

# RECORD OF PROCEEDINGS

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## 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 CONDERENCE HELD

**November 19, 2020**

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, November 19, 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 5:33 p.m.

### ATTENDANCE

In attendance were Directors:

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

Also in attendance were on roll call:

James McGrady, District Manager  
Joyce Levad, District Administrator  
Chris Cummins, District Water Attorney  
Gary Shupp, District Attorney  
Shawn Sexton, Water Superintendent, Via Phone  
Matt Rayno, Parks and Open Space Superintendent  
Cathy Fromm, District Accountant  
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 Otis to approve the agenda. Upon a second by Director Barnhart, vote was taken, and the motion carried unanimously.

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### Consent Agenda –

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

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

### PUBLIC COMMENT

None.

### ADMINISTRATIVE MATTERS:

A motion was made by Director Fiorito to approve the Memorandum of Understanding for the Northern Delivery System and authorize Mr. McGrady to sign it. The motion was duly seconded by Director Otis. The motion carried unanimously

### OPERATIONS REPORT

#### District Manager Report (enclosure)

- Mr. McGrady gave the status of Well A-9 and D-9. Both V Drives for A-9 and D-9 are now installed.
- The Well House and restroom facility in Sanctuary is nearing completion. The piping from the wells should be in about 2 weeks from now.
- The A Yard building is now under construction, with the site utilities being installed including the sewer line. The building should be delivered around February 18, 2021, according to Great Western Builders.
- The NMCI is going very well. A walk thru was on November 18<sup>th</sup> in Fox Run Park. Everyone that was there agreed with the routing through the park and they identified the location of where the tank will be on the north end of the park just south of Baptist Road.
- The MOU with Triview, Town of Monument, Forest Lakes, Donala and Woodmoor is being signed by Forest Lakes on December 7, 2020. After a few small changes the Town of Monument will sign the MOU, A letter of support for the project is coming from Forest View Acres.
- Mr. McGrady gave an update on the Pueblo Reservoir Excess Capacity Agreement. Mr. McGrady and Chris Cummins had a conversation with Leonard Rice Engineers about Triview submitting the Purpose and Needs Statement for the Reservoir space on November 20, 2020. This will give

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an operational summary of how Triview would operate. This will start the six-month clock. This should give Triview a storage contract somewhere early summer 2021 at Pueblo Reservoir.

- The next Board meeting will be December 10, 2020 at 5:30, to have a public hearing for Triview's 2021 Budget.
- Ballot initiative 6A passed by almost 1,000 votes.

### Public Works and Parks and Open Space Updates (Matt Rayno)

- Matt stated the Christmas lights have been installed on Jackson Creek Parkway.
- The A Yard trailer was moved to the Stonewall Reservoir.
- Winter watering of new plants has been completed.
- Crack seal on Kitchener, Lyons Tail and Glen Eagle was done.
- Focus for December: Lyons Tail irrigation project, sign repairs, winter watering of new plants and cutbacks on perennials.

### Utilities Department Updates (Shawn Sexton)

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

- Total water production for October was 28.612 Mg
- Scada controls will be installed to Well A9 and D9.
- All Wells are running normally.
- District Bacti sampling completed for November.
- Plant operations reporting system and graphics, including an upgrade to plant trending is in the discussion phase with Timberline.

### BOARD DISCUSSIONS:

Director Otis asked a question about the development along the northside Higby Road. Mr. McGrady explained the development, which is approximately 200 acres in size, with approximately 48, 2 ½ acre lots. The developer was not interested in connecting with Triview or Woodmoor Water. Triview intends to only do improvements on Higby Road for a portion of Home Place Ranch and widen Higby from Glen Eagle Drive down to Jackson Creek Parkway.

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Mr. McGrady wanted direction from the Board on the Mill Levy. He explained the Mill Levy is currently 32. He suggested temporarily dropping the Mill Levy to 26 and adding 1 mill for operations, which would give the District \$101,301.00 for the O&M account.

The General Fund has been depleted over the past 3 years for much of the District improvements. The District Manager feels this 1 mill would help increase the reserves in the General Fund.

The Board gave Mr. McGrady direction to proceed with the 26 Mills plus 1 Mill for O&M. This totals 27 Mills for the District.

### ACTION ITEMS

- a) Review and Consider approval of Resolution 2020-17, a Resolution of the Triview Metropolitan District, adopting the District's Administrative Resolution for Calendar Year 2021.

A motion was made by Director Fiorito to approve Resolution 2020-17 as amended. The motion was duly seconded by Director Otis. A vote was taken. The motion was carried unanimously.

- b) Review and Consider approval of an engagement letter between the Triview Metropolitan District and White Bear, Ankle, Tanaka and Waldron to provide General Counsel Services to the District beginning January 1, 2021.

A motion was made by Director Fiorito to approve the engagement letter between White Bear, Ankle, Tanaka and Waldron and Triview Metropolitan District and ask the Board President to sign it. The motion was duly seconded by Director Otis. The motion was carried unanimously.

- c) Review and Consider approval of a lease agreement between the Triview Metropolitan District and Mason Law and Planning Group for the lease of Suite 302, at 16055 Old Forest Point, Monument, CO 80132.

A motion was made by Director Fiorito to approve the lease agreements with Mason Law and Planning Group LLC and direct Mr. McGrady to sign the lease agreements. The motion was duly seconded by Director Otis. The motion was carried unanimously.

- d) Review and Consider approval of a purchase and sale agreement between the Mason Law and Planning Group LLC and the Triview Metropolitan District for Suite 300 at 16055 Old Forest Point, Monument, CO 80132.

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A motion was made by Director Fiorito to approve the contract to buy and sell real estate for \$250,000 and direct Mr. McGrady to sign the contract. The motion was duly seconded by Director Otis. The motion was carried unanimously.

### 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 Fiorito. The motion carried unanimously.

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

### PUBLIC RELATIONS:

Triview is in the process of getting December's newsletter in the mail. Triview is currently getting ready to update the Website with a more user friendly and better design.

### 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 7:54 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 Barnhart. The motion carried unanimously. The meeting was adjourned at 9:10 p.m.

Respectfully Submitted

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James C. McGrady  
Secretary for the Meeting