

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 25, 2024

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, April 25, 2024, 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 PM.

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, absent

Also, in attendance were on roll call:

James McGrady, District Manager
Steve Sheffield, Assistant District Manager
Sara Lamb, District Administrator
Ryan Farr, District Water Attorney
Scott Goodstein, Triview General Counsel
Matt Rayno, Parks, and Open Space/Public Works Superintendent
Natalie Barszcz, Our Community News
Shawn Sexton, Triview Water Dept. Superintendent
Ann-Marie Jojola, resident

DISCLOSURE OF CONFLICTS

None.

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ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed, for the Board’s approval, the proposed agenda. After a brief discussion about what would be discussed in executive session, Mr. Sexton made a motion to approve the agenda as proposed. The motion was seconded by Mr. Melville. A vote was taken, and the motion passed unanimously 3-0. Mr. Gross joined the meeting virtually after approval of the agenda.

PUBLIC COMMENT

Ann-Marie Jojola expressed some concerns regarding the size of the cracks in Promontory Pointe that will be repaved in the summer of 2025. After a discussion about the background on development in the area, Mr. McGrady assured Ann-Marie and the Board that all road issues will be addressed and corrected in the project.

Consent Agenda

- a) Prior Meeting Minutes
March 2024, Regular Board Meeting (enclosure)
- b) Billing Summary Rate Code Report (enclosure)
- c) Taps for March 2024 (enclosure)
- d) Tax Transfer from Monument (enclosure)

A motion was made by Mr. Sexton to approve the consent agenda. The motion was duly seconded by Mr. Melville. A vote was taken, and the motion passed unanimously 4-0.

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady presented an update on the NDS. The project is down to the last 6-8 weeks of construction.
- Mr. McGrady informed the Board that the AVIC water right becomes unappealable by opposers May 18th. that will require TMD to pay the former owners just over \$600,000.
- Mr. McGrady explained that there is expectation of high runoff water into the South Reservoir.

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- Mr. McGrady explained the process of making exchanges of our water into Pueblo reservoir and the expectations of doing so.
- Mr. McGrady updated the Board on the NMCI project status.
- Mr. McGrady informed the Board that a contract with Martin Marietta has been signed for the summer road overlay project in Promontory Pointe 2025.

OPERATIONS REPORT

Assistant District Manager (Steve Sheffield)

- Mr. Sheffield presented to the Board that there have been multiple meetings with stakeholders on the Higby Rd improvements.
- Mr. Sheffield reported that there was a resolution on the Bear Creek Elementary school street striping and alignment issues to include the right turn lane off Leather Chaps onto Creekside Dr with Town of Monument staff.
- Mr. Sheffield presented the District's new quarterly meetings with our District financial adviser to work with staff.
- Mr. Sheffield and Ms. Brown are working on the online scheduling for Sanctuary Pointe ballfield.
- Mrs. Lamb instituted a new hydrant meter policy.
- The process for startup of the NDS pump station has begun with the District's partners.

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

- Mr. Rayno reported to the Board that the District irrigation system has been started up and winter repairs are in process.
- Aeration, overseeding and fertilizing have been in process for several days and will require several more.
- The District "incline" portion of St Lawrence trail is complete.
- This summer will utilize two crews for mowing both Triview and Forest Lakes.

Utilities Department Update (Shawn Sexton)

- Mr. Sexton presented the water production and billing numbers for the Board for the month of March 2024.

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- The distribution crew continues to implement the maintenance plan for PRV's throughout the District. There have been various projects to prepare for the startup of NDS.
- There has been instrumentation and control work done in SCADA and WTPB to prepare for NDS start up.
- Some yard rearrangement continues at WTPB.
- Forest Lakes- completed control work to blend well and surface water for high demand periods.

DISCUSSION ITEMS

- The Board briefly discussed some proposed Rates and Fees for an upcoming meeting.

ACTION ITEMS:

- The Board was asked to review and consider approving a Water Rights Lease Agreement between Triview Metropolitan District and the Arkansas Groundwater and Reservoir Association (Resolution 2024-03). After a discussion and some questions and answers, a motion was made by Mr. Sexton and duly seconded by Mr. Melville for approval. A vote was taken and 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 Mr. Sexton. The motion was duly seconded by Mr. Melville. A vote was taken. The motion passed 4-0.

Monthly Cash Position and Unaudited Financial Statements - The Board reviewed the March 2024 unaudited Financial Statements as presented. After some discussion, a motion was made by Mr. Sexton to approve the financials. The motion was duly seconded by Mr. Melville. A vote was taken, and the motion passed unanimously 4-0.

LEGAL COMMENTS

Mr. Goodstein made the Board aware of upcoming Website Accessibility issues that the State Legislature is considering that will impact the District in the near future.

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PUBLIC RELATIONS: BOARD BREAK

The Board took a brief break before entering Executive Session at 7:29 PM.

EXECUTIVE SESSION:

Entered executive session at 7:46 PM on a motion by Mr. Sexton per State Statute 34-6-402(A), (B), (E), Acquisitions, Legal Advice, and Negotiations regarding general topics:

- Water supply contracts
- Property acquisitions
- Strategic planning
- Water change cases
- Legal advice

The motion was seconded by Mr. Melville. A vote was taken. The motion passed unanimously 4-0.

The Board left the executive session at 9:16 PM, 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 Mr. Sexton. The motion was duly seconded by Mr. Melville. A vote was taken. The motion passed unanimously 4-0. The meeting was adjourned at 9:16 PM.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting