

Jackson Creek by boosting the pressure currently created by gravity throughout the distribution below the Promontory Pointe water tank. The total time in the contract for construction of the booster pump station is 25 weeks.

**Operations report**

Water production in July was a record high of 36.5 million gallons, 14.3 percent higher than last year. The landscaping project on Kitchener Way between Bridle Ridge Drive and Chesapeake Avenue has been completed.

The board approved a plan for a minor upgrade of the landscaping, building appearance, and fencing around water treatment plant A at 460 Oxbow Drive. The cost for the upgrade will not exceed \$3,500. A wooden screening fence will be built by the staff, the building will repainted, plantings will be replaced, the broken concrete in the sidewalk would be repaired and a concrete driveway between Oxbow Drive and the front fence would be built.

Board President Robert Fisher rejected Triview Operations Supervisor Nick Harris's recommendation to construct a concrete driveway that would support 18-wheel tractor trailers all the way through the water treatment plant lot from Oxbow Drive to Kitchener Way to simplify maneuvering by these large vehicles. Fisher said no improvements would be made inside the fence at this time, until he has a chance to discuss his views on what the interior hardscape should look like with Harris.

The board tabled Harris's proposal to purchase of \$5,000 of 1.5-inch decorative rock to replace mulch throughout the district. The cost of the rocks was \$25.90 per ton.

The board approved a proposal from I&C Design to rebuild the district's broken primary supervisory control and data acquisition (SCADA) computer that controls the district's water treatment plants for a not to exceed amount of \$2,500, including a full image backup and incremental backup capability. The backup SCADA computer is currently operating the system.

The board approved a \$27,732 contract with PSF Co. LLC of Colorado Springs for performance of priority curb and gutter repairs to 25 locations within Jackson Creek. Proposed repairs at 27 other locations were deferred until next year. The deferred items are not expected to become safety problems during the delay.

Triview's water attorney, Chris Cummins of Felt, Monson & Culichia, recommended that the board approve a water lease agreement to sell the district's excess wastewater effluent to the Arkansas Groundwater Users Association and authorize Remington to execute this agreement as written at a price of \$100 per acre-foot for the remainder of 2012. The lease would have a clause for five one-year renewals with sale terms to be negotiable each year. An acre-foot is 325,581 gallons. The district currently has an average of about 20 acre-feet of effluent to sell each month. The agreement was unanimously approved.

Cummins also distributed a working draft of a resolution to amend Triview's order of inclusion concerning the Sanctuary Pointe property. This parcel was previously called the Baptist Camp. Sanctuary Pointe is adjacent to the east side of Promontory Pointe on the north side of Baptist Road, which was formerly called Baptist Camp Road. He said the water infrastructure agreement that Triview has signed with Classic Homes as part of the replat of Promontory Pointe included a requirement that

Triview amend the Sanctuary Pointe order of inclusion document to take out the provisions regarding reimbursable cost for water infrastructure. This change by Triview is in return for Classic agreeing to charge homebuyers an additional \$1,000 at closing for a new home through new wording in the revised Promontory Pointe agreement as part of the replat, then pass these \$1,000 fees on to the district to help pay for the Promontory booster pump system. The words to be removed from the Sanctuary Pointe requirement are "duplicative" to the new words in the Promontory Pointe documents.

Remington asked the board for guidance on how to communicate to board members regarding draft meeting agendas. Fisher said he would talk to Remington "off-line" about how he wanted to communicate with her. Remington then stated that she would conduct all communications between Triview board meetings regarding district operations and drafting agendas only with Fisher, by email.

**Public comments**

Monument Town Treasurer Pamela Smith has been serving as Triview Metropolitan District's treasurer for about three years. When the intergovernmental agreement that called for the town to provide management and water operator services to Triview was cancelled this spring, Smith continued to act as treasurer as an independent contractor, performing her customary services under the company name Smithfield Consulting Services.

On Aug. 14, Smith tendered copies of a letter of resignation that gave 60 days of notice, effective Sept. 1. Her letter stated that she would continue to act as Triview's independent contract treasurer through Oct. 31 and would present her normal financial reports at the September and October board meetings. Her letter also offered to have her help facilitate the transition of a new Triview treasurer, if requested, on an hourly basis at her current independent contract rate of pay. She thanked the board for the opportunity to serve Triview's residents.

Resident Lynn Myers thanked the board "for the lovely work that's been done on the greenbelt at Kitchener (Way) and Bridle Ridge (Drive)." Myers said she also wanted to acknowledge the hard work by three Triview employees: Operations Supervisor Nick Harris and Water Operators Larry Bennett and Glenn Butts who "have been very attentive to make sure what is planted will grow."

Her husband Dale Myers also thanked the board members and asked about fertilizing of the older landscaping along Kitchener Way by Leather Chaps Drive, and the older deciduous trees that have already died. Fisher replied, "We're working on a multi-year landscaping plan to address needs across the district." The staff will see how the new seed type and soil preparation works out and if it is a good basis for future work in other parts of the neighborhood, a longer term process. The dead trees "will also be addressed."

Resident Linda Aldridge also thanked the board members for the greenbelt upgrade.

Resident Mike Quinn asked if a full-time manager had been hired so residents could have a district point of contact who could answer their questions other than Fisher only during public comment at a board meeting. Fisher replied that Valerie Remington had been hired as district manager. Remington gave Quinn copies of her new business cards.

The meeting went into executive session at 6:20 to receive legal advice from Cummins regarding pending and threatened litigation. Director Steve Cox said he wanted to talk to Fisher during the executive session about an

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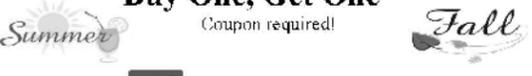
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