

RECORD OF PROCEEDINGS

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

July 15, 2020, 5:30 p.m.

Mt. Vernon Country Club, 24933 Club House Circle, Golden, CO 80401

Held via conference/Zoom call (in addition to in-person)

ATTENDEES Directors present: Mike Swartzlander, Mike Oakley, Yvett Green, Gary Carson and Craig Weinberg
Others present: Cade Bertrand, Nickie Holder, Jordan Herzing, and Nick Marcotte.
Residents present: Jaime & Paige Baumgartner

QUORUM Chairperson Swartzlander called the meeting to order at 5:30 p.m., and noted a quorum was present.

CONSENT AGENDA ITEMS

- a) ADMINISTRATIVE MATTERS
 - a. Agenda: The Board accepted the July 15, 2020 agenda, as presented, with the understanding that contractors charging hourly and customers would be given top priority during the meeting to prioritize customer service and limit billable hours.
 - b. Minutes: The Board accepted the June 17, 2020 and June 29, 2020 minutes, as presented.
- b) REPORTS
 - a. Operator's Report: The Board accepted the Water & Wastewater Facility Operator Report, as presented.
 - b. Engineer's Report: The Board accepted the District Engineer's Report, as presented.
 - c. Manager's Report: The Board accepted the District Manager's Report, as presented.
- c) FINANCIAL MATTERS:
 - a. Claims: Through June 30, 2020. Submitted in the BOD packet for review
 - b. Financial Statements: Through June 30, 2020. Submitted in the BOD packet for review.

Director Oakley motioned to approve the consent agenda items. Director Green seconded; and the Board unanimously authorized payment of claims and approved all items, as presented.

REGULAR AGENDA ITEMS

- A. PUBLIC HEARING
 - a. 2020 Amended Budget – Director Swartzlander motioned to open the hearing for public comment related to the proposed 2020 Amended Budget, seconded by Director Oakley, the Board unanimously opened the floor for public comment. No public comments were shared, Director Oakley motioned to close the public hearing. Director Weinberg seconded; and the Board unanimously authorized the public hearing closed. The Board members discussed the changes included in the 2020 Amended Budget regarding election expense and the debt service interest payments. At some point later in the year additional amendments may be made. Director. Director Oakley motioned to approve the 2020 Amended Budget resolution as prepared. Director Swartzlander seconded; and the Board unanimously authorized the approval of the resolution.

B. ACTION ITEMS:

- a. Discuss communication channels and operational engagement – During Board discussion of the monthly claims for payment, the District Manager’s invoice and time spent during the month on District business was discussed. After some discussion by the Board, it was decided that purchase orders will be assigned to any invoices that the District Manager submits to the Board for payment that is outside the scope of the approved contract amount. Director Oakley will work on setting up a list of projects that could be used to code additional time to.
- b. Discuss Management responsibilities and time allocations
 - I. Review clauses 12 & 18 per Contract - In addition to discussion of the District Manager’s communication and invoicing with the District the amount of time currently spent on District operations was a topic of discussion. It is important that the Board is made aware of the amount of time spent each month and the to do’s need to be prioritized. The District Manager and the Administrative Assistant need to communicate and work together to ensure that all District related business is being efficiently taken care of. If the District Manager’s time spend on District business goes over his contracted amount, the Board Chairperson needs to inform. The District Manager and the Board members need to communicate to ensure that the time spent each month is being used efficiently with respect to operations and finances.
- c. Water and Sewer
 - I. Billing Issues
 1. 832 Willobe Way – Jaime & Paige Baumgartner attended the Board meeting to discuss the irregularities that have been occurring with their billing and meter in the past year. There was an adjustment posted to their billing account causing the usage to be incorrect monthly. They received an invoice showing 42k gallons of usage in May and 26k gallons of usage in June. Resident noted that WaterScope should be more accurate with the alarm notifications that it sends out to customers. District Manager to follow up with WaterScope regarding notifications. Director Oakley motioned to normalize the Baumgartner’s current bill to the prior month usage. Director Swartzlander seconded, and the Board unanimously approved.
 2. 22102 Chippewa Lane –
 3. FHMD- Recurring Leak Notification email abatement commitment –
 4. 849 Eastwood Drive Abatement request – After discussion by the Board, Director Oakley made a motion to approve the abatement request. Director Carson seconded; and the Board unanimously approved the request.
 - II. Sewer re-tap 874 Elk Park Drive – The sewer manhole needs to be re-tapped at this address; the District will not be charging the resident an additional tap fee of \$45,000 but will charge for the actual costs to perform the re-tap. Actual costs include work to be performed in addition to supervision by Element Engineering and District Management if necessary.
 - III. Clean and Video Work in 2020 – Director Oakley will forward the purchase order that he has set up with the current company to ORC and copy the District Manager on the email.
- d. Booster Pump Station
 - I. Discuss prospective bid schedule and advertisement timeline

1. Approve Element Engineering timeline –
2. CCC (general counsel) Review –
3. Bond counsel
 - a. Kimberley Crawford with Butler & Snow LLP engagement letter signed
4. Final contract documents
- II. CDPHE plan submittal & modifications
 1. Element is waiting on final bid schedule approval from District Manager and Board. After approval, Element will send final Construction Documents. CDPHE is expected a couple of days after.
- III. Discuss date the District wants to close on the loan – this date is pending.
- IV. Discuss Manager’s introductory conference call with Alan Leak of RESPEC
 1. Deferred maintenance/preventative maintenance
 2. Recommendations for management of the pump station going forward
- e. Xcel call about Well #8 – the Xcel meter has been misreading in Well #8 for about a year and a half, the Board has been informed by Xcel that the charges may be back billed.
- f. Master Planning Committee
 - I. Obtain board approval of draft financing rationale for homeowner outreach – after discussion by the board. Director Swartzlander made a motion to approve the financing rationale. Seconded by Director Carson; and the Board unanimously approved the rationale to be sent out to the residents.
- g. Roads
 - I. 2020 Roadwork
 1. Review Bid Tabulation & Budget Transfer Options – Board would like to negotiate with the contractor on the fees for the road work. Director Swartzlander made a motion to have Director Oakley negotiate with the Contractor for fees. Director Green seconded; and the Board unanimously approved the negotiations by Director Oakley. The Board discussed moving funds around in the adopted 2020 budget from one line item to another between the following line items: playground, road work, crack seal and fire mitigation.
 - II. Treetop Lane road damage – this damage will be taken care of during the paving project set to be done in 2020.
 - III. Boulder at Eastwood Drive & Shingle Creek – Board discussed putting bollards at this location as they are more effective.
 - IV. 968 Eastwood Drive drainage complaint – Resident attributes the damage in his home to a drainage issue by the District and would like the District to cost share in the cost of the repairs – after discussion no action was taken by the Board.
 - V. Road Sign (Eastwood Rd. & Solitude Rd.) – The sign has been corrected.
 - VI. Pavement evaluation – Three companies had been contacted to perform an evaluation as to whether the pavement in the District is structurally sound. One company drove around and said that there were shrinkage cracks but otherwise structurally sound. The second company wanted to charge the District prior to driving through the District and the third company gave a bit of \$3,600 prior to making any evaluation. The cost of the evaluation does not make sense to pay at this point. No action taken.
 - VII. HOA road stripping offer Eastwood, Willobe and Forest Hills Drive – HOA has offered to have the stripping done. The FHMD Board would like the HOA to get a quote from a professional stripping company rather than do the stripping

themselves. Director Swartzlander will take this topic offline with the HOA and update the Board at the August 2020 board meeting.

- VIII. Bollards replacement – The District received two quotes, one for \$778 from Evergreen Signs and a second one for \$400 from Colorado Greenspace. The Board discussed that alignment of the bollards is very important when placing the bollards. Director Swartzlander made a motion to accept the bid from Colorado Greenspace for \$400. Director Oakley seconded; and the Board unanimously approved the quote.
- h. Snow Plowing/Easement – Director Oakley gave an update on his search of easements. He paid to download the documents from the County website. He found that on Eastwood and Forest Hills Road there is a 30-foot easement with 2 feet on each side.
- i. Playground Repairs – Playground repairs are in process.
- j. District Credit Card – The new card has been received by the District Manager.
- k. Telecommunication Box Graffiti – The box has been painted.

Due to time constraints, the remaining items on the agenda will be discussed at the August 22, 2020 Board meeting.

C. ADJOURNMENT

Upon motion by Director Green, duly seconded by Director Oakley, and upon vote, unanimously carried, 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 8:42 p.m. The next regular meeting is scheduled for August 22, 2020, via conference call beginning at 5:30 p.m.

Respectfully submitted,

By: Nickie Holder, Recording Secretary

THESE MINUTES APPROVED AS THE OFFICIAL JULY 15, 2020 MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE.