

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, USING ZOOM FOR THE VIDEO CONDERENCE HELD

December 14, 2021

A meeting of the Board of Directors of the Triview Metropolitan District was held on Tuesday, December 14, 2021, beginning at 5:30 p.m. The meeting was conducted in office and online using Zoom. This meeting was open to the public with that meeting being 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 on roll call:

James McGrady, District Manager
Chris Cummins, District Water Attorney
George Rowley, District Legal Counsel
Shawn Sexton, Water Superintendent
Matt Rayno, Parks and Open Space Superintendent
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 Fiorito to approve the agenda as amended. Upon a second by Director Barnhart, vote was taken, and the motion carried unanimously.

RECORD OF PROCEEDINGS

Consent Agenda –

- a. Prior Meeting Minutes November 18, 2021 Regular Board Meeting
- b. Billing Summary Rate Code Report
- c. District Tap Fees received in November 2021.
- d. Tax Transfer from Monument

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

PUBLIC

COMMENT

(Not related to 2022 Budget Hearings and Rate Hearing)

None.

PUBLIC HEARING

- 1) Board President Melville, opened Public Hearing on the Triview Metropolitan District's proposed Utility Rates and Fees effective January 1, 2022. Discussion followed with Board President, Melville, closing the Hearing.
- 2) Public Hearing on the Triview Metropolitan District's 2022 Budget. Discussion followed with Board President, Melville, closing the Hearing.
- 3) Public Hearing on the Triview Metropolitan District's Sub District A, 2022 Budget. Discussion followed with the Board President, Melville, closing the Hearing.
- 4) Public Hearing on the Triview Metropolitan District's Sub District B, 2022 Budget. Discussion followed with the Board President, Melville, closing the Hearing.

OPERATIONS REPORT

District Manager Report

- Mr. McGrady stated Triview did receive the long-term contract in Pueblo Reservoir as well as the contract to utilize the north outlet. The District has been working on this for about 1 year. The first payment was sent today. Mr. McGrady is working on the 1041 permit with Pueblo County to operate and utilize this space. This will be submitted early January. This will be the first of 2 permits. The second one will be for Stonewall Springs South and Central Reservoirs.

RECORD OF PROCEEDINGS

- A public Open House was held on November 17, 2021 at Bear Creek Elementary School to inform the public on the Northern Delivery System pipeline project. The District is planning additional open houses in January 2022 after the holidays.
- Preliminary work has been done on the District's proposed pump station at the Highway 83 Tank.
- Jenny Bishop with CSU is beginning work on implementation of the now approved Convey Treat and Deliver rate and associated contract documents.
- Mr. McGrady is working in conjunction with NES and Ground Floor Media on the District's website to update a "Water Resources" tab. See link <https://triviewmetro.com/water-resources/>. Also included on the Website is a Story Board presentation that was created explaining the District's Renewable Water Resource Plan.
- Update on the Pueblo Reservoir Excess Capacity Environmental Assessment and Contact. The "Legal Sufficiency Review" for the District's Contract for 999 AF of Excess Capacity and Conveyance has been completed.

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

- The construction of the A yard is complete.
- Working on daily trash pick-up, sign and post repair.
- Winter watering of new plants material and trees.
- Crack seat roads in Promontory Point and Remington Hills.
- Leather Chaps and Baptist Landscape and irrigation on going.

Utilities Department Update (Shawn Sexton)

- Total water production for November 2021 was 13.130 Mg.
- Total District flow to WWTP for November 2021 is 10.857 MG
- Well D1 is scheduled for casing cleaning in December.
- Well D7 is being scheduled for replacement.
- We are currently utilizing Wells A7,D7,C9 and D4 for production.
- Wells A,B and C running normally.
- District Bacti sampling completed for December.
- Radium HMO project is still being reviewed by CDPHE.

ACTION ITEMS:

- a) Review and Consider Approval of Resolution 2021-14, A Resolution Regarding the Establishments of Rates and Fees for the Provision of Water and Wastewater services for the Triview Metropolitan District for Calendar year 2022. El Paso County.

RECORD OF PROCEEDINGS

A motion was made to approve the Resolution regarding establishment of Rates and Fees for the Provision of Water and Wastewater services for the Triview Metropolitan District, by Director Fiorito. The motion was duly seconded by Director Otis. The motion carried unanimously.

- b) Review and Consider Approval of Resolution 2021-15, a Resolution of the Triview Metropolitan District's Board of Directors, approving the District's Budget Resolution, appropriating funds, setting the District's 2022 Mill Levy and Approving the District's 2022 Budget.

A motion was made to approve the Resolution for Triview's 2022 Mill Levy and the 2022 Budget, by Director Fiorito. The motion was duly seconded by Director Otis. The motion carried unanimously.

- c) Review and Consider Approval of Resolution 2021-16, a Resolution of the Board of Directors of the Triview Metropolitan District, approving the District's Subdistrict A Budget Resolution, appropriating funds, setting the District's 2022 Mill Levy and Approving the District's 2022 Budget.

A motion was made to approve the Resolution for Subdistrict A's 2022 Budget and 2022 Mill Levy, by Director Fiorito. The motion was duly seconded by Director Barnhart. The motion carried unanimously.

- d) Review and Consider Approval of Resolution 2021-17, a Resolution of the Board of Directors of the Triview Metropolitan District approving the District's Subdistrict B Budget Resolution, appropriating fund, setting the District's 2022 Mill Levy and Approving the District's 2022 Budget.

A motion was made to approve the Resolution for Subdistrict B's 2022 Budget and 2022 Mill Levy, by Director Fiorito. The motion was duly seconded by Director Barnhart. The motion carried unanimously.

- e) Authorization for the District Manager, in consultation with special water counsel, to file an application with the Division 2 Water Court for the change of Triview's Excelsior Ditch water rights, alone or in concert with other shareholders in the Excelsior Irrigation Company.

RECORD OF PROCEEDINGS

A motion was made by Director Barnhart to authorize the District Manager, along with the special water counsel, to file an application with the Division 2 Water Court to change Triview's Excelsior Ditch water rights, alone or in concert with other shareholders in the Excelsior Irrigation Company. The motion was duly seconded by Director Otis. The motion carried unanimously.

- f) Review and Consider Approval of an Agreement intended to provide details relating to the provision of water and sanitary sewer operation, maintenance, and administrative services on behalf of FLMD by TRIVIEW and in furtherance of the following interests and authorize the Board President to sign.

A motion was made by Director Barnhart to approve an Agreement intended to provide details relating to the provision of water and sanitary sewer operation, maintenance, and administrative services on behalf of FLMD by Triview and in furtherance of the following interest and authorize the Board President to sign. The motion was duly seconded by Director Otis. The motion carried unanimously.

- g) Review and approve proposal from Haynie and Company for preparation of the 2021 Audit.

A motion was made by Director Otis to approve the proposal from Haynie and Company, not to exceed \$21,600.00, for preparation of the 2021 Audit. The motion was duly seconded by Director Barnhart. The motion 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 Otis. The motion was duly seconded by Director Barnhart. The motion carried unanimously.

PUBLIC RELATIONS:

- Ground Floor Media gave a Website Assessment resulting in a 37% increase in people using the website.

RECORD OF PROCEEDINGS

EXECUTIVE SESSION:

- Negotiations associated with water delivery infrastructure.
- Water Court Filing Bale Water Rights
- Negotiations regarding intergovernmental agreement with the Town of Monument.

A motion was made by Director Otis for the Board to enter 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.

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 8:43 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting