

Triview Metropolitan District, March 3 and 20

Bond ballot language, Conexus improvements approved

By Natalie Barszcz

The Triview Metropolitan District (TMD) board held a special meeting on March 3 to approve the language for the proposed bond question for the May 6 ballot/election relating to the Higby Road improvements. The board heard that four residents are on the ballot for election in 2025 for three seats and approved a resolution with Conexus to make improvements to the proposed west Monument development. An executive session was held to discuss the Northern Monument Creek Interceptor (NMCI), and the Upper Monument Creek Regional Wastewater Treatment Facility (UMCRWWTF).

At the March 20 meeting, the board heard about the district's water supply, a flume replacement planned for the UMCRWWTF, and the ongoing investigation into produced water loss. The board also approved a water backflow policy and the sub-District A 2025 budget, accepted a petition for inclusion of property, and discussed an economic incentive policy. An executive session was held to discuss economic incentive agreements.

Treasurer/Secretary James Barnhart was excused from both meetings.

Bond question approved

District Manager James McGrady said the district will call an election on May 6 for

Resolution 2025-03, an amended and restated resolution of the board of directors, amending Resolution 2024-14 calling an election for the issuance of bonds to fund improvements to Higby Road. The debt would increase by \$12.6 million with a maximum payment of \$25.25 million with 30-year general obligation bonds, with a maximum interest rate not to exceed 5.20% per annum.

The annual payment will be about \$835,000, repaid with revenue drawn from the previously voter-approved 7 mills (ad valorem/property taxes based on property tax value) pledged for operation and management on Nov. 3, 2020, and additional road and bridge fees derived from the sale of homes, and some of the sales tax reimbursement from the Town of Monument.

The passing of the ballot measure will allow the district to borrow funds (without raising taxes) to complete the project. The proposed improvements to Higby Road will address safety concerns, increase traffic flows, including improved curb and gutter, sidewalks, turn lanes, storm drainage, pedestrian crossings, improved access to Lewis-Palmer High School, and enhanced emergency vehicle access to existing homes and subdivisions, said McGrady.

The board approved the ballot question in a 4-0 vote.

District general counsel George Rowley reminded the district staff that further convincing of the public by district employees and/or using district funds to distribute information in favor of the ballot question was now prohibited; but board directors can talk about the upcoming ballot question and convince residents by providing information. Any director spending funds to promote the ballot question must report the expenditure to the state. An aerial rendition and detailed information about the project can be found at: <https://triviewmetro.com/projects/higby-road-improvements/>.

Director Jason Gross pledged to write a pro-statement for the blue book election guide.

Teachout Creek Crossing improvements

McGrady said an agreement was requested by Schuck Chapman Companies Inc. to help fund a crossing over Teachout Creek. Conexus has settled three lots, and a pipeline needs to be installed across Teachout Creek to serve the sold properties, but the work can only take place in the Preble's meadow jumping mouse habitat between Nov. 1 and April 30 when the mouse is dormant. In anticipation of beating the sleeping mouse timeline, it became obvious that the approved Conexus Metropolitan District (CMD) could not issue bonds in time.

TMD was approached and was asked to fund the project for a few months until May/June 2025, when the district will be reimbursed. It is a lucrative deal for the district to gain the tap fees and the road and bridge fees, and the district should try to facilitate the pipeline construction to allow development to occur in the CMD, McGrady said. Assurances are built into the agreement to ensure the district is reimbursed, he said.

Rowley said the district will use the funding to construct the crossings and sewer lines, dealing with the contractor under the district's name, and upon completion the district will be reimbursed. CMD will issue bonds this year to pay for the improvements made by TMD. But with uncertainty over the market and the timing of when bonds can be issued, a consensual lien is built into the contract on 22 acres (under contract for almost \$7 million) in the Conexus District 1. CMD and the developer Conexus LLC will be under contract to pay the bond proceeds of \$825,000 to TMD when the bonds are issued, at a date no later than August 2025. The infrastructure at build-out will belong to TMD, said Rowley.

In a 4-0 vote, the board approved the Teachout

Creek Crossing Improvements Agreement by and between TMD and Conexus Metropolitan District No. 1, and Conexus LLC, a Colorado limited liability company, the property owner, and authorized McGrady to sign the agreement.

2025 board election

McGrady said the district has four candidates running to fill three board positions that will be vacated when term-limited Directors Barnhart, Mark Melville, and Anthony Sexton relinquish their seats after serving the district for eight years. The following candidates will be on the ballot on May 6 to serve a four-year term: Erik Demkowicz, John Gibbons, Ann-Marie Jojola, and Mike McEwen. Biographies for each candidate can be found in the March/April newsletter mailed to residents and at www.triviewmetrodistrict.com.

Note: Demkowicz and Jojola attended the March 20 meeting.

Financial update

The board approved the January financial report and 22 checks over \$5,000 through February 2025, and 15 through March 20.

McGrady said February was a "bit of a shocker" with over \$2.6 million in expenses. Of note was almost \$1.365 million for the Creekside Development that is part of the district's agreement with the developer, and the annual payment of \$564,393 to Colorado Springs Utilities (CSU) for the availability service fee that is financed over 25 years for about \$9 million, and the permitting for the new district building (land and design site plan and development fees) to the Town of Monument for \$6,500. It was an expensive month with some one-time expenses and large annual payments, but the cash balance is "coming back up" and as of Feb. 28 was about \$11 million including reserve funds, said McGrady.

Executive session

The board moved into an executive session at 6:17 p.m., pursuant to Colorado Revised Statutes (CRS) section 24-6-402(4)(e), for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations as it relates to potential participation in the NMCI and the UMCRWTF.

No action was taken after the meeting returned to the regular session. The board promptly adjourned at 6:49 p.m. on March 3.

Water delivery update

At the March 20 regular meeting, McGrady said the district had pumped through the 409-acre feet of leased water from Pueblo Reservoir that was delivered to the district customers via the Northern Delivery System (NDS). The district is now pumping first use Fountain Mutual Irrigation Co. water. There is a lot of talk about the Pueblo Reservoir spill from annual snowpack melt, with the critical level days being April 15 and 30. The district has 1,588 acre-feet in the south reservoir, and it will spill at 1,630-acre feet.

The district has been anticipating a fairly good chance of spill this year and has been moving water to create storage space, McGrady said. CSU continues to deliver the district's water through a complex exchange of water rights through Pueblo Reservoir every month. With the district tied into the CSU system, and with access to terminal storage in Rampart Reservoir, the district has an infinite renewable water supply, he said. If well water is used as a supplement, it also becomes renewable, said McGrady.

Flume replacement

Assistant Manager Steve Sheffield said the ongoing issue of excess water leaving the UMCRWWTF is more than the district actually inputs. The district hopes to resolve the issue by replacing the existing 6-inch flume with a 9-inch flume, said Sheffield.

Water loss upswing

Water Superintendent Gary Potter said an upswing in water loss had occurred with a 2.6-million-gallon loss in January and a 2.8-million-gallon loss in February. After examining the perceived versus actual water produced figures, the B Plant production meters, the search for leaks in the system, and knowing the NDS is 99.8% accurate, the accounts were checked and the focus is to continue updating the commercial meters to discover if that could be the cause of the water loss, said Potter.

Petition for inclusion

McGrady requested the board consider accepting a petition for inclusion of land between Elite Properties of America Inc., dba Classic Homes, and TMD. The 67-acre property is located in unincorporated El Paso County, off West Baptist Road, and is known as the Dellacroce Ranch LLC. The developer proposed homes of various sizes to include large lots and affordable housing. The district would not be burdened by supplying water and wastewater services to the development, said McGrady.

Rowley said board approval of the inclusion of property can occur only after a public hearing that will be scheduled at a later date.

The board accepted the petition for inclusion.

Other approved resolutions

The board also approved Resolution 2025-04, a

water backflow policy, and Resolution 2025-05, the subdistrict A budget. The 2025 budget has a zero balance with no mill levy for 2025.

Economic development incentive policy

The board reviewed and considered resolution 2025-05 to adopt an Economic Development Incentive Policy but decided to table further discussion after Vice Chair Anthony Sexton said the language and numeric parameters were too restrictive and discriminatory, and the policy as written could work against the district. The policy is subject to revision by the general counsel, the water counsel, and McGrady before being presented to the board again.

Executive session

The board moved into an executive session at 8:19 p.m. pursuant to Colorado Revised Statutes section 24-6-402(4)(e), to discuss economic incentive agreements.

Sheffield confirmed to this reporter that when the board moved back into the regular session, no action was taken and the meeting promptly adjourned at 9:47 p.m.

Meetings are usually held on the third Thursday of the month at the district office located at 16055 Old Forest Point, Suite 302. The next regular meeting is scheduled for April 17 at 5:30 p.m. For meeting agendas, minutes, and updates, visit <https://triviewmetro.com>.

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