

RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board

of Directors

of the

Triview Metropolitan District

Held: Tuesday October 29, 2008 at 5:00 pm at
174 N. Washington Street in Monument, Colorado

Attendance The regular meeting of the Board of Directors of the Triview Metropolitan District was called and held as shown above in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their continued qualification to serve on the Board were in attendance:

Robert Fisher
Steve Remington
Julie Glenn
Steve Cox

Also present were Ron Simpson, Acting District Manager, Triview Metropolitan District, Dale Hill, District Administrator; Steve Sheffield, District Operations Manager; Pete Susemihl, Susemihl, McDermott & Cowan, P.C.; Will Koger, Nolte Engineering; Sam Sharp, V.P. D.A. Davidson and Kim Casey, Kutak Rock LLP. Guests: Cathy Green, Monument Town Manager; Rick Blevins, Centre Development and Jim Kendrick, OCN.

Call to Order & Quorum Vice President Robert Fisher noted that a quorum of the Board was present and that the Directors had confirmed their continuing qualification to serve, and therefore called the regular meeting of the Board of Directors of the Triview Metropolitan District to order at 5:06 pm.

Notice & Posting It was noted that the Meeting was properly noticed and posted.

Excused Absence It was moved by Julie Glenn, seconded by Steve Remington and unanimously acted upon by the Board to excuse Bob Eskridge.

Approval of Minutes The minutes of the September 23, 2008 Meetings were considered. It was pointed out that the Board came out of Executive Session and acted on a vote of 3 to 1, with Steve Remington against, to direct the Acting Manager to submit the IGA with Donala as modified. With that change, a motion by Steve Remington and a second by Steve Cox, the Minutes were unanimously approved.

Next Board Meeting It was determined by the Board that the next Meeting for November will be held on Wednesday, the 19th at 5:00 pm.

RECORD OF PROCEEDINGS

Public Comment	There was no Public Comment presented to the Board.
Bond Remarketing	<p>Sam Sharp of D.A. Davidson presented a summary of the status of Remarketing of the 2003 and 2006 Bonds. The points were: we are changing to a weekly mode; S&P gave Triview a - A Rating; the market is down to one bond insurer and they will not provide insurance; the current weekly rate is at 2.5%; Long Term rates are at 6.5 to 7%</p> <p>Kim Casey then described the procedures involved with the weekly mode. The Parameters Resolution was discussed at length. It is in effect for 180 days with an interest rate of a maximum of 6.5% and a term of 35 years. The Board determined that Robert Fisher, Board Vice President will be the Designee. He will be the one contacted by the Underwriter when an offer is submitted that meets the requirements. In turn, Mr. Fisher will contact the other Board Members. The Bond Purchase Agreement, The Mill Levy Commitment and the Continuing Disclosure Statements were also discussed. It was moved by Steve Remington, seconded by Julie Glenn and unanimously acted upon by the Board to approve the Documents</p>
Administrator's Report	<p>Mrs. Hill reported that in the packet there is the statement of revenues and expenses through the end of September. She pointed out that there will be a Bond Payment of \$1,616,763.77 on November 1st. It was moved by Steve Remington, seconded by Julie Glenn and unanimously acted upon by the Board to approve invoices, vouchers and the check warrant report as presented.</p> <p>Mrs. Hill then presented the FACT Program and described the reason for Triview's enactment which involves identity protection for the District's customers. Mr. Susemihl stated the basis for the Federal program and implications. After further discussion it was moved by Steve Cox, seconded by Julie Glenn and unanimously acted upon by the Board to adopt the Program.</p>
District Engineer's Report	Mr. Koger from Nolte reported that WWTF still has an end-of-the-year target date. They are working on the electrical facilities, site grading and partial site grading. The Bio-solids equipment is being priced. There ensued a discussion on this item and the continued lack of a final budget number.
Operations Report	<p>Steve Sheffield reported that the Academy View HOA expressed its appreciation for the work completed within the Subdivision. There was an accident in the left turn lane at the Parkway and Leather Chaps and it was suggested that we go back to a protected turn and then allow unprotected turns during the cycle. Mr. Sheffield then reported to the Board that there was rust in the Filter Tanks and that it is a problem for the supplier to rectify. It will delay starting up the WTPB.</p> <p>The matter of the Well House for Well A-8 was discussed. There were</p>

RECORD OF PROCEEDINGS

concerns expressed for the costs of approximately \$15,000. It was noted that the structure was proposed to fit in with surrounding housing units. Several Board Members expressed the opinion that it was too expensive but agreed that if the protection was needed as soon as possible. It was moved by Julie Glenn, seconded by Steve Remington and unanimously acted upon by the Board to approve the VDH, LLC proposal.

District
Attorney's
Report

Mr. Susemihl reported that he had nothing to bring to the Board at this time.

District
Manager's
Report
2009 Budget

Mr. Simpson presented a Draft 2009 Budget for the Board's consideration. This was a continued Item from the last Meeting. Mr. Simpson pointed out that there were proposals from different entities for the Water & Sewer Operations contract and described each. It was noted that the Town reduced its proposal from \$243,336 to \$213,864. The VDH, LLC was the lowest amount at \$178,000 and WSO came in at \$192,000. Donala's proposal equaled \$361,557 with limitations. Woodmoor Water & Sanitation District wanted a three to five year contract in order to consider a proposal. Creating In-house capabilities was estimated at a minimum of \$207,000. No decision was made on the proposals.

Proposals for Street Sweeping, Snow Removal and Landscape Maintenance were submitted by VDH, LLC. Discussion on potential amendments to the proposals occurred and it was determined that each proposal would be considered individually at the next Meeting.

The Board determined that it would be best to have a Work Session on Budget and they would inform the Office of the appropriate date and time.

Other
Business

There was no Other Business to consider at the Meeting.

Executive
Session

It was moved by Steve Remington, seconded by Robert Fisher and unanimously acted upon to go into Executive Session under 24-6-402.4e: Discussion of Matters Relative to Contract Negotiations at 7:30 pm.

Continuation
of the Regular
Meeting

The Board came out of Executive Session at 8:07 pm. It was moved by Robert Fisher, seconded by Julie Glen and acted upon on to approve the amended Water Purchase Agreement with Centre Development as proposed.

There being no further business to come before the Board and upon a motion duly made, seconded and unanimously carried, the Meeting was adjourned at 8:08 pm.

Submitted by:

Ronald J. Simpson
Acting District Manager