

RECORD OF PROCEEDINGS

MINUTES FROM REGULAR BOARD MEETING OF TRIVIEW METROPOLITAN DISTRICT

JULY 17, 2025

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, July 17, 2025, 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 5:32 PM.

ATTENDANCE

In attendance were Directors:

President	Jason Gross, present
Vice President	Ann-Marie Jojola, present
Secretary/Treasurer	Amanda Carlton, present
Director	John Gibbons, present
Director	Erik Demkowicz, present

Also, in attendance were on roll call:

James McGrady, District Manager
Steve Sheffield, Assistant District Manager
Sara Lamb, District Administrator
Chris Cummins, Triview Water Attorney
George Rowley, General Counsel
Natalie Barszcz, Our Community News
Gary Potter, Triview Metro. District
Matt Rayno, Triview Metro. District
Cathy Fromm, FROMM CO
Diego Martinez, Haynie and Company

DISCLOSURE OF CONFLICTS

None.

Agenda – Mr. McGrady distributed, for the Board's approval, the proposed agenda. A motion was made by Mr. Gibbons for approval of the proposed agenda with the modification of discussing item 10b in executive session prior to action. The motion was seconded by Mr. Demkowicz. A vote was taken, and the motion passed unanimously.

RECORD OF PROCEEDINGS

ELECTION OF OFFICERS

After some discussion regarding roles and duties Mr. Gibbons made a motion to elect Jason Gross for Board President, Mrs. Jojola for Board Vice President, and Mrs. Carlton for Board Secretary/Treasurer. Mr. Demkowicz seconded the motion. A vote was taken, and the motion was approved unanimously by the Board.

PUBLIC COMMENT

There were no comments from the public.

PRESENTATION BY DIEGO MARTINEZ, HAYNIE AND CO ON 2024 TMD AUDIT

The Board heard a presentation from Mr. Martinez regarding the 2024 Triview Metropolitan District financial audit. There was a brief discussion and some question and answer time with both Mr. Martinez and Mrs. Fromm.

PUBLIC HEARING AMENDING THE TRIVIEW METROPOLITAN DISTRICT'S 2024 BUDGET

Mr. Gross opened the hearing to the public. There being no public present who wanted to comment, Mr. Gross closed the hearing to the public and began discussion among the Board members. Mrs. Fromm presented that there were several overages from 2024 that amounted to roughly \$2,000,000. The Board had some questions and wanted some clarification. After a brief discussion, the Board proceeded with the regular meeting.

Consent Agenda

- a) Previous Minutes
June 19, 2025, Meeting Minutes (enclosure)
- b) Billing Summary Rate Code Report (enclosure)
- c) Taps for June 2025/Total taps sold 2025 (enclosure)
- d) Tax Transfer from Monument (enclosure)

A motion was made by Mrs. Carlton to approve the consent agenda. The motion was duly seconded by Mr. Demkowicz. A vote was taken, and the motion passed unanimously.

OPERATIONS REPORTS:

Jim McGrady District Manager:

- Mr. Jim McGrady reported that the NDS system is still delivering roughly 85% of the water to Triview residents.
- Construction is progressing on the AVIC project. The recharge pond is complete. The Rubicon gates have been installed, and they are controlling flows from Cottonwood Creek.
- The NMCI project continues to move forward with planning and design.

RECORD OF PROCEEDINGS

- The anticipation is still for 90% plans in late fall 2025, at which time the cost can be determined.
- Plans are moving forward on the Bale ditch infrastructure project. Mr. Treat seems to be in agreement with an access easement as well as a “lay down yard”.

Steve Sheffield Asst. District Manager:

- Mr. Sheffield presented to the Board that the installation and calibration of the Rubicon gates was now complete at the AVIC site. The ditch is not currently in priority so there is no water flowing to the recharge pond.
- The meter changeout program continues. Last month, 11 meters were replaced with new cellular units.
- The design of Lyons Tail/JCP roundabout continues. We anticipate seeing renderings soon.
- Multiple photos of various projects were included in the Board packet for review.

Sara Lamb Administration Report

- Mrs. Lamb reported that taps for 2025 seem to be down from last year. However, a large group of fees is anticipated to be coming in from T.o.M. to be reported in the August meeting.
- The new building lease purchase agreement as well as the General Obligation Bonds are taking a lot of Sara’s time. Both are now complete.
- AP/AR, daily deposits, and invoices are processed on a weekly basis by Sara and Wendy in order to stay more current.

Matt Rayno Superintendent of Parks and Open Space:

- Matt and crew have been working on the large detention pond in Sanctuary Pointe.
- Multiple dead trees were replaced throughout the District.
- Shade structure in Train Park is now complete. All parks have a shade structure now.
- Rehabbing old plant/flower beds has begun. Remove mulch and replace with rock.

Gary Potter/Rob Lewis, Superintendents of Utilities:

- The crew has completed upgrading the last two PRV vaults to stainless steel water lines. This allows for longer life and more dependable service.
- The annual fire hydrant flushing and maintenance program has begun. Forest Lakes is already complete. Triview program to start in Sanctuary neighborhood and move progressively down to commercial zone.
- Non-revenue water is down to 1.3 million gallons. This is down and trending in the right direction.

ACTION ITEMS:

- a) Review and Consider approval of a CMGC Agreement for Construction Services between Kiewit Infrastructure Company and the Triview Metropolitan District, that

RECORD OF PROCEEDINGS

includes the establishment of a guaranteed maximum price in the amount of \$12,450,673.10 and authorization of the District Manager to sign. After a discussion and some questions from the Board, Mr. Demkowicz made a motion to approve the agreement. Mrs. Carlton seconded the motion. A vote was taken and the motion passed unanimously.

- b) Review and Consider an Addendum and Partial Termination Agreement that includes the April 8, 2014, Water Agreement, the May 5, 2020, Amended and Restated Infrastructure Agreement, and June 21, 2021, Higby Road Improvements Financing Agreement, and Authorization for the District Manager to sign. A discussion during executive session resulted in some questions for Chris Cummins. After leaving executive session at 9:45 PM, the Board returned to regular session and Mr. Demkowicz made a motion to approve the agreement. Mr. Gibbons seconded the motion. A vote was taken and the motion passed unanimously.
- c) Review and Consider Approval of Resolution 2025-12, a resolution of the Triview Metropolitan District Board of Directors Amending the 2024 Budget. After a brief discussion Mr. Demkowicz made a motion to approve Resolution 2025-12. Mrs. Carlton seconded the motion. A vote was taken and the motion passed unanimously.
- d) Review and Consider Approval of the Triview Metropolitan District's 2024 Audited Financial Statements and authorize the District's Accountant to file said documents with the State of Colorado. After a discussion, Mr. Demkowicz made a motion to approve the Audited Financial Statements and authorize associated actions. Mrs. Carlton seconded the motion. A vote was taken and the measure passed unanimously.
- e) Review and Consider Approval of Resolution 21025-13, a Resolution of the Board of Directors of the Triview Metropolitan District Providing for the Defense and Indemnification of Directors and Employees of the District. After discussion, a motion was made by Mr. Demkowicz to approve the resolution. Mrs. Jojola seconded the motion. A vote was taken and the motion passed unanimously.

REVIEW AND CONSIDER APPROVAL OR RATIFICATION OF THE TRIVIEW METROPOLITAN DISTRICT FINANCIALS AND PAYABLES

Checks of \$5,000 or more (enclosure)

Mr. Gibbons made a motion to approve the Checks over \$5,000. Mr. Demkowicz seconded the motion. A vote was taken and the measure passed unanimously.

May 2025 Financials (enclosure)

Mr. Gibbons made a motion to approve the March 2025 Financials. The motion was seconded by Mr. Demkowicz. A vote was taken and the motion passed unanimously.

RECORD OF PROCEEDINGS

LEGAL COMMENTS:

There were no comments from Mr. Cummins or Mr. Rowley.

UPDATE BOARD ON PUBLIC RELATION ACTIVITIES:

Mr. McGrady reported that the Triview team is working with Ground Floor Media to update the Triview website and add some new material.

EXECUTIVE SESSION:

At 8:29 PM a motion was made by Mr. Gibbons under “Executive session of the Board of Directors pursuant to discuss the purchase, acquisition, lease, transfer or sale of real, personal, or other property interests needed by the District pursuant to Section 24-6-402(a) Colorado Revised Statutes. Receive legal advice pursuant to Section 24-6-402(4)(b) Colorado Revised Statutes as it relates to water matters and including agreements with the Town, other governmental entities and an Addendum and Partial Termination Agreement with Jackson Creek Land Company, Vision Development, Inc and Creekside Developers Inc. Determine positions related to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators as it relates to agreements with the Town, and an Addendum and Partial Termination Agreement with Jackson Creek Land Company, Vision Development, Inc., and Creekside Developers, Inc., Pursuant to Section 24-6-402(4)(e), Colorado Revised Statutes. The Motion was seconded by Mr. Demkowicz. A vote was taken and the Board voted unanimously to enter executive session. After a discussion and some questions, the Board exited executive session and returned to regular session at 9:45.

REGULAR SESSION:

- a) After returning to regular session, the Board **engaged in a discussion of the reasons for and against approving the Addendum and Partial Termination, after which** the Board approved the agreement under 10b on the agenda. Mr. Demkowicz made a motion to approve the agreement. Mr. Gibbons seconded the motion. A vote was taken and the motion passed unanimously. This action is reflected in the Action Items section of the minutes.

ADJOURNMENT:

There being no further business, Mr. Gibbons made a motion to adjourn the meeting at 9:50 PM. Mrs. Jojola seconded the motion. A vote was made and the motion passed unanimously.

RECORD OF PROCEEDINGS

Respectfully Submitted

James C. McGrady
Secretary for the Meeting