

# 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

June 23, 2022

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, June 23, 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, present
Vice President	Marco Fiorito, present
Director	James Barnhart, present
Director	James Otis, present
Director	Anthony Sexton, present

Also, in attendance were on roll call:

James McGrady, District Manager  
Joyce Levad, District Administrator  
George Rowley, District Legal Counsel  
Chris Cummins, District Water Attorney  
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. Upon a second by Director Otis. A vote was taken, and the motion carried unanimously.

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### DISCLOSURE OF CONFLICTS IF ANY:

Please refer to comments on Legal Matters explaining this section of the agenda.

### PUBLIC COMMENT

A resident had a complaint about kids and adults making a fort in the scrub oak near their home. There has been a lot of damage to the scrub oak in that area. This section is open space controlled by Triview. It was suggested this be designated a restoration area. The Board agreed to have our Parks Superintendent look into the matter.

Jennifer Kaylor, with the OCN, informed Triview this would be her last meeting as the reporter for Triview. She will be replaced by Marlene Brown.

### Consent Agenda

- a) Prior Meeting Minutes
  - May 19, 2022, Regular Board Meeting
- b) Billing Summary Rate Code Report
- c) Taps for May 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.

### OPERATIONS REPORT

#### District Manager Report (enclosure)

- Mr. McGrady said the progress is going well with the Northern Delivery System easements. Utility investigation is complete, and the design is in place for the pipeline. K.R. Swerdfeger has been awarded the contract for Segment C of the NDS. Construction is scheduled sometime in the fall. The 1041 application will be filed with El Paso County when the easements are in place.

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- Triview did receive 2 comments back from Pueblo County on the 1041 Permit submittal for the If and When Access Capacity Storage Account.
- A meeting is scheduled on Monday, June 27, 2022 regarding the NMCI with CSU staff and potential partners within Northern El Paso County.
- Mr. McGrady attended the FMIC meeting on June 16, 2022, everything is going well.
- Mr. McGrady and Chris Cummins had a meeting with the Excelsior Irrigating Company Board. He explained it has been a very dry year.

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

- Mr. Rayno stated the mill and overlay project is complete in the District.
- Baptist and Leather Chaps enhancement project to be completed by the end of June.
- Detention ponds mowed, turf fertilizer applications done and irrigation repairs are ongoing.
- A question was asked about the boards that were added to an access located along Lyons Tail. This area is an easement and is not a designated trail. The boards were added because the area where the public was using it as a trail was very steep and it was considered dangerous for the public to be walking on.

### Utilities Department Update (Shawn Sexton)

- Pumpage for month of May 2022 was 31.668 Mg.
- All wells are available, currently using A&, D7, A9, D9, A4 and D4.
- Well A8 and D1 are on standby.
- A Plant is running normally utilizing well A1.
- B and C Plants are running normally.
- Mr. Sexton stated the new product used for testing on the HMO project is working very well. After 12 weeks of intensive testing, the results show between 60 to 80 percent reduction in radium.

### BOARD MEMBER UPDATES AND COMMENTS:

Director Sexton asked for an update on the HA5 fixes. Mr. Rayno said he will an update on completion of the repairs.

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### ACTION ITEMS:

- a) Review and consider approving a Design Services Agreement for the widening of Higby Road between Jackson Creek Parkway and Harness Road using funds escrowed by Creekside Development.

The Board agreed unanimously, to recommend that Jim make the ultimate decision on who does the design work on this project.

- b) Review and discuss Resolution 2022-05, Resolution of the Triview Metropolitan District Concerning District's IGA with Town of Monument, Sales Tax Sharing, and Law Enforcement Tax.

A motion was made by Director Otis to approve Resolution 2022-05, a Resolution of the Triview Metropolitan District Concerning District's IGA with Town of Monument Sales Tax Sharing, and Law Enforcement Tax, this can be found in the Triview packet starting on page 43. The motion was seconded by Director Sexton. A vote was taken and was carried unanimously.

### LEGAL MATTERS:

- a) Conflict Disclosure Memorandum

Mr. Rowley wanted to provide some information on conflict of interest to the Board. He instructed them to consider disclosing those and how you would go about doing it. He enclosed a memo on the subject for the Board to read.

- b) Code of Conduct

The Board agreed to discuss this at the next Board meeting.

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

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

### PUBLIC RELATIONS:

The next newsletter will be out in July.

### BOARD BREAK

A motion was made by Director Melville for the Board to take a 10 minute break before entering Executive Session.

### 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.
- Design Contract Northern Monument Creek Interceptor Pipeline.
- Joint Triview Board/Monument Town Council Meeting.

A motion was made by Director Sexton 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 Fiorito. A vote was taken, and the motion carried unanimously. Executive Session was entered into at 8:00 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. A vote was taken, and the motion carried unanimously. The meeting was adjourned at 9:35 p.m.

Respectfully Submitted

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James C. McGrady  
Secretary for the Meeting