

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

November 13, 2023

A meeting of the Board of Directors of the Triview Metropolitan District was held on Monday, November 13, 2023, beginning at 5:30 p.m. The meeting was conducted via Zoom. 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, excused absent
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
Joyce Levad, District Administrator
Chris Cummins, District Water Attorney
George Rowley, Triview General Counsel
Shawn Sexton, Water Utilities Water Treatment Manager
Matt Rayno, Parks, and Open Space/Public Works Superintendent
Natalie Barszcz, Our Community News
Mike McDonald, Kiewit Construction
Max McClean, Kiewit Construction

DISCLOSURE OF CONFLICTS

None.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed, for the Board’s approval, the proposed agenda. A motion was made by Secretary/Treasurer Barnhart to approve the agenda. Upon a second by Director Carlton. A vote was taken, and the motion passed unanimously 4-0.

PUBLIC COMMENT NOT RELATED TO AMENDED 2022 BUDGET HEARING

Mr. Mike McDonald and Mr. Max McClean both presented an overview of the NDS project. Mr. McDonald started the discussion by summarizing that the project is on time, and within budget. Mr. McDonald thanked the TMD Board for their support and expressed a willingness to work together in the future. Mr. McClean gave a brief timeline of the project as well as some brief facts about the work done to this point including that the entire pipeline installation portion has now been completed. Pressure testing is now underway for the remaining portions of the pipeline. Work has now begun on the pump station. The plan/schedule is to be completed with entire project by July 2024. Some discussion with the Board ensued pertaining to the process and costs of working with Kiewit Construction. Mr. McGrady expressed complete confidence in the process, and the company. The project is now roughly 75% complete. Mr. McGrady took the opportunity to inform the Board of the decision to move forward with segment D of the NDS, which is a section of 1000’ of waterline on the West side of Interstate 25.

There was a brief public hearing concerning the inclusion of Property into Triview Metropolitan District Subdistrict A. There being no members of the public present, the issue was closed to the public. The issue was opened and closed to the public at 5:53 PM.

Consent Agenda

- a) Prior Meeting Minutes
October 19, 2023, Regular Board Meeting (enclosure)
- b) Billing Summary Rate Code Report (enclosure)
- c) Taps for October 2023 (enclosure)
- d) Tax Transfer from Monument (enclosure)

A motion was made by Secretary/Treasurer Barnhart to approve the consent agenda. The motion was duly seconded by Director Gross. A vote was taken, and the motion passed unanimously 4-0.

RECORD OF PROCEEDINGS

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady's first two items for his report were already discussed in public session with both Mr. McDonald and McClean. Both issues were related to NDS pipeline concerning funds spent so far in the project and segment D of the pipeline.
- Mr. McGrady informed the Board that he had an in-person meeting scheduled with Mr. Mike Foreman the Town of Monument Manager on November 16th. The meeting is intended to have further discussion of Town of Monument's participation in the NDS project.
- There is a large tour of the South reservoir with opposers to TMD's water rights change cases on the November 15th.
- Mr. McGrady explained the process and progression of the NMCI project. The project has been put out to bid on the design process. Mr. McGrady is part of the selection committee. There was a brief discussion of how, and why the NMCI is beneficial for TMD with the Board.
- The A yard pole barn is now complete to house the new vac/jet truck and the video van.
- Work is ongoing cleaning sewer lines with the new vac/jet truck. To date, doing the work "in house" has saved the District roughly \$90,000.
- The grand opening for Sanctuary Park is pushed back to June of 2024.

OPERATIONS REPORT

Assistant District Manager (Steve Sheffield)

- The final pump test for the South reservoir was completed with the pump manufacturer.
- Final walk through for section B3 and B4 of NDS with Kiewit crew. Sections have been revegetated and graded to satisfaction.
- Mr. Sheffield attended a meeting with RESPEC and Ann Nichols to discuss operations at Forest Lakes Metro District. The meeting was specifically to discuss water treatment and distribution operations.

RECORD OF PROCEEDINGS

- Mr. Sheffield further discussed the vac/jet truck operations. The District has saved a substantial amount of money by doing the work with it's own employees.
- Mr. Sheffield also brought the Board up to date on the Higby Rd improvements project in conjunction with the School District and Town of Monument.

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

- Mr. Rayno reported that the street crack sealing program is going better than expected. The crew has finished Sanctuary Rim Dr. and is now moving into some of the residential areas. The program will be completed by next week.
- The installation of holiday lights is in process. All lights will be installed by Thanksgiving Day.
- Installation of the concrete fence at Train Park is complete. There was a brief discussion about the material and the changes. The new fence is experimental.
- The crews will be focusing on winter watering, and trail maintenance.
- Ms. Carlton expressed a desire to install new benches below the new Sanctuary Park in the open space with trails.

Utilities Department Update (Shawn Sexton)

- Mr. Sexton discussed some of the water usage for October.
- All water plants are running normally.
- All wells are pumping to the B plant for centralized treatment.
- C plant is running normally. Kiewit has completed the paving of the parking lot.
- Crews have completed PRV vault maintenance and hydrant maintenance to include Forest Lakes Metro District.
- The crews will be cleaning and pumping the backwash tank at B plant.
- Mr. Sexton expressed some frustration at the waste numbers not aligning between Mr. Sextons report and the wastewater treatment flow report. Mr. Sexton is going to continue to investigate why the numbers are not close to the same.

RECORD OF PROCEEDINGS

ACTION ITEMS:

- A. The Board was asked to consider Resolution 2023-08 Annual administrative resolution of the Triview Metropolitan District. Mr. Barnhart made a motion to approve the resolution. Mrs. Carlton seconded the motion. The motion passed unanimously 4-0.
- B. The Board was asked to consider resolution 2023-09 acceptance of a petition for the Inclusion of Property into the Triview Metropolitan District Subdistrict A. A motion was made by Mr. Barnhart to approve the resolution. Mr. Gross seconded the motion. The motion passed unanimously 4-0.
- C. The Board was asked to review and approve an amendment to the Convey, Treat and Deliver Contract with Colorado Springs Utilities. No vote was necessary. The Board administratively approved the amendments to the contract.
- D. The Board was asked to review and consider a Cellphone Site Lease Agreement Between Dish LLC and the Triview Metropolitan District for a cell phone tower located at the District's C plant and authorization for the District Manager to sign. Mr. Gross made a suggestion for a change on the contract. A motion was made to approve the agreement by Mr. Gross. Mr. Barnhart seconded the motion. The motion passed unanimously 4-0.

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 Carlton. A vote was taken. The motion carried unanimously.

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

LEGAL COMMENTS

Mr. Cummins had deeds from Conexus that need to be signed.

RECORD OF PROCEEDINGS

PUBLIC RELATIONS:

The new newsletter should be sent out mid-November. Another newsletter will be sent out in January 2024 that will recap the year 2023.

BOARD BREAK

The Board took a break at 7:45 p.m. before entering Executive Session.

EXECUTIVE SESSION:

Entered executive session at 8:03 p.m. on a motion by Mr. Barnhart per State Statute 34-6-402(A), (B), (E), Acquisitions, Legal Advice, and Negotiations regarding general topics:

- Water supply contracts
- Property acquisitions
- Strategic planning
- Change cases

The motion was seconded by Mrs. Carlton. A vote was taken. The motion passed unanimously 4-0.

The Board left the executive session at 9:03 p.m. and returned to the regular session. No further actions were taken.

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 Mr. Gross. A vote was taken. The motion passed unanimously 4-0. The meeting was adjourned at 9:03 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting