

**SPECIAL MEETING MINUTES OF THE BOARD OF DIRECTORS OF
THE FOREST HILLS METROPOLITAN DISTRICT**

October 23, 2024 - 5:30 p.m.
Held via conference/Zoom call

ATTENDEES Directors present: Craig Weinberg, Michael Oakley, Victor Robert, David Blue and Mike Zinniker
Others present: Dave Lewis and Mike Menke (Direct Discharge - DD), Nick Marcotte (Element Engineering - EE), Ronda Zivalich (MAPs, Inc.) and Nickie Holder (NMHolder Financial, Inc.)
Residents present: None
Guests: AJ Beckman (Public Alliance), Nick Moncada (Public Alliance), Austin Hamre (HROP) and Alan Leak (RESPEC)

QUORUM The meeting was called to order by Chairperson Weinberg, at 5:36 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE

Director Robert arrived at 5:39 p.m.
Alan Leak arrived at 5:41 p.m.
Dave Lewis, Mike Menke, Nick Marcotte and Nick Moncada left at 6:08 p.m.
Director Oakley left at 7:26 p.m.
Austin Hamre and Alan Leak left at 7:27 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: October 23, 2024 – No changes.
- B. Minutes: September 18, 2024 – No changes.
- C. RESPEC/HROP Due Diligence Report on Water Rights (Alan Leak/Austin Hamre): Discussed in Executive Session (see Item 8).

2. REPORTS

- A. Operator's Report: The Operator's report was submitted in the board packet for review.
 - i. Ted Laves Request that FHMD Adjust the District's PRV Output Pressure – The valves were tested at an approximate output pressure of 80 to 85 PSI, which is well within the acceptable range. Mr. Laves will be notified of the results and the Operator's recommendations for settings.
 - ii. Comprehensive Storage Tank Inspection – Mr. Menke recommend that the Board use Inland Potable for the inspection. The estimated cost is \$3,000, which is within Ms. Zivalich's approval limit. Ms. Holder reviewed the 2024 budget and informed the Board that funds were available for this inspection.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's report was submitted in the board packet for review.
- i. Pond 5 Culvert Project – Eastwood Hold Open Questions/ Signage – Update - The project was underway and Noble had mobilized and taken delivery of piping. The full closure of Forest Hills Drive began on Monday, October 28, 2024. Weekly progress meetings continued to take place on Thursdays at 4:00 pm.
 - ii. Review and Repair Opinion of DRC Videos of Concern: DRC provided a proposal for sewer line repairs in the amount of \$52,874. The 2025 budget currently had \$65,000 for this project. Prior to approving the proposal, the Board asked the Budget Committee to meet one more time before the November meeting to discuss this and other recently noted expenditures for 2025.
- C. Manager's Report: The Manager's report was submitted in the board packet for review. No comments.

3. FINANCIAL MATTERS

- A. Claims: Through September 2024. Submitted in the board packet for review. No discussion.
- B. Financial Statements: Through September 2024. Submitted in the board packet for review. No discussion.
- C. 2023 Audit: Director Oakley asked if the auditor's comments had been received as it was not distributed to the Board. The 2023 audit was approved at the September meeting contingent upon review of the auditor's comments. Ms. Zivalich asked if the audit had been filed with the State by the extended deadline of September 30. Ms. Holder would follow up with the auditor and report back to the Board as soon as possible.
- D. Enterprise Fund Discussion/Review of Attorney Memorandum: At the September meeting, the Board decided against consolidating the General and Water & Sewer Enterprise funds, thereby eliminating the enterprise fund. Director Oakley pointed out that the Board could move forward with issuing revenue bonds as a source of income without going out to the homeowners for a vote.
- E. 2025 DRAFT Budget – Update: The Budget Committee will meet prior to the November 2024 board meeting to make a final review of the budget. A final 2025 budget draft will be sent to the board prior to the next meeting.

4. HOA MATTERS

- A. HOA Matters: No updates.

Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the consent agenda.

REGULAR AGENDA ITEMS

5. PUBLIC COMMENT – NON-AGENDA ITEMS

No comments.

6. OLD BUSINESS

- A. Park Upgrades – Update: Chairperson Weinberg, Director Blue and Nikki Patrick met with Alpine Landscaping to talk through the details of the park project. Flatirons, Inc. has provided a proposal to survey the park area at the cost of \$5,200. It was recommended that the gravel road at the west end of the park also be included in the survey and the boundaries of the entire parcel be marked in a durable manner. Upon **motion** by Chairperson Weinberg, duly seconded by Director Zinniker, and upon unanimous vote, the Board approved the survey to be completed by Flatirons for a sum not to exceed \$7,500.

Chairperson Weinberg asked Ms. Holder if the downpayment of 50% to Recreation Plus in 2024 would be an issue. Ms. Holder agreed to provide a breakdown of year-to-date expenditures for the park in a separate email for discussion. Ms. Zivalich was asked to contact the insurance company regarding safety requirements for insuring the new playground once it is completed. Chairperson Weinberg will contact Recreation Plus and/or Alpine Landscapes regarding any permits that need to be pulled.

- B. Fire Mitigation Grant – Update: Ms. Zivalich is working with the Genesee Foundation to apply for grant reimbursement.
- C. Shared Drives/Spring Flower Swale Road Work/Repairs/Walk-Through Estimates - Update: Atlas provided a bid for this work to be included in the 2025 budget. The budget committee will review Atlas' proposal before making a final recommendation to the Board. Ms. Zivalich would also approach EE to see if their new corporate arrangement would permit them to also provide a proposal.
- D. SCADA Issues – Update: The prior operator had turned off cell service to the SCADA system. DD immediately contacted a new service provider and worked with Ms. Zivalich to get the system back up in 24 hours.
- E. Hydrant Flush – Update: The hydrant flush was completed. Noted repairs will be accounted for in the 2025 budget.

7. NEW BUSINESS

- A. No new business

8. EXECUTIVE SESSION

Upon **motion** by Chairperson Weinberg, duly seconded by Director Zinniker, and upon unanimous vote, the Board approved entering into an Executive Session at 6:38 p.m., pursuant to Section 24-6-402(4)(b), C.R.S., conferences with attorney for the purposes of receiving legal advice on specific legal questions.

Upon **motion** by Chairperson Weinberg, duly seconded by Director Robert, and upon unanimous vote, the Board approved coming out of executive session at 7:34 p.m.

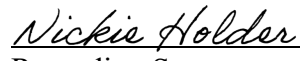
No action was taken.

9. ADJOURNMENT

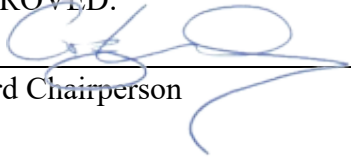
Upon **motion** by Chairperson Weinberg, duly seconded by Director Robert, and upon a unanimous vote, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time, the meeting was adjourned at 7:35 p.m. The next regular meeting is scheduled for November 20, 2024, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, OCTOBER 23, 2024, SPECIAL MEETING MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:



Recording Secretary

APPROVED:


Board Chairperson