

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

June 12, 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: Mark Melville
Vice President Marco Fiorito
Secretary/Treasurer: James Barnhart was absent and his absence was excused
Director James Otis
Director Anthony Sexton

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 Melville called the meeting to order at 5:00 p.m. Meeting was posted

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 a vote was taken and the motion carried unanimously.

Consent Agenda –

- a. Prior Meeting Minutes
 - i. May 15, 2018 Regular Board Meeting
- b. Billing Summary Rate Code Report

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- c. Sanctuary Point Taps for March
- 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

Ms. Lisa Hatfield made comments related to Higby Road. Ms. Hatfield feels that construction traffic should continue to be diverted onto Baptist Road as opposed to Higby given the fact Higby road has blind curves, is relatively narrow and has steep grades. Ms. Pepin representing the Homestead Subdivision presented pictures of major cracks within their subdivision. It was estimated that there is about 2.5 miles of road. She also pointed out that there are red ant colonies by the park. She also requested that a speed limit sign be moved forward to improve visibility. Mr. Rob Irvin who lives on Windy Creek pointed out that there seems to be a fairly large number of trespassers on that land. He estimated that there are 10 visitors a day going to the lower pond owned by Miles Grant and also on land owned by Creekside Development behind the Goodwill Store. Those in attendance pointed out there are signs around Creekside Developments property but there are no signs around the property owned by Mr. Grant. Those in attendance believe the problem is the South pond. Mr. McGrady will contact the land owner regarding access to Mr. Grant's parcel and ask him to install no trespassing signs similar to the signs installed by Creekside Development. It was also suggested no trespassing signs be installed at the end of Creekside Drive. Adrian Limon was present to discuss speeding on Gleneagle Drive. The Board directed that the traffic/speed study prepared by H.R. Green be sent to Mr. Limon.

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:

- West Interceptor update; (District Manager). Meetings are continuing to be held between the project participants and a cost sharing agreement continues to be negotiated.
- Rate Study update; (District Manager). The study has been delayed a month given the need to update the District's capital plan and financing plan as it relates to water and wastewater

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infrastructure. With the possibility of regional Water and Wastewater service now being considered forecasting rate adjustments has become less certain. It is anticipated that the rate Study will be presented to the Board at the July 10, 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. The overlay project is more or less complete. It is anticipated that full depth mill and overlay will be done on major cracks in the area near Bear Creek Elementary, Maple Hill Road, and one large crack in Remington Hills. It is anticipated that all work will be completed by the end of June, 2018.
- Irrigation Central Control System Installation update. Mr. Miles is installing the controllers as we speak. Mr. Miles indicated that he has run into several major issues in Promontory Point as it relates to grounding of the existing two wire system.
- The District has been working with TruGreen Lawn Care to develop a fertilization program and weed control program. Emphasis will be along Gleneagle Drive, Lyons Tail, Burke Hollow Park, and Jackson Creek Parkway.
- Status of A-Yard Wall: Work will be started on the wall in Mid June. Once the wall has been built around the substation the wall will be constructed around the District's A-Yard.

Utility Department Updates:

- 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 are complete and the well has been put back in service.
- A-Plant has been completed and is back in service although it is being run manually at this time.
- Hydrant Inspection and Painting Program is nearing completion.
- May 2018 water use was approximately 29.4 million gallons. Water use in May 2017 was 19.0 million gallons.

DIRECTORS ITEMS

Gleneagle Drive Speed Study. The Board would like H.R. Green to do a multiday Speed Study in the fall in September October after school has started. Some possible solutions to control speed would

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be install rumble strips on the bike lanes. Speed Trailer also helps reduce speed. Residents believe there are several areas where there are Obstructed views, specifically at the Northeast corner of Transcontinental and Gleneagle Drive. It was also suggested that the speed limit be reduced to 30 mph. .

Update regarding Regionalization discussions with Colorado Springs Utilities. Mr. McGrady provided updates on several regional water and wastewater meeting he has attended. The Board expressed interest in continuing these discussions.

The preliminary memo prepared by Raffelis related to 2018 rate study was presented. The Board has reviewed the draft memo.

Presentation by D.A. Davidson, Brandon Debenidette regarding refunding of the KeyBank Loan and Independence Bank Loan in order to improve cash flow and eliminate restrictive loan covenants. The Board directed Mr. McGrady to proceed to negotiate advance refunding options and prepare costs. D.A. Davidson will send an engagement letter to Mr. McGrady for his signature.

ACTION ITEMS

- A. Review and Consider a Design Proposal from H.R. Green to prepare 60% design plans for the Jackson Creek Parkway extension from the end of the 4 lane cross section to Higby Road and authorization for the District Manager to sign.

A motion was made by Director Fiorito to proceed with the development of 60% design plans and authorize for the District Manager to sign. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously.

- B. Review and Consider a Road Improvements Maintenance Agreement by and between the Triview Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado and Creekside Developers, Inc., a Colorado corporation.

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

- C. Review and Consider a Water Shares Purchase and Sale Agreement. This Water Shares Purchase and Sale Agreement between Comanche Resources, LLC' a Colorado limited liability company, and Triview Metropolitan District, a quasi-municipal

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corporation and political subdivision of the State of Colorado, and authorization for the District manager to sign.

A motion to approve a material identical contract and authorize the District Manager to sign was made by Director Fiorito. The Motion was duly seconded by Director Otis. A vote was taken, and 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 Sexton. A vote was taken, and the motion carried unanimously.

Monthly Cash Position and Unaudited Financial Statements – the Board reviewed the April 2018 unaudited Financial Statements as presented. A motion to approve the District's April 2018 Financial Statements was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken and the motion carried unanimously.

LEGAL

No report.

PUBLIC RELATIONS

It was suggested by Ground Floor media and members of the Board that the District needs to develop a Mission Statement or a Vision Statement. Ground Floor Media has prepared a series of topics that they would like to discuss with the Board and key staff members. The Board agreed that this should take place as soon as possible. Ms Levad will set up teleconference between the Board members and Ground Floor media.

OTHER BUSINESS

The Board would like to participate in a van tour of some of Colorado Springs Utilities key facilities such as Water and Wastewater Treatment Plants. Ms. Levad will also work with Board members who want to participate in the SDA Conference.

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, and the motion carried unanimously. Executive session was entered into at approximately 7:11 p.m.

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The executive session was adjourned and the Board returned to regular session at approximately 9:41 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 Otis. The meeting was adjourned at approximately 9:42 p.m.

Respectfully submitted,

James C. McGrady
Secretary for the Meeting