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The next JUC meeting will be held at 10 a.m. on Nov. 13 at the Tri-Lakes facility's conference room, 16510 Mitchell Ave. Meetings are normally held on the second Tuesday of the month. Information: 481-4053.

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Triview Metropolitan District, Oct. 9

# Handling of consent items and Sanctuary Pointe lot discussed

By Jim Kendrick

On Oct. 9, Triview Metropolitan District Board President Bob Fisher noted that there will now be a new agenda item: "Approval of Consent Agenda." He said it typically will include "status-type items" such as the staff operations report, which won't be discussed during the meeting. Directors were urged to read these staff reports before board meetings.

"If there's a month that comes up where there's something on there you absolutely want to be discussed in the public session, then you would ask for it to be moved off the consent agenda onto the regular agenda," Fisher said. "Just about all that stuff in there is stuff you could call staff (about) any day of the week to discuss outside of the meeting."

The board also had a lengthy technical discussion with President Joe Loidolt of Classic Homes about a lot he owns in Sanctuary Pointe. Loidolt proposed building a new home for himself on this lot, after de-annexing his lot from the town of Monument. He also proposed temporarily using water from an existing nearby town well on the Sanctuary Pointe parcel for his new home in El Paso County until Triview can provide water to his de-annexed lot.

All five directors were present.

### Consent agenda procedural issue raised

Director Steve Cox asked Fisher if he considered the 27-page agreement with the Colorado Department of Transportation (CDOT) regarding the widening of I-25 and relocation of a Triview manhole a consent agenda item that should not be discussed by the board. Fisher replied, "All you have to do is request to have it moved off the consent agenda." District Manager Valerie Remington said a decision was needed by the middle of November.

Operations Manager Nick Harris said the staff did not expect a board decision on the CDOT agreement until the Nov. 13 board meeting. Cox said he wanted to discuss this item. Cox and Director Steve Hurd then asked staff members some questions, but said they did not need the answers until the next board meeting. The CDOT agreement was not discussed further.

Fisher asked each board member to email individual feedback and their questions on the proposed CDOT agreement to the staff before the next board meeting. He said he didn't want a discussion of the matter at this meeting because it wasn't on the regular agenda as a decision item. He reiterated that "asking of questions does not have to occur at a meeting." There should be no discussion of the agreement because it was not explicitly listed on the agenda as a decision item on a formal agreement.

Triview attorney Gary Shupp said if there was a published and noticed consent calendar with a formal list of consent items, any of the consent items could be moved to the regular calendar by any director. He said the CDOT I-25 utility agreement should have been explicitly listed on the regular agenda as an information item so that it had received sufficient public notice and could be discussed. Fisher said the CDOT agreement would be on the regular Nov. 13 agenda for approval.

### Sanctuary Pointe agenda item dropped

Remington noted that she had mistakenly posted the wrong resolution document for public notice regarding an agenda item on an amendment of "the order of inclusion

of the district concerning Sanctuary Pointe." Shupp said that would be a problem, because there was no publication of this agreement in the public meeting notification. Fisher said he would strike this agenda item.

Triview water attorney Chris Cummins added that he had not heard back from Classic Homes CEO Doug Stimpel about whether Classic had approved the proposed revisions to the resolution that was to be discussed at this meeting. Cummins said this agenda item should be rescheduled for the November board meeting for this reason as well. Classic Homes owns the land in both the Promontory Pointe and Sanctuary Pointe subdivisions.

### Classic Homes President proposes de-annexation of his Sanctuary Pointe lot

Joe Loidolt, president of Classic Companies Inc., asked for clarification of the removal of his agenda item and what he needed to bring to the Nov. 13 meeting. Cummins said the board "approved a resolution as to form" at the previous board meeting and Loidolt was bringing back a list of changes that he'd prefer for discussion with the board.

**Background:** At the Aug. 14 Triview board meeting, the board unanimously approved a motion to allow Loidolt to use a well and septic system for a home he wants to build on an individual lot in Sanctuary Pointe until Triview provides water and sanitary sewer services to the area where he will be building. Loidolt would have to pay the applicable tap fees when Triview water and wastewater services become available and connect to the new Triview infrastructure. The board unanimously approved a motion on Aug. 14 to have Remington execute the proposed inclusion agreement for this temporary use once all the other parties had approved it.

Cummins discussed Loidolt's new issues and the changes he had planned to ask for during the Oct. 9 discussion of his cancelled agenda item. Some of the items Cummins noted were:

- Loidolt had assumed he could get an exception to the town code requirement that all lots should be served by a public water and wastewater system.
- Loidolt did not know there had been a minor alteration to the town code that had eliminated the ability to obtain an exception to this rule to allow him to use water from a well on another lot.
- Loidolt would be moving forward on seeking de-annexation of his lot from the town of Monument.
- Loidolt will be expanding the size of his lot in the still existing county plat for the Sanctuary Pointe parcel from 3.4 acres to approximately 5 acres.
- Loidolt will seek approvals for building his new house through an El Paso County planning process rather than a Town of Monument process, while still keeping his lot included in the Triview special district.
- Loidolt will still seek a temporary resolution from Triview to allow him to use individual well and septic until Triview water and wastewater services become available to his lot.

Under the conditions of the currently approved Sanctuary Pointe sketch planned development site plan approved by Monument and the conditions in Classic's existing water rights agreement with Triview, all water rights for Sanctuary Pointe must be deeded to Triview if any portion of the Sanctuary Pointe development becomes subject to a final town plat. In his original proposal, Loidolt would have had to obtain town approval for a final plat of his lot so he could construct his new home. The town plat approval would have required Classic to deed all its Sanctuary Pointe water rights to Triview.

Cummins noted that these existing agreements pre-

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