

# 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 HELD

**April 10, 2018**

A regular meeting of the Board of Directors of the Triview Metropolitan District was held on Tuesday, April 10, 2018, beginning at 5:00 p.m., at the Fairfield Inn and Suites – Mount Herman Conference Room, 15275 Struthers Road, Colorado Springs, Colorado 80921. This meeting was open to the public.

### ATTENDANCE

In attendance were Directors:

President:	Reid Bolander
Vice President	Mark Melville
Secretary/Treasurer:	Marco Fiorito
Director:	James Barnhart
Director	James Otis (By Teleconference)

Also in attendance were:

James McGrady District Manager  
Joyce Levad District Administrator  
Shawn Sexton Water Superintendent,  
Chris Cummins District Water Attorney  
Gary Shupp District General Counsel

### ADMINISTRATIVE MATTERS

President Bolander called the meeting to order at 5:02 p.m. Meeting was posted

Agenda – Mr. McGrady distributed for the Board's approval the proposed agenda. President Bolander suggested the agenda be modified by moving Item 7 A., Construction Traffic discussion, up in the agenda and have that discussion following Public Comment. A motion was made by Director Fiorito to approve the agenda as amended. Upon a second by Director Barnhart vote was taken and motion carried unanimously.

Consent Agenda –

- a. Prior Meeting Minutes
  - i. March 13, 2018 Regular Board Meeting

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- b. Billing Summary Rate Code Report
- c. Sanctuary Point Taps for March
- d. Tax Transfer from Monument

A motion to approve the Consent Agenda was made by Director Melville. The motion was duly seconded by Director Fiorito. The motion carried unanimously.

### PUBLIC COMMENT

Mr. Eric Demkowicz, Promontory Point addressed the Board. Mr. Demkowicz is very concerned about construction traffic. He would like to see Gleneagle Drive extended all the way to Higby Road when construction begins in order to take construction traffic off Gleneagle Drive. Director Otis pointed out that high school traffic may come use Gleneagle Drive so it may not be as good a solution as envisioned. Mr. Adrian Limon addressed the Board. There is an on line petition for that addresses such items as safety and quality of life, being circulated. There have been over 90 signatures collected since Saturday. Mr. Paul Gibbons of Promontory Point addressed the Board. He was in agreement with comments made by others but also wanted to ensure that we evaluate the wear and tear of the streets from construction traffic before the District accepts ownership of our streets. Mr. King Parsons addressed the Board and asked that the pick up stations be emptied Tuesday and Thursday. Director Fiorito addressed the Board on several issues related to Promontory Point. The Promontory Point Board has met with a contractor to expand both playgrounds. The Promontory Point Board will share the plans with the District to gain approval prior to finalizing the plans for bidding and construction. There appears to be some buckling in the streets on Kansas Pacific that are in the same spot that has previously been repaired there are several sump pumps running which may indicate a presence of Groundwater. Director Fiorito also indicated that the HOA owns the Swing Park. Director Fiorito has spoken with Robert and Terry Behimer regarding the planting of evergreen trees to shield their house from car headlights. The Behimer's would like Triview to plant three evergreen trees offset from where they planted their trees and relocate the bushes to another area of the park.

### OPERATIONS REPORT

#### District Manager Report

The District Manager review some of the items in his report, however, the report was included in the Board Packet. There were not any questions or comments regarding the report. Other topics discussed by the Manager included the following:

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- West Interceptor update; (District Manager). Several meetings have been held between the project participants and a cost sharing agreement is being negotiated.
- Rate Study update; (District Manager). The study has been delayed a month given the need to update the District's capital plan as it relates to water and wastewater infrastructure. It is anticipated that the rate Study will be presented to the Board at the June 12, 2018 Board meeting.
- See attached Report for further details.

### Public Works and Open Space Updates:

Mr. McGrady provided updates to the Board. Topics discussed included the following:

- 2018 Road Rehabilitation Project. Crews have begun work and are currently milling large transverse cracks.
- Irrigation Central Control System Installation update. All of the controllers have been purchased and Mr. Miles is installing the controllers as we speak. Controllers should be completely installed by April 30, 2018. The irrigation system will be turned on in early May depending upon the weather.
- Crews have been cleaning detention ponds throughout the District.
- Fertilization Program. Fertilizer will be spread on April 19, 2018 by Golf Enviro.
- TruGreen will be spraying for weeds on Jackson Creek Parkway and Lions Tail as soon as the weather conditions allow.
- Crews are continuing to work on Aerating the parks
- The District contracted with Brightview Landscaping to assist with trimming of bushes, installation of mulch, slit seeding, power raking, planting of flowers at key locations throughout the District.
- Status of A-Yard Wall: Contractor Selected, fill is being imported to the site.

### Utility Department Updates:

- Status of Standby Generator at "C" Plant. A voltage regulator panel was found to be defective. A new panel was ordered and will be installed as soon as it arrives.
- SCADA Installation Project Status. Moving forward with A Plant SCADA. Installation of a new SCADA System at B Plant will be done in the Fall of 2018. Well D-1 Repairs. The draw piping has been installed and will soon be flushed and placed back into service.
- Hydrant Inspection and Painting Program has begun. All fire hydrants will be inspected, repaired and painted over the next two months

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- Began PRV inspection Program. Found some serious corrosion within the vault. Crews are identifying isolation valves and checking on locations of service line taps in the event one of these pressure reducing stations fails.

### DIRECTORS

#### ITEMS

The Board continued the discussion of the construction traffic access. The Board agreed that this is a Town of Monument issue. Having a secondary access point for ingress and egress to Promontory Point would be very beneficial if there was an emergency.

### ACTION

#### ITEMS

- A. Review and consider an Employment Agreement between Triview Metropolitan District and District Manager James McGrady. A motion to approve the Employment Agreement between Triview Metropolitan District and Mr. McGrady was made by Director Fiorito. The motion was duly seconded by Director Barnhart. The motion carried unanimously.
- B. Review and consider an agreement between the Triview Metropolitan District and Gary L. Shupp P.C. to provide General Counsel Services to the District. A motion to approve a Legal Services Agreement between Triview Metropolitan District and Mr. Gary Shupp was made by Director Melville. The motion was duly seconded by Director Barnhart. The motion carried unanimously.
- C. Ratify the Agreement between Schmidt Construction and the Triview Metropolitan District for the 2018 Road Maintenance Project's dated March 30, 2018 in the amount of \$1,657,638.95. The Board moved to ratify the March 30, 2018 agreement subject to the correct address being inserted into the contract and ensuring that the District was not going to be charged for traffic control. A motion to ratify the contract was made by Director Fiorito. The motion was duly seconded by Director Melville. The motion carried unanimously.

### FINANCIAL

#### MATTERS

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 Barnhart. A vote was taken, and the motion carried unanimously.

Monthly Cash Position and Unaudited Financial Statements – the Board reviewed the February 2018 unaudited Financial Statements and accepted them as presented. A motion to approve the District's January 2018 Financial Statements was made by Director

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Fiorito. The motion was duly seconded by Director Barnhart. A vote was taken and the motion carried unanimously.

### OTHER BUSINESS

Mr. McGrady provided an update to the Board on public relations activities. Director Fiorito would like to add a did you know section to the newsletter. Director Fiorito suggested we break out how the District receives their money. It was suggested that this section of the newsletter be three or four paragraphs explaining the difference between the Enterprise Fund, the General Fund, and the Debt Service Fund.

### LEGAL

No report.

### EXECUTIVE SESSION

A motion was made by Director Melville for the Board to enter into Executive Session pursuant to C.R.S. Section 24-6-402(4) (b), (e), (f) Legal Advice and Negotiations. Upon a second by Director Fiorito, a vote was taken, and the motion carried unanimously. Executive session was entered into at approximately 7:07 p.m.

The executive session was adjourned and the Board returned to regular session at approximately 8:23 p.m.

### ADJOURNMENT

There being no further business to come before the Board, a motion to adjourn the meeting was made by Director Fiorito and was duly seconded by Director Melville. The meeting was adjourned at approximately 8:24 p.m.

Respectfully submitted,

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James C. McGrady  
Secretary for the Meeting