

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

April 20, 2023

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, April 20, 2023, 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

Also, in attendance were on roll call:

James McGrady, District Manager
Steve Sheffield, Assistant District Manager
Joyce Levad, District Administrator
Chris Cummins, District Water Attorney
George Rowley, Triview General Counsel
Shawn Sexton, Water Superintendent
Rob Lewis, Distribution and Collection Manager
Matt Rayno, Parks, and Open Space Superintendent
Natalie Barszcz, Our Community News
Ann-Marie Jojola, resident
Jason Gross, resident

DISCLOSURE OF CONFLICTS

None.

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ADMINISTRATIVE MATTERS

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

PUBLIC COMMENT

Ms. Natalie Barszcz had a question about the ADA ramp at the trail at Agate Creek Park. Matt Rayno stated the district decided to make the sidewalk ADA compliant while fixing the sidewalk in the area.

Consent Agenda

- a) Prior Meeting Minutes
 - March 23, 2023, Regular Board Meeting
- b) Billing Summary Rate Code Report
- c) Taps for March 2023
- d) Tax Transfer from Monument

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

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady stated he had a meeting today with Kiewit, design engineers and staff on the Northern Delivery System. Construction will start next week. This will entail clearing the pathway for where the pipe will be installed. The pipe installation will start the first or second week in May. In order to inform the public, there will be a website set up at triviewnds.com and also there will be a project hotline phone number on the Triview website and on Kiewit’s website, for customers with any questions. The traffic on Roller Coaster Road will be open to local traffic only during construction, a car permit will be issued to residents.
- The Convey, Treat and Deliver Contract was signed by CSU and Director Mark Melville on behalf of Triview.

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- The Pueblo County 1041 Permit is moving along. A staff memo was written by Tom Corver, one of Pueblo County's staff attorneys, and that staff report is currently being reviewed by Pueblo County Planning. There will be a 30-day comment period and a 30-day review period. Tentatively, a public hearing will be held on June 8, 2023.
- The South Reservoir pump house is being constructed at this time. The floor will be poured the week of April 17, 2023, with the building being set on April 25th.
- Mr. McGrady had a meeting with the Buena Vista Town Manager, which included Steve Sheffield and two other Triview staff members, and one of their agronomists about the revegetation process and what to expect. The meeting went very well.
- Mr. McGrady had a very comprehensive discussion with CSU about the NMCI. CSU will be putting out an RFP for design services in May. A 2-month turnaround will have a designer on board. The design plan will be taken to 30% which will give them an order of magnitude price. From there they will decide if the project is a go or no go.
- The building for the Vac Truck, at the A Yard, is done. The floor and the utilities are being installed currently.
- Triview continues to work on the design of Higby Road.

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

- Mr. Rayno stated they crews are working on the A yard storage building.
- Irrigation break along Lyons Tail is in the process of getting fixed.
- The pre-emergent application is being done on the ornamental beds along with mulch.
- Aeration in the parks is complete with playground mulch being installed.
- Agate Creek Park enhancement project is ongoing. Trees will be planted on 4/19/2023, irrigation mainline to be completed 4/21/2023 and seeding will be done mid May.

Utilities Department Update

- Wells A4, A9 and D9 are currently out of service for well maintenance.
- Well A4 will be online 4/25/2023.
- Wells A7, D7, A8, A1 and D1 available for normal service.
- All other wells are operating normally.
- C Plant booster pump #2 upgrade is completed.
- Water treatment plants A, B, and C are all running normally.

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ACTION ITEMS:

Review and Approve Resolution 2023-03 appointing James C. McGrady to the Upper Monument Creek Regional Wastewater Treatment Facility Operations Committee Representative.

A motion was made by Director Otis to approve Resolution 2023-03, appointing James C. McGrady to the Upper Monument Creek Regional Wastewater Treatment Facility Operations Committee Representative. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

Review and Consider Approval of the 1st Amendment to the Home Place Ranch Water and Sewer Infrastructure Agreement Between Home Place Ranch, LLC and the Triview Metropolitan District.

A motion was made by Director Otis to approve the 1st Amendment to the Home Place Ranch Water and Sewer Infrastructure Agreement Between Home Place Ranch, LLC and the Triview Metropolitan District. The motion was duly seconded by Director Sexton. A vote was taken, and the motion was carried unanimously.

Review and Consider Amendment 4 between Kiewit Infrastructure Corporation and the Triview Metropolitan District for the Construction of the Booster Pump Station:

- A guaranteed maximum Price for the construction of the Booster Pump Station
- Construction Schedule
- Total Project Cost

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A motion was made by Director Otis to approve the Agreement 4 between Kiewit Infrastructure Corporation and the Triview Metropolitan District for the Construction of the Booster Pump Station. The motion was duly seconded by Director Sexton. A vote was taken, and 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 checks greater than \$5,000 was made by Director Otis. The motion was duly seconded by Director Barnhart. A vote was taken, and the motion was carried unanimously.

Monthly Cash Position and Unaudited Financial Statements - The Board reviewed the March 2023 unaudited Financial Statements as presented. A motion to approve the District's March 2023 Financial Statements was made by Director Barnhart. The motion was duly seconded by Director Otis. A vote was taken, and the motion was carried unanimously.

LEGAL COMMENTS (George Rowley, Triview General Counsel)

None.

PUBLIC RELATIONS:

Triview newsletter for April is in the mail. The election deadline is May 2, 2023. The NDS project has a website triviewnds.com. Next month's Newsletter will be published towards the end of May after the election, with pictures of the new members of the Board.

BOARD BREAK

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

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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 Sexton. A vote was taken, and the motion was carried unanimously. Executive Session was entered into at 7:11 p.m.

- Negotiations associated with water delivery infrastructure.
- Water Acquisitions.
- Property Acquisitions.

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 Sexton. A vote was taken, and the motion was carried unanimously. The meeting was adjourned at 8:38 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting