

RECORD OF PROCEEDINGS

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

December 16, 2020, 5:30 p.m.
Held via conference/Zoom call.

ATTENDEES Directors present: Gary Carson, Michael Oakley, Mike Swartzlander, Craig Weinberg. Yvett Green was absent.
Others present: Ronda Zivalich (MAPs, Inc.), Jordan Herzing and Gabby Begeman (ORC Water Professionals), Nickie Holder (NMHolder Financial, Inc.) and Nick Marcotte (Element Engineering).
Residents present: Brian Urtel, Steve Burden and Danny Lavergne
Guests: None

QUORUM The meeting was called to order by Chairperson Carson at 5:30 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE
Jordan Herzing, Gabby Begeman left at 6:17 p.m. and Nick Marcotte left at 6:40 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes necessary.
- B. Minutes: Director Swartzlander asked that the November 18, 2020 minutes be changed to reflect the vote for section 5.c. – 2021 Water & Sewer Rate Hearing to be recorded at 3 to 0. Three directors voted for not increasing the water/sewer rates and two abstained.
- C. **Chairperson Appointment for 2021 First Half of Year**: Director Weinberg agreed to serve the Board Chairperson from January through June 2021; and the Board voted unanimously to appoint him as such.

2. REPORTS

- A. Operator's Report: The Operator's Report was submitted in the BOD packet for review. Jordan Herzing added clarification, regarding pond 6. The electrical outlet tripped on the pond 6 pump, causing the piping to the pond and the pond surface to freeze over. Once the weather warms up, ORC will be able to flush out whatever is causing blockage in the piping.

ORC has been performing some general maintenance at the plants, welding replacement hinges, as well as adding foam buster to their treatment effluent and fixing a sump pump that was broken.

The Board discussed an increase in the fees charged to customers for meter readings to compensate for the additional effort by ORC and District staff. Upon **motion** by Chairperson Carson, duly seconded by Director Oakley and upon vote, unanimously carried, the Board approved to increase the meter reading fee to \$20.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review.
- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review.

3. FINANCIAL MATTERS

- A. Claims: Through November 2020. Submitted in the BOD Packet for review. Nickie Holder let the Board know that there will be two additional checks paid this month that were not included in the Board packet, \$1,000 payment for the website update and a \$3,868 payment to Doors West for work completed during the repaving of Forest Hills Drive.
- B. Financial Statements: Through November 2020. Submitted in the BOD packet for review.
- C. ACH: Board discussed approval level of ACH payments. Upon **motion** by Director Oakley, duly seconded by Director Swartzlander and upon vote, unanimously carried, the Board approved ACH authorizations to be made by the Board Treasurer or Chairperson if the Board Treasurer is not available.

Upon **motion** by Director Oakley, duly seconded by Director Weinberg, and upon vote, unanimously carried, the Board approved the Consent Agenda items.

REGULAR AGENDA ITEMS

4. PUBLIC COMMENT (if any)

None

5. OLD BUSINESS

- A. ISI West Alarm Quote (Motion): Jordan Herzing clarified that the ISI West alarm system, that ORC has recommended be installed, requires a subscription for each individual unit. Upon **motion** by Director Oakley, duly seconded by Chairperson Carson and upon vote, unanimously carried, the Board approved the purchase of the ISI West alarm system for the Water Treatment Plant, as discussed at previous board meetings.

- B. Bond Loan: Upon **motion** by Director Oakley, duly seconded by Chairperson Carson and upon vote, unanimously carried, the Board approved wiring or making ACH payments for the closing costs from the District's Debt Service bank account at Colotrust. Total costs to be wired will be \$74,300.
- C. Eastwood Back Gate Boulders/Issues: Board decided to table the Eastwood back gate boulder issues until early 2021 after the snow has started to melt.
- D. Master Planning Committee Update:
- i. Road Repairs, Design & Construction - Upon **motion** by Director Oakley, duly seconded by Chairperson Carson and upon vote, unanimously carried, the Board approved the Master Planning Committee to continue for an additional year, as an advisory committee to the District Board. The Master Planning Committee will consist of seven voting members in addition to the FHMD District Manager (non-voting). The seven members shall include at least one FHMD Board member and a member of the FHMD HOA Board, or an additional resident member at large, if the HOA Board does not present a candidate.
- The Board discussed the 2021 budgeted General Fund Major Repairs Projects on which the District Manager is directed to move forward. The Stormwater Drainage Survey project will be tabled until 2021. The remaining projects will move forward as approved below:
- Gates - Upon **motion** by Director Oakley, duly seconded by Director Weinberg and upon vote, unanimously carried, the Board approved the project that includes: The gate installation at Summerwood, replacement of the gate actuators on the Forest Hills outbound gate, repairs and replacement of the Eastwood gates and upgrade of the gate control systems throughout.
- Gatehouse - Upon **motion** by Director Oakley, duly seconded by Chairperson Carson and upon unanimous vote, the Board approved the project for painting and electrical repairs at the gatehouse.
- Landscaping - Upon **motion** by Director Weinberg, duly seconded by Director Swartzlander and upon vote, unanimously carried, the Board approved up to \$14,500 to be paid towards the cost of a landscaping assessment by Outdoor Design Group.

The Board discussed the HOA Board's request to have a gas grill built at the park and a 50-ft. tall flagpole installed at the entrance gate on Forest Hills Drive. After discussion and upon **motion** by Director Weinberg, duly seconded by Director Oakley and upon vote, unanimously carried, the Board denied the installation of the grill and flagpole until further details can be determined about maintenance and liability insurance and incorporation into the District's landscaping assessment/long-term master plan.

- ii. Stormwater Drainage Study from EE/French Drain-Curb Installation Requests – Nick Marcotte, the Board and Brian Urtel discussed the need for the stormwater drainage study and after discussion, agreed there was not enough information to decide on moving forward. Mr. Urtel agreed to provide a letter to the Board stating his position, and a walk through will be scheduled with Mr. Urtel, Director Oakley, Nick Marcotte and District Manager Zivalich to gather additional information to present to the board for justification of performing the drainage study.
- E. Homeowner Communication/Website: The website redesign is in process with Chairperson Carson, Director Weinberg and Ms. Zivalich currently working on layout and content with the designer.

6. NEW BUSINESS

- A. Capital Improvements and Repairs List (Water & Sewer Systems): This list will continue going forward and will be updated by the District Manager with the assistance of the Board. It will eventually be merged into the District's overall master plan.
- B. Resolution to Grant Funds to Water & Sewer Fund from General Fund: The Water/Sewer Fund budget is tight for 2021; and the Board has discussed that a grant can be given, if needed, from the General Fund to the Water & Sewer Enterprise Fund. Upon **motion** by Director Oakley, duly seconded by Chairperson Carson and upon vote, unanimously carried, the Board approved the resolution allowing the District to transfer 2021 funds in the form of a grant in the amount of \$25,000.
- c. Due Diligence Filing on Planned Future Storage Reservoirs: After discussion, Directors Swartzlander and Weinberg noted they would like to be better informed about the water rights and agreed to participate in a meeting with the District's Water Rights Legal Counsel, Mr. John Dingess of Hamre Rodriguez Ostrander and Dingess, P.C., and Water Rights Engineer, Mr. Alan Leak of RESPEC. Ms. Zivalich will schedule the meeting.

7. **ADJOURNMENT**

Upon **motion** by incoming Chairperson Weinberg, duly seconded by Director Swartzlander, 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 7:50 p.m. The next regular meeting is scheduled for January 20, 2021, via Zoom conference call beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL DECEMBER 16, 2020 MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE BOARD OF DIRECTORS SIGNING BELOW:

ATTEST:

Nickie M Holder
Recording Secretary

APPROVED:

Gay Carr
Chairperson