

# 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

February 17, 2022

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, February 17, 2022, beginning at 5:30 p.m. The meeting was conducted via Zoom and in person. 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
Director	James Barnhart
Director	James Otis
Director	Anthony Sexton

Also, in attendance were on roll call:

James McGrady, District Manager  
Joyce Levad, District Administrator  
Chris Cummins, District Water Attorney  
George Rowley, District Legal Counsel  
Shawn Sexton, Water Superintendent  
Matt Rayno, Parks and Open Space Superintendent  
Jackie Burhans, 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. Upon a second by Director Barnhart, vote was taken, and the motion carried unanimously.

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### Consent Agenda

- a) Prior Meeting Minutes for January 20, 2022 Work Session  
Prior Meeting Minutes for January 24, 2022 Special Board Meeting
- b) Billing Summary rate Code Report
- c) Taps for January 2022
- d) Tax Transfer from monument

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

### OPERATIONS REPORT

#### District Manager Report (enclosure)

- Mr. McGrady stated that the meeting for the NDS was on January 29<sup>th</sup>. This meeting was with NEPCO. Approximately 35 people attended, and it went very well. He discussed several changes that would be made on the project. The final meeting will be held sometime in April 2022.
- Triview is working on the Pueblo Reservoir 1041 permit.
- Triview has completed the 1041 application which was submitted to Pueblo.
- Triview is also working on the 1041 application with El Paso County which is a requirement to present to the public for any additional input.
- The grating of the South Reservoir has been completed.

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

- Fleet maintenance and continued work on servicing all 2-cycle, summer mow equipment is being done.
- Installation of new solar LED Blinking stop signs on Leather Chaps & Kitchener N/S bound lanes is being done in March.
- The District will be increasing the Pedestrian crossing signs on Glen Eagle Drive.
- Scheduling turf fertilizer applications med March.

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### Utilities Department Update (Shawn Sexton)

- Total water production for January 2022 was 13.142 Mg.
- Cleaning of Well D1 is nearing completion.
- All Wells are on a normal operating basis.
- Water Treatment Plants A and B are running normally.

### ACTION ITEMS:

- a) Review and Consider a Lease agreement between the Triview Metropolitan District, acting by and through its Water and Wastewater Enterprise, and the Arkansas Groundwater and Reservoir Association (AGRA) for the lease of up to 365 Acre Feet of reusable Wastewater Effluent and authorization for the District Manager to sign.
- b) Review and Consider a Lease agreement between the Triview Metropolitan District, acting by and through its Water and Wastewater Enterprise, and the Arkansas Groundwater and Reservoir Association (AGRA) for the lease of the yield from 773 Shares of Fountain Mutual Irrigation Company (FMIC) and use of Triview's storage in the Stonewall Springs South Reservoir resulting from Triview's Ownership of 1,850 Class A shares in the Stonewall Springs Reservoir Company.
- c) Review and Consider a Lease agreement between the Triview Metropolitan District, acting by and through its Water and Wastewater Enterprise, and the Arkansas Groundwater and Reservoir Association (AGRA) for the lease of yield from 1,341 shares of Excelsior Irrigating Company and authorization for the District Manager to sign.

A motion was made by Director Fiorito to approve Lease Agreements A,B and C and give authorization for the District Manager to sign. The motion was duly seconded by Director Barnhart. The motion was carried unanimously.

- d) Review and Consider Resolution 2022-001. A resolution Approving a Loan from the Colorado Water Conservation Board in the amount of \$4,778,310 at an interest rate not to exceed 2.05%. Authorizing The Form And Execution Of The Loan Contract, Promissory Note To Evidence Such Loan, And Security Agreement In Connection Therewith; Authorizing the Execution and Delivery Of Documents Related Thereto and Prescribing Other Details in Connection Therewith.

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A motion was made by Director Fiorito to approve Resolution 2022-001. The motion was duly seconded by Director Barnhart. The motion was carried unanimously.

- e) Review and Consider and Authorize District Manager to sign quitclaim deed transferring real property from the Triview Metropolitan District to Pueblo Phase III, LLC, an affiliate of Fremont Sand and Gravel, such property being unintentionally granted to Triview as part of the Stonewall purchase and of no benefit to Triview in the ownership and operation of the SSRC project, and such property being of material import to Fremont in their own gravel operations.

A motion was made by Director Barnhart to authorize the District Manager to sign the quitclaim deed to transfer real property to Pueblo Phase III, LLC. The motion was duly seconded by Director Fiorito. The motion was 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 Barnhart. The motion was duly seconded by Director Fiorito. The motion carried unanimously.

Monthly Cash Position and Unaudited Financial Statements – The Board reviewed the January 2022 unaudited Financial Statements as presented. A motion to approve the District’s January 2022 Financial Statements was made by Director Barnhart. The motion was duly seconded by Director Fiorito. The motion carried unanimously.

### PUBLIC RELATIONS:

Newsletters are also being sent to Forest Lakes Metropolitan District. The Northern Delivery System update will be in one of the next newsletters.

A motion was made by Director Fiorito to amend the agenda to include 8.1, Public Comment and 8.2, Board Discussion. The motion was duly seconded by Director Barnhart. The motion was carried unanimously.

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### PUBLIC COMMENT:

A comment was made by Jackie Burhans, with the OCN, thanking the Board for having her at the Board Meeting and she commented that the Board was doing a good job.

### BOARD DISCUSSION:

Director Melville was concerned about the ice buildup on the southside of Venison Creek Drive. Suggested this be fixed, during plowing, in the future.

### EXECUTIVE SESSION:

A motion was made by Director Fiorito 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 6:40 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 Barnhart. The motion carried unanimously. The meeting was adjourned at 8:00 p.m.

Respectfully Submitted

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James C. McGrady  
Secretary for the Meeting