

**MSD (Cont. from 18)**

it had been two years since the pump was cleaned, he recruited A-1 Pumping to clean it. Ultimately the faulty wiring was the problem. Parker said the electrical upgrade has been completed, and he intends to get all the lift stations on a six-month maintenance rotation.

Parker has had several conversations with the owner of Black Forest Foods, who intends to install an outdoor cooler to store and sell liquor. He was just approved for a liquor license by the town of Monument Board of Trustees. Parker said the restaurant owner intends to size the refrigerated unit under the district's guidelines.

Parker asked the board to approve spending authority for him. The board agreed to write into the standard operating procedure to allow the manager

to spend up to \$5,000 to take action on district operations. Jim Kendrick, MSD Environmental/Regulatory compliance coordinator, urged the board to trust in their manager's experience and judgment.

Parker and Administrative Assistant Cheran Allsup will be scanning documents that are currently stored in the shed. Some will be thrown out to provide more space in the shed. Then, Parker will organize the storage shed, and he intends to purchase more storage units using the existing budget.

**Audit approval postponed**

As the board reviewed the audit, it became clear the vote to approve it would need to be tabled. A minor error in calculations of tap fees was found that needs to be fixed. The audit reviewed at this meeting did not include the standard synopsis. Chairman Dan Hamilton said if it is a typical part of the audit, it should be included.

Kendrick recommended the auditor talk with Parker and Allsup before next month's meeting to ensure they can communicate any issues to the board.

The audit will be reviewed at the next meeting. It must be filed by the end of July.

The meeting adjourned at 11:10 a.m.

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Monument Sanitation District meetings are normally held at 9 a.m. on the third Wednesday of the month in the district conference room at 130 Second St., Monument. The next regular meeting is scheduled for July 21 at 9 a.m. See <https://colorado.gov/msd>. For a district service map, see <https://colorado.gov/pacific/msd/district-map-0>. Information: 719-481-4886.

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**Triview Metropolitan District, June 17****Board decisions continue water progress and potential road collaboration**

By Jennifer Kaylor

At its June 17 meeting, the Triview Metropolitan District Board of Directors conducted its executive session before opening the regular meeting to the public, which occurred at the normal 5:30 start time. Once directors moved into the regular session, District Manager Jim McGrady dived into several action items that required review and consideration by the directors. Two items pertaining to development within the district included a commercial district overlap resolution and a road-improvement funding agreement.

McGrady also presented bids received in response to the district's request for proposal advertisement that had been announced at the previous board meeting, as well as a mining agreement and various easement agreements that advance the district's water supply vision.

All board directors and general counsel George Rowley attended the meeting either online or in person. Director James Otis and water attorney Chris Cummins were excused.

The June 17 agenda and board meeting packet may be accessed via <https://triviewmetro.com/wp-content/uploads/2021/06/Agenda-6-17-21-Triview-Final.pdf> and <https://triviewmetro.com/wp-content/uploads/2021/06/Triview-Board-Packet-for-6.17.2021.pdf>, respectively.

Triview is a Title 32 special district in Monument that provides road, parks, and open space maintenance, as well as water, stormwater, and wastewater services to Jackson Creek, Promontory Pointe, Sanctuary Pointe, and several commercial areas.

**Overlap commercial district considered**

Developers of the Conexus Business Center requested Triview's consent to form a commercial metropolitan district whose boundaries and services would overlap Triview's boundaries and services where the Conexus property lies sandwiched between I-25 and Old Denver Highway. Forming a commercial district would provide Conexus with a financing mechanism to fund public improvements such as utilities infrastructure and road development and improvement.

Rowley discussed the associated resolution 2021-06 and an overlap consent agreement. If Triview directors approved the resolution, they would consent to Conexus forming the overlap commercial district. The overlap consent agreement spelled out Triview's expectations in greater detail. Rowley conveyed that two terms of the agreement were potentially problematic for Conexus: a two-year warranty of road and utility improvements and a requirement that Conexus seek written consent from Triview if the proposed commercial district wanted to change its boundaries.

McGrady discussed a possible compromise for the warranty term, explaining that utilities are generally used robustly during their first year and typi-

cally reflect the quality of construction by the end of that year. It is common to have a one-year warranty on pipes, he said. Roads, on the other hand, may not receive enough traffic to show construction quality, so a two-year warranty is standard. McGrady recommended allowing a one-year warranty on the utilities but maintaining the two-year expectation for road warranties.

Directors' discussion pertaining to the boundaries term centered on possible impacts on Triview's current services if Conexus were to annex additional property. They expressed concerns that potential boundary changes might expand Triview's maintenance responsibilities and costs. Ultimately, the board created the caveat that Conexus must submit boundary changes to the district manager as the point of contact and decision maker. The board approved the resolution and overlap consent agreement subject to the changes discussed.

McGrady confirmed that Conexus representatives planned to attend Triview's July 22 board meeting.

**"Domino" road financing strategized**

Discussions regarding improvements to Higby Road graduated to a financing agreement between Triview and Creekside Developers that McGrady presented for board approval. He explained that the agreement would establish a revenue stream to improve the road from its juncture at Jackson Creek Parkway (JCP) through Jackson Creek filing Nos. 3 through 6 and Home Place Ranch. Triview committed a portion of its road and bridge fees to the improvement project. Creekside would finance almost \$4 million with an initial \$2 million being placed into a Triview-accessible escrow account by late July.

McGrady described the sequence of steps that must occur for the project's successful initiation. Much like one domino falling upon another, the entire project hinges on Higby Road—which is El Paso County property—being annexed into the Town of Monument and included into Triview. McGrady confirmed that El Paso County engineer Jennifer Irvine expected to file the annexation petition with the Town of Monument at the June 22 El Paso Board of County Commissioners meeting.

Once filed, the Town of Monument would need to accept the annexation petition, which will include Higby Road into Monument. Next, the Town of Monument would petition Triview for the metro district to include the road into its boundaries, then Triview would need to accept the inclusion. If all the pieces fell into place, McGrady estimated that the Triview board could approve the Higby Road inclusion at its August board meeting. If the sequence were not completed by Sept. 30, the escrow funds would be returned to Creekside, and the entire process would begin again.

McGrady characterized all involved parties as being highly motivated to achieve their respective goals. The Triview directors approved the financing agreement.

**I-25 underground bore bid awarded**

The district received three bids for the I-25 bore and pipeline project, which is one of many components in the district's efforts to create a potential regional drinking water delivery system—known as the Northern Delivery System—to northern El Paso County water districts. This section of pipeline would go from

the west side of JCP, under I-25, cross to the northern part of the Conexus development, and stop just east of Old Denver Highway. See related article at <https://www.ocn.me/v21n6.htm#tvmd>.

Native Sun Construction submitted the lowest bid at \$490,049 with about \$307,000 going toward the actual bore and the remaining \$182,000 funding the pipeline. Expressing confidence in the costs, McGrady stated that Native Sun had received a competitive pipeline bid from one of its suppliers and that the board's approval time for the proposal was imperative to locking in the prices. He praised the pipeline project for its hydraulic benefits in moving water up a steep grade, potential to expand development in the area, and the possibility for other water districts to connect to the Northern Delivery System. The Triview board voted unanimously to approve Native Sun Construction's proposal and award it the contract.

**Mining contract obtained**

The Central Reservoir, one of the reservoirs that comprises Triview's Stonewall Springs Reservoir Complex water storage facility, has the potential to be mined and provide additional revenue to the district. McGrady presented an agreement for a 20-year gravel property lease with Fremont Paving and Redi Mix Inc. for mining the Central Reservoir.

The agreement would provide lease revenue of \$540,000 per year, \$40,000 per year for overburden (natural materials that are removed to gain access to the mined materials), and a potential \$500,000 per year for the sand and gravel. The lease incorporated increased royalty payments if the mining occurred at a faster rate than the anticipated 20-year term. McGrady estimated the total potential funds generated by the mining to be in the \$10 million to \$11 million range, about half of which could be dedicated to the necessary construction of a slurry wall at the Central Reservoir.

The agreement encompassed several important factors, said McGrady. It provided Triview with an extra source of revenue, it initiated overall construction at the Central Reservoir, and put construction of the slurry wall onto the calendar for 2022. He anticipated that mining would commence in 2023 and confirmed that Fremont had authorized the agreement. McGrady requested authorization from Triview's board to sign as well. Directors approved the agreement and authorized McGrady to sign.

**Easements received**

Directors reviewed four separate easement agreements associated with the Stonewall Springs Reservoir Complex. One agreement allowed for the building of a spillway at the East Reservoir. This step was missed due to timing when the Stonewall purchase closed, but \$300,000 in escrow remained available for the district to build the spillway. A second easement agreement addressed the proximity of a power pole to a dam at the South Reservoir and allowed for the pole to be moved.

The final two agreements pertained to adjacent properties at the Central Reservoir that created a 70-foot easement running from Highway 50 to the Arkansas River. By gaining these easements, Triview would be able to establish that it could either pump or gravity-flow water to the Arkansas River—a contingency for state approval of the Central Reservoir. The directors approved all easement agreements.

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