

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

August 17, 2023

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, August 17, 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	Jason Gross, present
Director	Amanda Carlton, present

Also, in attendance were on roll call:

James McGrady, District Manager
Steve Sheffield, Assistant District Manager
Chris Cummins, District Water Attorney
George Rowley, Triview General Counsel
Shawn Sexton, Water Utilities Water Treatment Manager
Robert Lewis, Utilities Maintenance Manager
Matt Rayno, Parks, and Open Space/Public Works Superintendent
Natalie Barszcz, Our Community News
Steve Schlosser, Classic Homes

DISCLOSURE OF CONFLICTS

None.

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ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed, for the Board’s approval, the proposed agenda. Mr. Cummins requested a change to add an item 8D to the agenda to discuss a potential water agreement. A motion was made by Director Barnhart to approve the modified agenda. Upon a second by Director Sexton. A vote was taken, and the motion carried unanimously.

PUBLIC COMMENT NOT RELATED TO AMENDED 2022 BUDGET HEARING

Natalie Barszcz asked for a status update about the regional water reuse project. President Melville gave a brief explanation of the difference between Direct Potable Reuse and Indirect Potable Reuse. Mr. Melville also explained the progress of the regional approach to indirect water reuse and the studies being conducted by Colorado Spring Utilities.

Consent Agenda

- a) Prior Meeting Minutes
 - July 20, 2023, Regular Board Meeting
- b) Billing Summary Rate Code Report
- c) Taps for July 2023
- 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 carried unanimously.

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady discussed the progress made with the Northern Delivery System. The pipeline project is complete between Water Treatment Plant B and Stagecoach Rd. The project timeline is “on track” and under budget. Paving of the roads will commence very soon. Fire hydrant protection was discussed. Fire protection for the adjacent area will be provided by the hydrants along Roller Coaster Rd. and are in place, however, these hydrants remain out of service until the pipeline is pressure tested and flushed which should occur in the next couple of weeks.

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- The NDS pump station is currently being constructed. The building should be all formed up and poured by Labor Day. The goal is to have the building “dried in” by the end of October.
- South Reservoir construction update: the reservoir is complete and ready for use.
- AVIC ditch is still undergoing revegetation plan formulation.
- No updates on the NMCI.
- Brief discussion of FMIC ditch and the damage caused by flooding earlier this year.
- Continuing to work on the Higby Rd expansion and improvements. There was discussion about using a CMCG arrangement with a contractor for executing the project. The project will require some serious storm drainage issues to be mitigated prior to commencing construction.

OPERATIONS REPORT

Assistant District Manager (Steve Sheffield)

- Mr. Sheffield stated that his report would be somewhat redundant to Mr. McGrady’s.
- Steve reported that the Remington Hills mill and overlay project is completed.
- Steve also reported that the pump station for Stonewall Springs Reservoir is complete, and the “startup” procedure is also completed. The pump station is ready for use.
- Mr. Sheffield reported that he had worked with Corebridge Financial to set up an alternate retirement plan provider. Steve did not elaborate too much due to the resolution before the Board for later in the meeting.

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

- Mr. Rayno stated the crew has been working extremely hard. The streetscapes look as good as they ever have.
- Radar speed signs should arrive by the end of August for installation on Gleneagle Dr.
- The Promontory Pointe “special events” were a big success. Night Out at the Park is planned by the HOA in Promontory. However, the events are open to all residents. Movie nights are open to everyone.
- Agate Creek Park should be completed by the end of the week. Matt indicated it had been a long process. He shared a couple of time lapse photos of the park to show the improvements completed. The project is within budget.
- Old Creek Park is now mostly complete with the shade structure now installed. A little grading and reseeding are the only items left to finish.

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- With the end of summer approaching. The crews will start up fall aeration and cleanup. The crews will start to wind down summer ops with the goal of being prepared for the coming snow season.
- Crack sealing in the District will be done by renting the equipment and performing the work “in house”. There is a member of the crew who has experience running a crack seal team. All of November will be focused on the work. Work will begin in Sanctuary Point and the crews will work from East to West. The Board thought performing this work “in house” was a good idea and could save the District money as we will get more bang for our buck.
- Director Sexton requested an update regarding the new “porta potties” that the District purchased. There was some discussion as to where and how the potties would be used in the future. Director Gross likes having the porta potties available for multiple events.
- A “vault” style restroom could be located at Train Park in the future.

Utilities Department Update (Shawn Sexton)

- Pumping for the month of July 2023 was 50.971 Mg (all time high).
- HMO and recycling projects are ongoing at the B-Plant.
- Chemical deliveries are much better. On time and in sufficient quantities.
- A sample of the sludge was taken from the backwash tank to look at radium levels.
- Forest Lakes hydrant maintenance program is ongoing.
- There are some significant flows entering the waste plant from infiltration or other sources. TMD is Investigation and the investigation is ongoing.
- Multiple repairs were performed at Forest Lakes both in the treatment plant and lift stations.
- The sludge from the backwash tank at B- Plant was removed today.
- Mr. Sexton recognized Mr. Eddie Navaro’s hard work as the District mechanic.

ACTION ITEMS:

Mr. Sheffield presented Resolution No. 2023-06. A resolution to change the retirement plan offered to District employees from Lincoln Financial to Corebridge Financial. After some discussion a motion was made by Director Barnhart to approve Resolution 2023-06. Director Sexton seconded the motion. A vote was taken. The motion carried unanimously.

Mr. McGrady and Mr. Cummins presented an agreement between Collin Elite 1 LLC and the Triview Metropolitan District concerning sharing costs of developing and constructing a park located in Sanctuary Point development.

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Mr. Steve Schlosser was also present and passed out drawings of the proposed park. He also passed around samples of the turf grass that is being installed in the park. After some discussion a motion was made by Director Barnhart to approve the reimbursement agreement in the amount of \$1,000,000 to be paid in the first quarter of 2024. The motion was duly seconded by Director Sexton. A vote was taken and the motion carried with four in favor and one against.

Mr. McGrady and Mr. Cummins presented Resolution 2023-07 a resolution to exclude tracts D and E of the Conexus filing no. 2 from the District. Some discussion ensued and the decision was made to table discussion until the Board could receive legal advice from Mr. Cummins and Mr. Rowley in executive session. A motion was made by director Barnhart to table consideration of Resolution 2023-07 until after the Executive Session. The motion was duly seconded by Director Sexton. A vote was taken. The motion carried unanimously.

Mr. Cummins presented a Water Use Agreement between the Triview Metropolitan District and the Arkansas Groundwater Reservoir Association (AGRA). This agreement allows the parties to mutually agree, if one party determines it does not need some or all of the water available under its respective Excelsior Irrigation Company (EIC) shares it will notify the other party of the amount of water it anticipates may be available under its EIC shares for use by the other party. A motion was made by Director Barnhart to approve the Water Use Agreement. The motion was duly seconded by Director Sexton. A vote was taken. The motion 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 Barnhart. The motion was duly seconded by Director Sexton. A vote was taken. The motion carried unanimously.

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

At this point in the meeting Director Jason Gross excused himself from the remainder of the proceedings.

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LEGAL COMMENTS

None.

PUBLIC RELATIONS:

No new news to report.

BOARD BREAK

The Board took a break at 8:27 p.m. before entering Executive Session.

EXECUTIVE SESSION:

Entered executive session at 8:39 to ask legal questions of Resolution 2023-7 along with other items related to Water Acquisitions, Property Acquisition, Change Cases, Higby Road Design.

The Board left the executive session at 9:19 and returned to regular session. In regular session,

After a brief discussion a motion to approve the Resolution (2023-7) was made by Director Barnhart. The motion was duly seconded by Director Sexton. A vote was taken. The motion carried with three voting in favor of Resolution 2023-07 and one voting against said resolution.

ADJOURN

There being no further business to come before the Board, a motion to adjourn the meeting was made by Director Barnhart. The motion was duly seconded by Director Sexton. A vote was taken. The motion carried unanimously. The meeting was adjourned at 9:23 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting