

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

August 20, 2019

A regular meeting of the Board of Directors of the Triview Metropolitan District was held on Tuesday, August 20, 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 Anthony Sexton
Director James Otis was late, he called into the meeting.

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
John Slocum, 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 Barnhart a vote was taken, and the motion carried unanimously.

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Consent Agenda –

- a. Prior Meeting Minutes July 23, 2019 Regular Board Meeting (enclosure)
- b. Billing Summary Rate Code Report
- c. Sanctuary Point Taps for July 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

Ann Howe had a question about concrete color, asking if the new concrete color could be adjusted to match the old concrete. Ann Howe had a question regarding videotaping. She was informed about the District's policy restricting videotaping of the Board meeting while allowing audio taping of the meeting.

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady provided updates on the following projects in his monthly report which was submitted to the Board.
- Pipeline on westside of I-25 completed, working on revegetation.
- Jackson Creek Parkway Construction update (enclosure)
Ahead on section B and C. Ahead on Pipeline storm drain.
Roughly looking at paving around September 16. About two weeks ahead of schedule. Transverse crack repair starting Monday, August 26, 2019. Pave out from Baptist Road to the start of Jackson Creek reconstruction by the end of September.
- Looking at drilling two Denver Basin wells, A9 and D9. The previous location will not be considered given the fact that the location is in a deep valley and close to sewer line. Also, there is no electric power nearby which would add a significant cost to the project. Another location has been selected by JDS Hydro. The new location for the new wells is near a new park. It is hoped that the new wells will be drilled early in 2020 and be operational by the summer of 2020.
- Working with Goodwin Knight on inclusion agreement with Home Place Ranch. The hearing for Home Place Ranch will be at the Board of Trustee meeting in Monument on September 16, 2019.
- Paving at C Plant was completed. The road to the plant was very steep and it was also banked in such a manner that water drained off of the road into the

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backyard of several residences nearby. The regrading and paving solved this problem

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

- Monthly activities and accomplishments
 - Trail grading work is being done at this time.
 - Train Park clock is working.
 - Nozzles at Paiute Park fixed.
 - All irrigation taps completed on Jackson Creek Pkwy. Median
 - Getting equipment prepped for winter
 - Sidewalk repair at Creekside
 - Maple Hill has been paved and repaired
 - Kettle Valley and St. Lawrence easement is being repaired for erosion reasons. Waddles were installed. This will remain an easement even though it is used as a trail.
 - Board congratulated Jay and his crew for all their great work.

Utilities Department Updates (Shawn Sexton)

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

- Monthly activities and accomplishments (enclosure)
 - Water pumped this July was similar to July 2018. Water sold and pumped is at 2.5 percent.
 - A-4 Well is still waiting on filters and parts for the VFD. The District continues to use a VFD on loan from Applied Ingenuity.
 - A-1 back in service. The District can pump 1.9 mgd from their seven existing wells.
 - GPS work is nearly complete. Still have the storm sewer to do.
 - Locates are working good for Kiewit.
 - Leak at Leather Chaps replaced bolts in the valve bonnet.
 - Review and consider purchase of a used dump truck needed for the repair and maintenance of the District's Water Distribution system. This dump truck could also be used in the winter for snow removal.

BOARD DISCUSSION:

- a. Discussion on what kind of dump truck to purchase, maybe newer with less mileage. Funding was identified in budget.
- b. Director Fiorito met new Superintendent for Bear Creek Elementary at Board of Trustee meeting. Director Fiorito was wondering if Triview could approach

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District 38 about putting a sidewalk along east side of school. Director Otis agreed with Triview paying and maintaining the new sidewalk.

- c. Director Melville suggested customers take a water wise course for water conservation. They could do online training. It was suggested that rain sensors become mandatory if the customers are exempted from mandatory watering restrictions. Mr. McGrady suggested that the Board review Caste Rock's Water Conservation Website.

ACTION ITEMS:

- a. Review and consider approval of a purchase and sale agreement for 100 shares of Fountain Mutual Irrigation Company and authorization for the District Manager to sign the purchase and sale agreement and any and all other closing documents. (enclosure).

The lost share certificate has been replaced according to Mr. Chris Cummins the District's Water Attorney. Need to fund the purchase for 1.25 million dollars for the purchase of shares. The District previously had deposited \$50,000 earnest money.

A motion was made by Director Fiorito to authorize the District Manager to proceed to close on 100 shares from the Fountain Mutual Irrigation Company and authorized the District Manager to sign the purchase and sale agreement and any and all closing documents. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion carried unanimously.

- The Board directed Mr. McGrady that he run for a position on the Board of Fountain Mutual Irrigation Company. This would protect Triview's interests and maximize the use of the District FMIC water. Mr. Cummins will check on the next election date.

- b. Review and consider a proposal from Kiewit Infrastructure for improvements to Jackson Creek Parkway from 1,200 feet north of Leather Chaps Drive and Lyons Tail Road to include removal of rock, installation of colored concrete and a sidewalk on the west side of Jackson Creek Parkway between Blevins Buckle and Lyons Tail Road. (enclosure)

Stamped concrete is going to be a red color.

A motion was made by Director Otis to approve the proposal from Kiewit for improvements to Jackson Creek Parkway. The motion was duly seconded by Director Fiorito. A vote was taken. The motion carried unanimously.

- c. Review and consider award of contract to Terracon Consultants Inc. to drill seven, 4-inch diameter monitoring wells in support of the Triview Metropolitan District's Lawn Water Irrigation Decree and authorization for the District Manager to sign the notice to proceed. (enclosure)

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A motion was made by Director Fiorito to authorize the District Manager to enter into contract with Terracon Consultants a cost of \$21,085. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion carried unanimously.

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 Fiorito. A vote was taken. The motion carried unanimously.

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

PUBLIC RELATIONS

September newsletter is in process.

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 Negotiations. Upon a second by Director Barnhart, a vote was taken. The motion carried unanimously. Executive session was entered into at 7:00 p.m.

The executive session was adjourned, and the Board returned to regular session at 9:15 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 9:16 p.m.