

# 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

May 21, 2019

A regular meeting of the Board of Directors of the Triview Metropolitan District was held on Tuesday, May 21, 2019, 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
Secretary/Treasurer:	James Barnhart
Director	James Otis
Director	Anthony Sexton

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  
Ms. Ann Howe  
Mr. Mike Foreman Town Manager, Town of Monument

### 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 Sexton a vote was taken, and the motion carried unanimously.

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### Consent Agenda –

- a. Prior Meeting Minutes April 16, 2019 Regular Board Meeting
- b. Billing Summary Rate Code Report
- c. Sanctuary Point Taps for April 2019
- d. Tax Transfer from Monument

A motion to approve the Consent Agenda was made by Director Fiorito. The motion was duly seconded by Director Sexton. A vote was taken, and the motion carried unanimously.

### PUBLIC COMMENT

Ms. Anne Howe spoke about item 8C, the review and consideration of an agreement between the Triview Metropolitan District and Buxton for the development of a retail recruitment and mobile visitor insights solution. Ms. Howe does not agree with the Buxton Proposal and stated that this is out of the District's purview. Ms. Howe also questioned the cost split between the Town of Monument and the Triview Metropolitan District. District Manager McGrady explained that this proposal is intended to help Triview and Monument be more proactive when it comes to economic development given the fact that both entity's General Fund operations is funded strictly from sales tax revenue. Mr. McGrady further explained that the 70%/30% cost share is something that was discussed, and Mr. McGrady felt that was a fair split given the fact the Town is providing in kind services by staffing an Economic Development Coordinator position. This position is extremely valuable and keeps Triview from having to staff a similar position. Ms. Howe stated that she wants to see taxes go down. Mr. McGrady explained that Triview's 35 mills is not used for operations and is only used to pay debt service. This proposal is designed to stabilize and grow General fund operating revenue.

### OPERATIONS REPORT

#### District Manager Report (enclosure)

- Jackson Creek Parkway Design Update. Mr. McGrady stated that Kiewit Infrastructure is being recommended to act as the CMGC for the Jackson Creek Parkway widening project. This will be discussed further during item 8A on the agenda.
- Mr. McGrady provided updates on the following projects in his monthly report which was submitted to the Board.
  - Northern Monument Creek Interceptor Project Update. (enclosure)
  - Northern El Paso County Delivery Pipeline Update
  - 2019 Road Overlay Update
  - 2019 HA-5 Update

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### Public Works and Parks and Open Space Updates (enclosure)

In addition to Mr. Bateman's Monthly Report, Mr. Bateman reported the following monthly activities:

- Complete Street Sweeping has been done
- Restriping through-out the District has been done.
- Biweekly trash pickup
- Irrigation System is up and running. A number of necessary repairs have been identified and the District's Irrigation tech is working through those items.
- Spring cleanup and cutbacks are done
- Core aeration completed
- A new Skid Steer and Dump trailer has been purchased
- Focus for May, Martin Marietta overlay project
- Seal coat Solutions will be doing crack filling and will focus on Remington Hills and Promontory Point in preparation of the installation of HA-5
- Herbicide and Fertilizer has been put down.
- ET water is being implemented.

### Utilities Department Updates (enclosure)

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

- 13.7 Million for April
- B-Plant SCADA Complete
- Effluent Pump rebuilt and installed
- 2 New Chlorine analyzers have been installed
- C-Plant is running normal
- Need more control strategy for Standby Generator
- Well A-1 failed. It is hoped that this well can be brought back on line before the summer demands hit the water system.

Mr. Sexton passed out the District recommended well rehabilitation schedule. It is the District's desire to have a 7-8-year rehabilitation cycle. In 2020 it is anticipated that two wells will need to be rehabilitated and that work will be included in the District's 2020 budget.

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DIRECTORS  
ITEMS        None

ACTION  
ITEMS

- a. Review and Consider awarding a Construction Management/General Contractor contract for the widening of Jackson Creek Parkway between the Triview Metropolitan District and Kiewit Infrastructure Company and authorization for the District manager to sign.

A motion to award the contract for CMGC Services to Kiewit Infrastructure Company and authorize the District Manager to sign was made by Director Fiorito. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion carried unanimously.

- b. Review and Discuss District policies regarding the replacement of curb and gutter and sidewalks within the Triview Metropolitan District Service area.

Director Fiorito likes the fact that if a policy is developed it will establish a process. The Board felt it is was important to cap the per homeowner expenditure per year. A motion to develop a sidewalk and gutter policy was made by Director Sexton. The motion was duly seconded by Director Otis. A vote was taken and the motion carried unanimously.

Following the discussion regarding the development of a sidewalk replacement policy, there was a discussion among the Board members regarding a request by Mr. Don Smith who resides on Green Rock Place, to reimburse him for the repairs Mr. Smith made to his sidewalk in April 2018 in the amount of approximately \$2,000.00. After much discussion regarding this request a motion was made to deny Mr. Smith's request by Director Otis. The motion was duly seconded by Director Sexton with one Director voting against.

- c. Review and Consider an agreement between the Triview Metropolitan District and Buxton for the development of a retail recruitment and mobile visitor insights solution.

Director Otis suggested that the proposal be clarified to define what they will do for the District. More than a letter of introduction. Director Otis stated that we need to make sure the Town is on Board for this process. Director Fiorito believes that this proposal was a big bold first step. The proposal also includes support from Buxton for existing local companies that will help them grow their business's. 25 free licenses to the LSMx module are being included that can be given out to existing businesses. Director Otis suggested that an IGA be developed between the Town and Triview to clearly define what each entities role will be going forward.

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A motion was made by Director Otis to table this proposal until an IGA between the Town and the District is developed. The motion failed as there was not a second.

Director Sexton would like to know more about the results other communities have seen but supports this proposal. Director Sexton believes we must grow our retail sales base in order to ensure the financial viability of the District. Director Fiorito believes in smart commercial retail. The longer we delay the more we are not part of the conversation. Director Fiorito believes we need hotel and lodging. We have recreation opportunities nearby that could be capitalized on. The Board discussed the importance of the Monument Planning Commission having a shared vision of the type of economic development that should be pursued. Mr. Foremen stated that the Town's Master Plan needs to be updated.

The first motion having failed, there was a second motion by Director Fiorito to approve the Buxton Proposal in the amount of \$35,000. The motion was duly seconded by Director Sexton. A vote was taken, and the motion carried four in favor with Director Otis voting to abstain. The Board directed Mr. McGrady and Mr. Foreman to flesh out how this tool will be used and to work together using this mutual beneficial tool.

### 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 Barnhart. The motion was duly seconded by Director Sexton. A vote was taken. The motion carried unanimously.

Monthly Cash Position and Unaudited Financial Statements – the Board reviewed the April 2019 unaudited Financial Statements as presented. A motion to approve the District's February, 2019 Financial Statements was made by Director Barnhart, the motion was duly seconded by Director Otis. A vote was taken. The motion carried unanimously.

### LEGAL

No report.

### PUBLIC RELATIONS

The May newsletter is ready and has been sent to the printer. A copy of the May newsletter was included in the Board Packet. Director Fiorito requested that Mr. McGrady send a copy of the maps showing where the HA-5 will be installed so that he can share them with the Promontory Point HOA.

### OTHER BUSINESS

None.

### EXECUTIVE SESSION

A motion was made by Director Fiorito for the Board to enter into Executive Session pursuant to C.R.S. Section 24-6-402(4) (b), (e), Legal Advice and

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Negotiations. Upon a second by Director Otis, a vote was taken. The motion carried unanimously. Executive session was entered into at 7:43 p.m.

The executive session was adjourned, and the Board returned to regular session at 9:48 p.m.

### ADDITIONAL ACTION ITEMS

A motion was made by Director Fiorito to purchase 100 shares of Fountain Mutual Irrigation Canal Company Stock from the Tee Cross Ranch in the amount of \$13,000 per share and authorize the District Manager to sign the purchase agreement. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously.

A motion to approve a contract between the Triview Metropolitan District and Kempton Construction for the not to exceed amount of \$260,813.00 for the installation of 1,700 lineal feet of 24" water line and authorize the District Manager to sign, was made by Director Fiorito. The motion was duly seconded by Director Sexton. A vote was taken and motion carried unanimously.

### ADJOURNMENT

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 meeting was adjourned at approximately 9:51 p.m.

Respectfully submitted,

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James C. McGrady  
Secretary for the Meeting