

# 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

December 13, 2022

A meeting of the Board of Directors of the Triview Metropolitan District was held on Tuesday, December 13, 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	Anthony Sexton, present
Secretary/Treasurer	James Barnhart, present
Director	James Otis, present
Director	Marco Fiorito, Zoom

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  
Rob Lewis, Distribution and Collection Manager  
Matt Rayno, Parks, and Open Space Superintendent  
Cathy Fromm, District Accountant  
Natalie Barszcz, Our Community News

### ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed, for the Board’s approval, the proposed agenda. A motion was made by Director Sexton to approve the agenda. Upon a second by Director Barnhart. A vote was taken, and the motion was carried unanimously.

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### PUBLIC COMMENT: (Not related to 2023 Budget Hearings and Rate Hearing)

Natalie Barszcz complimented the Public Works department for the Christmas lights throughout the District.

### Consent Agenda

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

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

### PUBLIC HEARING ON THE TRIVIEW METROPOLITAN DISTRICT 2023 BUDGET

Director Melville Opens Public Hearing for discussion of 2023 Budget at 5:35  
No Public comments received.  
Director Melville Closes Public Hearing at 5:35

### PUBLIC HEARING ON THE TRIVIEW METROPOLITAN DISTRICT'S SUB DISTRICT A 2023 BUDGET

Director Melville Opens Public Hearing for discussion of 2023 Budget at 5:36  
No Public comments received.  
Director Melville Closes Public Hearing at 5:36

### PUBLIC HEARING ON THE TRIVIEW METROPOLITAN DISTRICT'S SUB DISTRICT A 2023 BUDGET

Director Melville Opens Public Hearing for discussion of 2023 Budget at 5:37  
No Public comments received.  
Director Melville Closes Public Hearing at 5:37

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### OPERATIONS REPORT

#### District Manager Report (enclosure)

- Mr. McGrady stated he met with Carrie Parsons about the 1041 permit. The only comment he got was from El Paso County Parks on the access to Fox Run Park during construction on Roller Coaster Road. The road will be open to local traffic. He thinks Triview may have the 1041 permit ready by February 2023. Construction should start in April 2023.
- Continuing to work on the 1041 permit with Pueblo County. A field trip with LRE Water and Wright Water Engineers is being scheduled to show them around the district and discuss Triview operations.
- Triview is trying to work through the repurchase agreement with Mr. Klikus in Buena Vista. The Town has accepted this agreement. The annexation agreement should follow this.
- The Northern Monument Creek Interceptor (NMCI) design agreement has been signed by Triview, Forest Lakes, and Colorado Springs Utilities. Triview has been working with the Carollo team on the upcoming evaluation of the Upper Monument Plant.
- The A yard paving project is expected to be done in the Spring of 2023.
- The FMIC meeting is scheduled for December 15, 2023.

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

- Mr. Rayno stated winter watering of trees and shrubs, including cut back, throughout the district is being done.
- Signs have been repaired throughout the district and 2 downed trees have been removed.
- Irrigation has been installed at Agate Creek Park.
- Utilities Department Update (Rob Lewis)
  - Pumpage for month of November 2022 was 12.369 Mg
  - All wells are available for use. The staff is rotating the use of the wells weekly.
  - District Bacti sampling was completed.
  - Radium HMO project continues, working on disposal of sludge and filter media options.

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### ACTION ITEMS:

- a) Review and Consider Approval of Resolution 2022-14, a Resolution of the Triview Metropolitan District's Board of Directors, approving the District's Budget Resolution, appropriating funds, setting the district's 2023 Mill Levy and Approving the District's 2023 Budget.

A motion was made by Director Barnhart to approve Resolution 2022-14, a Resolution of the Triview Metropolitan District's Board of Directors, approving the District's Budget Resolution, appropriating funds, setting the district's 2023 Mill Levy and Approving the District's 2023 Budget. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

- b) Review and Consider Approval of Resolution 2022-15, 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 2023 Mill Levy and Approving the District's 2023 Budget.

A motion was made by Director Barnhart to approve Resolution 2022-15, a Resolution approving the District's Subdistrict A Budget Resolution, appropriating funds, setting the district's 2023 Mill Levy and Approving the District's 2023 Budget. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

- c) Review and Consider Approval of Resolution 2022-16, a Resolution of the Board of Directors of the Triview Metropolitan District approving the District's Subdistrict B Budget Resolution, appropriating funds, setting the district's 2023 Mill Levy and Approving the District's 2023 Budget.

A motion was made by Director Barnhart to approve Resolution 2022-16, a Resolution of the Board of Directors of the Triview Metropolitan District approving the District's Subdistrict B Budget Resolution, appropriating funds, setting the district's 2023 Mill Levy and Approving the District's 2023 Budget. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

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- d) Review and Consider Resolution 2022-17, a Resolution of the Board of Directors adopting the Triview Metropolitan District's 2023 Annual Administrative Resolution.

A motion was made by Director Barnhart to approve Resolution 2022-17, a Resolution of the Board of Directors adopting the Triview Metropolitan District's 2023 Annual Administrative Resolution. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

- e) Review and Consider Resolution 2022-18, a Resolution of the Board of Directors of the Triview Metropolitan District, calling an election on May 2, 2023 to elect members to the Triview Metropolitan District Board of Directors.

A motion was made by Director Barnhart to approve Resolution 2022-18, a Resolution of the Board of Directors of the Triview Metropolitan District, calling an election on May 2, 2023 to elect members to the Triview Metropolitan District Board of Directors. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

- f) Review and approve proposal from Kiewit Infrastructure CM/GC Agreement Between Triview Metropolitan District and Kiewit Infrastructure Company for Pre-Construction Services and Construction Services for the Northern Delivery System, El Paso County, Colorado.

A motion was made by Director Fiorito to approve the proposal, from Kiewit Infrastructure CM/GC Agreement between Triview Metropolitan District and Kiewit Infrastructure Company for Pre-Construction Services and Construction Services for the Northern Delivery System, El Paso County Colorado with permission for Jim McGrady to sign the agreement with the changes that George Rowley will make. Also add the emphasis, in the contract, the stipulation on purchasing material to avoid a delay. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion was carried unanimously.

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### FINANCIALS AND PAYABLES

Approve and Ratify Checks over \$5,000 – The Board reviewed the payment of claims over \$5,000. A motion to approve checks greater than \$5,000 was made by Director Barnhart. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

Monthly Cash Position and Unaudited Financial Statements – These will be approved at the January 2023 meeting.

### PUBLIC RELATIONS:

Our media people will be working on a January 2023 newsletter with more details on the Northern Delivery System.

### BOARD BREAK

The Board took a ten minute break at 7:01 before entering Executive Session.

### EXECUTIVE SESSION:

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), (f) Legal Advice and Negotiations. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion was carried unanimously. Executive Session was entered into at 7:11 p.m.

- i. Negotiations associated with water delivery infrastructure.

### ADJOURN

There being no further business to come before the Board, a motion to adjourn the meeting was made by Director Otis. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion carried unanimously. The meeting was adjourned at 8:40 p.m.

Respectfully Submitted

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James C. McGrady  
Secretary for the Meeting