

RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board

of Directors

of the

Triview Metropolitan District

Held: Tuesday, December 9, 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:

Bob Eskridge
Robert Fisher
Steve Remington
Julie Glenn
Steve Cox

Also present were Ron Simpson, Acting District Manager, Triview Metropolitan District; Dale Hill, District Administrator; Pete Susemihl, Triview Attorney; Steve Sheffield, Triview Operations Manager, Mike Trinity and Will Koger from Nolte;; Cathy Green, Town Manager.

Guests included: Jim Kendrick, OCN; Byron Glenn, resident; Mark Snoddy, citizen;

Call to Order & Quorum President Bob Eskridge 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 5:05 pm.

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

Approval of Minutes Minutes of the October 29, 2008, November 15, 2008 and November 19, 2008 and November 21, 2008 were distributed and comments were requested. It was moved by Robert Fisher, seconded by Julie Glenn and unanimously acted upon that the Minutes be approved pending changes submitted within 48 hours of the Meeting.

Next Board Meeting It was determined by the Board that the December Meeting will be held on Wednesday, January 28, 2009.

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- Bills, Invoices & Vouchers** Mrs. Hill presented the bills, invoices and vouchers and requested they be approved for payment. It was moved by Julie Glenn, seconded by Robert Fisher and unanimously acted upon to approve payment of bills, invoices and vouchers for December subject to review by the Board.
- Engineer's Report** Mike Trinity gave the Engineer's Report to the Board for Nolte. He recapped the activity at WTP"B" with the intakes, SCADA and the Tank painting issues. On the WWTF he reported that most of the buildings were complete and they are working on startup.
- Operation's Report** Steve Sheffield, Operations Manager, reported that the Structure for Well A-8 was 75% completed. Additionally, he presented detail on the Tank repainting situation.
- Attorney's Report** Mr. Susemihl stated that his items will be addressed during the Budget Item.
- Continuation of the Public Hearing on the 2009 Budget** The Board opened the Continuation of the Public Hearing on the 2009 Budget from the November 21st Hearing at 5:30 pm. Mrs. Hill explained the cash balances and the status of obtaining a final 08 number. Mr. Remington and Mrs. Hill then discussed the numbers as shown. Mrs. Glenn pointed out a typo in the Office Supply category.
- Cathy Green distributed a four-page paper on a probable Three Phase Program for transitioning activities to the Town from Triview. The First Phase is proposed to start in January. There was discussion of eliminating the certain functions performed by Triview by the end of the first quarter as contained in the proposed budget. This will eliminate the positions of Manager, Administrator, Attorneys, Engineer and Inspector by April 1, 2009.
- It was determined that Mr. Fisher would work with Ms. Green on itemizing the process and procedures for the Transition. There was agreement that some functions make take longer to deal with and certain activities could be implemented quickly. The effort will result in a MOU between the two entities specifying how the Program will be implemented.
- There being no further changes or corrections to the 2009 Budget as proposed nor the Amended 2008 Budget as submitted, a Resolution "Summarizing revenues and expenditures, adopting a budget and appropriating sums of money to the funds and the amounts set forth herein for the Triview Metropolitan District (the "District"), El Paso County, Colorado for the calendar year beginning on the first day of January 2009 and ending on the last day of December 2009 and amending the 2008 budget" was adopted unanimously on a motion made by Robert Fisher and seconded by Steve Cox.
- The Public Hearing on the 2009 Budget was closed at 6:20 pm.

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Manager's Report	<p>Mr. Simpson reported to the Board on Contract Changes submitted to Triview on the WWTF that date back from 2007. It was the consensus to endorse the Changes. Mr. Simpson briefly discussed the Diamond Shamrock/Valero Truck Stop at I-25 and Baptist and the probability a petition for Inclusion may be forthcoming. Mr. Simpson and Mr. Susemihl then described the meeting they had with the attorneys from John Laing Homes on Thursday the 5th at the Triview Office.</p>
Other Business	<p>The IGA with the Town for Water & On-site Sewer services for 2009 was approved by a motion made by Steve Cox, seconded by Robert Fisher and unanimously acted upon by the Board.</p>
Service Contracts	<p>The Service Contract for Street Sweeping for 2009 was discussed and a motion was made by Steve Cox, seconded by Steve Remington and unanimously acted upon by the Board approving said Contract with VDH, LLC.</p> <p>The Snow Plowing Service Contract was discussed at some length with Mr. Cox itemizing changes that should be made prior to approving the proposal from VDH including rate on T&M, termination clause, priorities, inspection within 72 hours of being revealed. It was moved by Steve Cox, seconded by Julie Glenn and unanimously acted upon by the Board to approve the Contract with the aforementioned changes and verification by Mr. Cox prior to endorsement.</p> <p>A Landscaping Service Contract was not approved at this time to allow the Town to determine its capability for performance of same by the end of the first quarter of 2009.</p>
Objectives	<p>Mr. Fisher commented on the Objectives he circulated and requested the Board take action thereon. Mrs. Glenn and the other Board Members stated that this was a needed approach. Mr. Fisher stated that there will be one other Objective on Communications to be added to the list and he would circulate this again for comment. The Objectives as of the Meeting are:</p> <ol style="list-style-type: none">1. Improve maintenance services for landscaping and roads. Retain all other maintenance services at existing levels.2. Improve reporting and review of operational services. Develop key metrics for measuring operational services.3. Improve reporting and review of financial activities. Develop five year projections for all major financial categories (revenue, debt, capital, liabilities, other)4. Develop and publish a Water Resource Road Map. The road map shall identify key decisions and actionable milestones that support planned growth, known legal commitments and obligations, and procurement and delivery of renewable water supplies.

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5. Identify and implement management and professional services resource sharing opportunities with the Town of Monument which provide meaningful cost savings. Produce quarterly reports to evaluate actual cost savings and project future quarterly savings.

It was moved by Julie Glenn, seconded by Steve Remington and unanimously acted upon by the Board to adopt said Objectives along with the inclusion of a 6th Objective on Communications to follow.

Adjournment There being no further business before the Board and upon a motion duly made, seconded and unanimously carried, the Meeting was adjourned at 6:55 pm.

Submitted by:

Ronald J. Simpson
Acting District Manager

PROPOSED PROGRAM FOR TRANSITIONING TRIVIEW OPERATIONS AND MAINTENANCE TO THE TOWN OF MONUMENT

Phase I – Transition through first quarter 2009

Transition of Executive Director position, Legal, Engineering and Inspection, Water and Sewer Operations and Maintenance.

Executive Director:

- The Town of Monument will exercise the role of Triview's Executive Director through the leadership of Cathy Green the Town Manager. The Executive Director role will be to handle the day to day operations of the District, while continuing to plan for future infrastructure needs and programs. The Town's Public Works Director will assist in these tasks.

Legal Services

- Jim Hunsaker, with Grimshaw Harring will act as interim legal council as the Triview Board of Directors (TBD) and the Monument Board of Trustees (BOT) work together to finalize an IGA regarding the transfer of operations and maintenance.

Engineering and Inspection

- The Town of Monument under the direction of Tom Kassawara, P.E., Director of Development Services will provide the Triview Metropolitan District with engineering review, both land development and any infrastructure improvements as approved by the TBD, along with any necessary inspection of public improvements to ensure the installation and construction of said improvements comply with the Standards of the District.

Water and Sewer System Operations and Maintenance

- The Town of Monument will continue to provide the operations and maintenance of the Triview water and sanitary sewer systems as outlined in the current agreements

Phase II – Transition period third quarter 2009

Landscape Maintenance

- The Town of Monument through Rich Landreth, Public Works Director, will perform the landscaping maintenance for the District. Work will include mowing, weeding, planting and trail maintenance for the Districts neighborhood parks and landscape areas adjacent to Lyons Tail

and Leather Chaps. Areas which are not currently landscaped will have weed control maintenance along the curb line to five feet back of curb.

Street Maintenance

- The Town of Monument through Rich Landreth, Public Works Director, will perform the routine street maintenance for the District. Work will include routine roadway inspections for asphalt wear and crack sealing and/or repair will be completed as necessary per allocated budget dollars. A 5-year paving and maintenance program will be developed to help guide the TBD in future budget hearings.

Utility Billing

- The Town of Monument under the supervision of Pam Smith, Town Treasurer, will hire the two clerks currently with Triview to continue their role in Utility billing and collection.

Phase III – Transition Period Winter 2009-2010 November 2009 through March 2010)

Snow Plowing

- The Town of Monument through Rich Landreth, Public Works Director, will perform the snow plowing and street sweeping maintenance for the District. Work will include mowing, weeding and trail maintenance for the Districts neighborhood parks and landscape areas adjacent to Lyons Tail and Leather Chaps. Areas which are not currently landscape will have weed control maintenance along the curb line to five feet back of curb.

Assistance in preparation of 2010 Budget

- The Town of Monument will provide to the TBD anticipated costs needed for the operations and maintenance of the District as outlined above. It is anticipated that the O and M funds will be derived strictly from Triview's share of the sales tax revenue. The Town will do everything feasible to work within the constraints of these dollars, in order to allow the TBD to utilize the property tax dollars to pay debt or to fund capitol improvement projects

Transition Monitoring

- Triview Board member to sit on Monument Board of Trustees as ex-officio non-voting member
- Small committees to report on individual topics: Water and sewer, streets, landscape and parks, budget.

- Joint dinner meetings (monthly or quarterly) between Triview Board and Monument Board
- Monthly reports from Monument department managers (Landreth for public works, Smith for budget and personnel, Kassawara for engineering and inspections, Green for overall)
- Joint meeting between water attorneys and water engineers
- Joint meeting between board attorneys and Jim Hunsaker

ANNUAL SAVINGS (COSTS) FROM PHASE ONE TRANSITION

budget item	2008 approved	2009 savings	total savings (cost)
Salaries and benefits	\$ 497,289.00	\$ 288,289.00	\$ 288,289.00
legal fees - Susemihl	\$ 80,000.00	\$ 70,000.00	\$ 70,000.00
legal & engineering water	\$ 52,000.00	\$ 46,000.00	\$ 46,000.00
Engineering Services	\$ 85,000.00	\$ 80,000.00	\$ 80,000.00
Inspection Services	\$ 110,000.00	\$ 110,000.00	\$ 110,000.00
Water operations	\$ 504,230.00	\$ 504,230.00	\$ -
TOTAL			\$ 594,289.00

ANNUAL SAVINGS (COSTS) FROM PHASE TWO TRANSITION

budget item	2008 approved	2009 savings	total savings (cost)
Landscape/Mosquito control	\$ 196,875.00	\$ 86,000.00	\$ 86,000.00
Street Maintenance	\$ 299,425.00		
Water Billing			

ANNUAL SAVINGS (COSTS) FROM PHASE THREE TRANSITION

budget item	2008 approved	2009 savings	total savings (cost)
Snow Plowing/Street Sweeping	\$ 165,500.00		
Prepare 2010 Budget			