

# 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

July 20, 2022

A meeting of the Board of Directors of the Triview Metropolitan District was held on Wednesday, July 20, 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  
Rob Lewis, Distribution and Collection Manager  
Matt Rayno, Parks, and Open Space Superintendent  
Marlene Brown, 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:

None.

### PUBLIC COMMENT:

None.

### ELECTION OF OFFICERS:

A motion was made by Director Otis to nominate the Slate of Mark Melville as President, James Barnhart as Treasurer and Anthony Sexton as Vice President. The Motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

#### Consent Agenda

- a) Prior Meeting Minutes
  - June 9, 2022, Special Board Meeting
  - June 23, 2022, Regular Board Meeting
- b) June 2022, Billing Summary Rate Code Report
- c) Taps for June 2022
- d) Tax Transfer from Monument

A motion was made by Director Otis to approve the consent agenda with the two changes, as noted, on the minutes. 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 stated Triview did get a draft agreement contract from CSU for the Convey, Treat and Delivery project on the Northern Delivery System.
- The submittal of the 1041 document, for the NDS, to El Paso County will happen by the end of July.

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- The second 1041 permit is getting ready to be submitted to Pueblo County. This permit is for Stonewall Springs Reservoir.
- The first 1041 permit that the District prepared, for Excess Capacity Storage in Pueblo Reservoir, has been accepted by the Pueblo County Planning Department. The District is waiting to hear when the presentation to the Pueblo County Commissioners will occur.
- The South Reservoir dewatering channel has been filled in. This in preparation to install all the HDPE pipe.
- Work is being done on the Arkansas Valley Irrigation Company revegetation plan; this includes everything west of Rodeo Road.
- A Resolution on the design of the NMCI is due to be approved by the Board. The goal is to have a meeting on August 2, 2022, with CSU to discuss cost share.

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

- Mr. Rayno stated the Landscape enhancement project on Leather Chaps and Baptist Road is complete.
- All irrigation smart controllers are online with 4G upgrade.
- There has been a lot of weed growth in the district. The crews are on top of getting these removed.
- The crew is starting to build the A Yard retaining wall.

### Utilities Department Update (Shawn Sexton)

- Pumpage for month of June 2022 was 49.094 Mg
- All wells are available, currently using A&, D7, A9, D9, A4 and D4.
- A, B and C plants are running normally.
- Sodium Hypochlorite was filled on July 8<sup>th</sup>, deliveries are proceeding with no issues.

### BOARD MEMBER UPDATES AND COMMENTS:

Mr. McGrady wanted to know if there would be a quorum for the next Board meeting in order to amend the 2021 budget. It was confirmed there will be a quorum.

There was also a discussion about the agenda for the Work Session meeting on July 28, 2022, at Flying Horse.

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### ACTION ITEMS:

- a) Review and Consider approval of Resolution 2022-06. A Resolution of the Triview Metropolitan District Board of Directors Concerning participation in the design stage of the Northern Monument Creek Interceptor aka, NMCI.

A motion was made by Director Fiorito to approve Resolution 2022-06 concerning participation in the design stage of the NMCI. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously.

- b) Review and Consider assignment of a landscape maintenance contract to the Triview Metropolitan District for Landscape Maintenance Services for the Forest Lakes Metropolitan District.

It was decided, by the Board, to discuss this contract in Executive Session. The decision would be voted on after the Board comes out of Executive Session.

- c) Review and Consider adoption of Resolution 2022-07, a Resolution of the Triview Metropolitan District Board of Directors Adopting a Code of Conduct and a Code of Ethics.

A motion was made by Director Otis to table Resolution 2022-07 pending additional revisions from legal counsel. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

### LEGAL MATTERS:

None.

### 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.

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Monthly Cash Position and Unaudited Financial Statements – The Board reviewed the June 2022 unaudited Financial Statements as presented. A motion to approve the District’s June 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:

Triview continues to inform the public on what is happening in the District through the newsletter.

### 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.
- Joint Triview Board/Monument Town Council Meeting.
- Summary of Water Litigation Matters 2022-2024.
- To consider the landscaping contract to the Triview Metropolitan District for services to the Forest Lakes Metropolitan District.

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 Otis. A vote was taken, and the motion carried unanimously. Executive Session was entered into at 8:00 p.m.

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The Board came out of Executive Session to discuss the Landscape contract with Forest Lakes Metropolitan District.

Following the discussion, a motion was made by Director Fiorito to conditionally approve the landscape contract with Forest Lakes Metropolitan District, on the condition that the monthly cost is accurately covered until April 30, 2023, and that a fixed cost contract be drafted, by counsel, and authorize the District Manager to sign based on the conditions previously stated. The motion was duly seconded by Director Otis. 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 Otis. A vote was taken, and the motion carried unanimously. The meeting was adjourned at 9:36 p.m.

Respectfully Submitted

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James C. McGrady  
Secretary for the Meeting