

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

March 17, 2022

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, March 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
Jennifer Kaylor, Our Community News
Barrett Edwards, 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 Sexton. A vote was taken, and the motion carried unanimously.

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The Agenda was amended to include Public Comment. A motion was made by Director Fiorito. Upon a second by Director Otis. A vote was taken, and the motion carried unanimously.

Consent Agenda

- a) Prior Meeting Minutes for February 17, 2022, Regular Board Meeting.
- b) Billing Summary Rate Code Report
- c) Taps for February 2022
- d) Tax Transfer from Monument

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

PUBLIC COMMENT

None.

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady gave an update The Northern Delivery System project. He stated preliminary work has been done on the district's proposed pump station at the Highway 83 Tank. He continues to meet with CSU on this project.
- The route for the NDS may be on Roller Coaster Road all the way to Hodgen Road. Roller Coaster Road will be closed except for local traffic during the construction. A Special meeting will be conducted sometime in early April for details on this project.
- Grading of the South Reservoir has been completed. The new pump station will receive the power supply from Black Hills Energy. Construction on the pipeline to the Arkansas River will begin April 11, 2022.

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

- The new LED stop signs at the corner of Leather Chaps and Kitchener have been installed.
- Winter watering trees and shrubs, mulching ornamental beds being done throughout the district.
- Starting the fire mitigation project in Promontory Pointe on March 28, 2022.

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Utilities Department Update (Shawn Sexton)

- Total water production for February 2022 was 12.805 Mg.
- Well D1 cleaning video completed.
- All wells operating normally.
- A water main repair was completed behind Walgreens.
- Crew are continuing work at Forest Lakes Metro. District switching SCADA from Donala to Triview. The new ground storage tank in Forest Lakes is online now. Also started a new booster pump station.

ACTION ITEMS:

- a) Review and Consider a Property Lease Agreement by and between the Triview Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado, and Stroud Farms, totaling approximately 792 acres, located at Triview's Stonewall Premises, and authorization for the District Manager to sign.

A motion was made by Director Fiorito to direct the District Manager to sign the Property Lease Agreement between Triview and Stroud Farms totaling approximately 792 acres. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion carried unanimously.

- b) Set Special Meeting date to review the Northern Delivery System project including pipeline alignment, cost, property acquisitions, and contract negotiations.

The Board decided that the Special Meeting will be conducted on April 13, 2022.

- c) Consider Amendment(s) to the District Bylaws.

Mr. Rowley suggested the discussion of the District Bylaws be done in Executive Session. This was agreed upon by the Board of Directors.

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- d) Consider Ratification of 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.

Discussion of the Ratification of Resolution 2022-001 will be discussed after the Board comes out of Executive Session.

- e) Set Budget Amendment Hearing Date.

Mr. McGrady suggested the Budget Amendment Hearing Date be tabled for future consideration.

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. A vote was taken, and the motion carried unanimously.

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

PUBLIC RELATIONS:

The April newsletter is due to come out next week. There will be a feature on the profiles of the Board of Directors. Also, information about the district road overlay program for this year.

A brief 10-minute break was taken by the Board before entering into Executive Session.

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EXECUTIVE SESSION:

Executive Session pursuant to C.R.S. Section 24-6-402(4) (b), (e) (f) Acquisitions, Legal Advice, Negotiations, and Personnel regarding the following general topics, if needed.

- Negotiation regarding Northern Delivery System.
- District Bylaws.

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), (f) Legal Advice and Negotiations. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion carried unanimously. Executive Session was entered into at 7:07 p.m.

The Board came out of Executive Session at 9:06 to vote on the following:

- Consider Amendment(s) to the District Bylaws

Mr. Rowley stated that most of his District's don't have Bylaws. Triview's Bylaws are kind of a recitation of what is already in the statute. Bylaws are not required in the District.

A motion was made by Director Otis to repeal the Triview Metropolitan Districts' Bylaws. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

- Consider Ratification of Resolution 2022-01

A motion was made by Director Fiorito to ratify Resolution 2022-01. 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%. The motion was seconded by Director Barnhart. A vote was taken, and the motion carried unanimously.

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. A vote was taken, and the motion carried unanimously. The meeting was adjourned at 9:15 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting