost due to it being left over from their project.
- The streetlight on Jackson Creek Parkway is being fixed by Electrical Excellence.
- January focus with the warm weather is to water trees.
- Installed playground mulch. Working with Girl Scout troops to see if they want to do a service project at the Creekside Park and maybe a second planting project in May.
- Did a Prebid walk on the 17th of January, for the medians on Jackson Creek Parkway. Bids are due the 31st of January.
- Director Fiorito asked if the pea gravel can be replaced at the Old Creek Park. Maybe be replaced with playground mulch. Also fixing the some of the curbing, as well as, the benches and tables. Director suggested we develop a 10 plan to do these upgrades.
- Training is set up on January 8th for employees with CDOT.

Utilities Department Updates (Shawn Sexton)

RECORD OF PROCEEDINGS

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

- December water usage was under 12,000,000 Mg.
- Water employees are working on cleaning the filters for B Plant.
- C Plant is running normally.
- A Plant is offline for winter rehab work, the chemical containment wall is complete and the chemical feed systems will be rebuilt next. The lights on the outside are being fixed because they are too bright at night.
- Quarterly GST inspections completed as required by the state agencies.
- DRC started December 2nd through December 31st cleaning and TV recording the sewer lines in Basin #3. Baptist Road is complete.
- Staff doing maintenance on well field D-7 at B Plant. The pump and motor needed to be replaced. Well D-7 is being fixed because it had a grounded-out motor.

BOARD DISCUSSION:

- The Board had a discussion on what iPad was going to be purchased for the Directors to be used during Board meetings. The decision was to purchase the Microsoft Surface Pro 7.
- There was a discussion on the paving of the Walmart parking lot. This is private property and it was suggested Triview contact the owner and advise them of our concerns.
- The Board asked Mr. McGrady to check on why it takes so long to receive the Tax Report from the Town of Monument to complete Triview's Financials for Board review.

ACTION ITEMS:

- a) Review and Consider Approval of the National Environmental Policy Act (NEPA) Participation Agreement related to the Northern Monument Creek Interceptor Project between the Triview Metropolitan District and Colorado Springs Utilities (enclosure)

A motion to approve the NEPA Participation Agreement as presented with the understanding if there are non-substantial changes Triview can sign off on the agreement. The motion to approve was made by Director Fiorito. The motion was duly seconded by Director Sexton. A vote was taken, and the motion carried unanimously.

- b) Review and Consider Approval of well contract documents and bid items for wells A-9 and D-9 between Hydro Resources Rocky Mountain Inc. and the Triview Metropolitan District. (enclosure)

RECORD OF PROCEEDINGS

A motion to Approve the bid for Wells A-9 and D-9 contract with Hydro Resources Rocky Mountain Inc. and Triview Metropolitan District. The motion to approve was made by Director Fiorito. The motion was duly seconded by Director Sexton. A vote was taken, and the motion carried unanimously.

- c) Review and Consider Approval of a Professional Services Agreement between Haynie & Company and the Triview Metropolitan District to conduct the Financial Audit of the District for Calendar Year 2019. (enclosure)

Mr. McGrady noted we are changing auditing companies; he has worked with them in the past and he said the price was fair and he acknowledged Haynie & Company are very good auditors. Mr. McGrady suggested that the contract be signed by the Board President and the Secretary/Treasurer.

A motion was made to approve the professional services agreement between Haynie & Company and the Triview Metropolitan District to conduct the financial audit of the District for the 2019 calendar year and for the years subject to appropriation. The motion to approve was made by Director Fiorito. The motion was duly seconded by Director Sexton. A vote was taken, and the motion carried unanimously.

- d) Review and Consider approval of Resolution 2020-01, a Resolution of the Board of Directors Calling an Election for the Triview Metropolitan District for the purpose of electing directors. (enclosure)

Mr. McGrady informed the Board that White Bear and Ankele did a fine job on past work for the District.

A motion was made to approve Resolution 2020-01, calling White Bear and Ankele to be the District's Designated Election Official for the upcoming election in May 2020. The motion was made by Director Otis. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

- e) Review and Consider Approval of a contract between the Triview Metropolitan District and Shupp Law to provide General Counsel Legal services for Calendar year 2020. (enclosure)

Mr. McGrady explained the Mr. Shupp wanted this to be the last year working for Triview Metropolitan District because he wants to retire. He will continue to attend the meetings until the end of 2020.

A motion was made to approve the contract between Triview Metropolitan District and Shupp Law services. The motion was made by Director Fiorito..

RECORD OF PROCEEDINGS

The motion was duly seconded by Director Otis. A vote was taken, and the motion was carried unanimously.

FINANCIALS AND PAYABLES:

There was a discussion on the Tax Report from the Town of Monument having an estimate on some of the tax amounts. The Board was concerned about this.

A motion to Approve the Financials subject to possible revision of actual numbers when Triview receives the actual numbers from the Town of Monument. The motion to tentatively approve the financials was made by Director Otis. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

A motion to Approve Triveiw Metropolitan District checks over \$5,000 was made by Director Otis. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

PUBLIC RELATIONS:

Ground Floor Media has done a fine job for Triview's newsletter. The next newsletter will be January/February

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 Fiorito, a vote was taken. The motion carried unanimously. Executive session was entered into at 7:05 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 8:22 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting