

RECORD OF PROCEEDINGS

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

January 20, 2021, 5:30 p.m.
Held via conference/Zoom call.

ATTENDEES Directors present: Gary Carson, Michael Oakley, Mike Swartzlander, and Craig Weinberg.
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
Guests: None

QUORUM The meeting was called to order by Chairperson Weinberg at 5:33 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE

Jordan Herzing and Nick Marcotte left at 6:15 p.m. Gabby Begeman arrived at 6:35 p.m. and left at 6:57 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes necessary. Director Carson asked why the Item 7A remained on the Agenda as it was agreed to table this topic until May 2021. It was agreed it would be removed from future agendas until May 2021.
- B. Minutes: Director Oakley asked that the wording in section 5.D.i. regarding “Gates” reflect that the project work is to be completed on the “outbound” Forest Hills gates and not the “inbound” gates.
- C. Appointment of New Director: It was noted that two individuals expressed interest in serving on the Board to fill the vacated position Brian Urtel and Julie Noonan. Chairperson Weinberg asked the Board to vote via private Zoom chat to Ms. Zivalich. The Board voted to appoint Julie Noonan to fill the vacant seat.

2. REPORTS

- A. Operator’s Report: The Operator’s Report was submitted in the board packet for review. In addition, Mr. Herzing noted the following: Some meter registers have stopped transmitting and ORC is replacing them when they are able to schedule with the homeowner. There are currently eight registers on hand to replace as they fail. Failed registers will be sent to Metron for replacement at no cost as they are still under warranty. Well #1 has reduced production and ORC met with Sky Country who installed the pump in the well. Sky Country will pull the pump and replace it under warranty.

Ms. Zivalich asked several questions for clarification:

- Asked if the District should be concerned about the “minor amount of sediment” that went through the raw water line. Mr. Herzing noted that it was not enough to cause alarm and the filter was replaced immediately.
- Sludge hauling costs have increased in the past year, with a very tight budget for 2021. ORC is hoping that with owners going back to work after being home due to COVID, the quarterly scheduled cleanouts can be reestablished in 2021 and the budget adhered to.
- It is noted that Pond 6 is frozen over this year and ORC stated that the discharge line is not only frozen but broken due to wildlife walking on it. The cost to thaw the line and repair it during the winter is prohibitive as the line needs to be buried to avoid future damage by wildlife. It was determined it would be better to wait until Spring thaw to complete repairs.
- The Board expressed concern about people walking and skating on the pond and noted the ice is too thin to support these activities. It was agreed that District Management will send an email to the community to warn against walking and skating on any District ponds, but especially Pond 6 and to discourage the throwing of rocks into the ponds.
- Chairperson Weinberg noted that RESPEC was under the assumption that the well levels were being monitored by ORC and asked for confirmation of this. Mr. Herzing noted that ORC does not monitor well levels, but they could if monitoring equipment were purchased and installed. Chairperson Weinberg asked ORC to submit a proposal for monitoring the well levels for consideration at the February Board meeting.

B. Engineer’s Report (Element Engineering {EE}): The Engineer’s Report was submitted in the BOD packet for review. Mr. Marcotte offered the following supplemental information:

- EE held the mandatory onsite pre-bid meeting for the Booster Pump Station project to which six contractors attended. These six will be allowed to bid on the project. Bid opening will be held on February 9, 2021 at 10am at EE’s office. Mr. Marcotte stressed that it has been nearly two years since they provided the original cost estimate for this project and that costs have only increased since then. He cautioned the Board that the bids may be overbudget because of this, but that there are available funds from CDPHE that the District could apply for and receive to cover the increase. Director Oakley asked about the depth of the rock below the site and it was noted that there is a line item on the bid schedule to accommodate this concern.

- Design work for the wastewater treatment plant upgrades should begin in July 2021 with the construction to be completed in March 2022. DM Zivalich and Ms. Holder will watch the spend rate between now and June to advise the Board when the PO should be cut for work begin.
 - Director Carson asked Mr. Marcotte about the accuracy of locates completed within the District. He feels they are accurate within five feet of the locate but agreed to verify this information and provide confirmation at the February Board meeting. (There was a comment about the locate only being for the water and sewer line with additional locates needed for electrical. This needs to be confirmed before gate installation)
- D. Manager's Report: The Manager's Report was submitted in the BOD packet for review. Director Oakley noted that the report was very thorough. Director Carson asked if homeowners were being charged a meter read fee for homes that have cell reception issues and Ms. Zivalich noted that they are not. Ms. Zivalich noted she had established a Zoom account for the District; and she will distribute the username and password to the Board for any District related meetings they may need to hold.

3. FINANCIAL MATTERS

- A. Claims: Through December 2020. Submitted in the BOD Packet for review. Director Oakley asked if the \$750,000 in bond proceeds are in the District bank account and Ms. Holder noted that they were deposited in December 2020 when the loan closed.
- B. Financial Statements: Through December 2020. Submitted in the BOD packet for review. The 2021 Budget will be amended at the February 2021 board meeting, the appropriate notice will be published in the Golden Transcript.
- C. ACH: ACH payments will begin this month once fully setup by the District Accountant and Board Treasurer.

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

REGULAR AGENDA ITEMS

4. PUBLIC COMMENT (if any)

None – Brian Urtel asked about his driveway drainage issue and it was noted that this topic is further down on the Agenda for discussion.

5. OLD BUSINESS

- A. Eastwood Back Gate Boulders/Issues: This item will be removed from future agendas until May 2021.
- B. Master Planning Committee Update:
- i. Road Repair, Design & Construction - Director Oakley informed the Board that he sent out requests for Letters of Interest to three companies for engineering, procurement and construction management services for the 2021 road repair project, to which he received only one Letter of Interest and one subsequent proposal from WesTest. This proposal was included in the Board packet. If approved, WesTest will work with the District Manager to facilitate the bids for construction as well as perform construction management. Upon **motion** by Director Carson, duly seconded by Chairperson Weinberg, and upon vote, unanimously carried, the Board approved WesTest's proposal for \$75,184 and an additional \$10,000 contingency. Director Oakley will prepare the WesTest contract and provide to Chairperson Weinberg and Ms. Zivalich for review and input.
 - ii. Stormwater Drainage Study from Element Engineering – EE provided the board with an updated staged proposal. Upon **motion** by Director Oakley, duly seconded by Director Carson and upon vote, unanimously carried, the Board approved the Phase I drainage study work. Ms. Zivalich will prepare the purchase order for EE and provide to Chairperson Weinberg and Director Oakley for review and input.
 - iii. French Drain/Curb Installation Requests - Director Oakley directly addressed Mr. Urtel who was on mute and unable to participate further in the conversation. Director Oakley noted that with these two approvals, the drainage issue at Mr. Urtel's home can now start to be studied.
 - iv. Gate Installation at Summerwood and Eastwood Replacement – Director Carson received one bid that is approximately \$60,000 which is over the limit for single source awards. He is contacting other vendors to provide additional competitive bids for consideration. He anticipates having two more bids for consideration at the February Board Meeting.
 - v. Gatehouse Repairs and Painting – This project has two individuals working on it. Steve Iskalis is focusing on the electrical issues, while Ms. Zivalich is focusing on general repairs like painting. Ms. Zivalich noted that she met with a vendor on January 20, 2021 and anticipates receiving a bid in the next week or so. She is seeking two other competitive bids to have ready by the next Master Planning Committee meeting on February 2, 2021.

vi. Landscaping Assessment – Director Carson met with Outdoor Design Group (ODG) regarding the Forest Hills entrance, the rock garden, park, and Eastwood gate areas. He provided an overview to ODG as to what the District desires for the project, including the amount budgeted, the fact that the project is a multi-year project, and an overall master plan. ODG will provide an initial concept to the Board for its consideration at the February Board meeting for consideration.

- D. Homeowner Communication/Website: The website development is in progress. Director Carson provided the Board with a planned format for the new website. Next week, an initial website graphic design will be completed and will be submitted to the Board for their consideration along with the site plan and draft content. The design status will be reviewed at the February Board meeting. If approved, the website will be built by the designer and it is anticipated a prototype will be available for review at the March Board meeting.

The park rules are to be discussed by the Board and approved at the February Board meeting so they can be included on the website and signs ordered. Director Carson asked that the Board email him any suggestions about wording for the park signage.

Roz Birkelo offered to design a new logo for the District, and it was included in the board packet for consideration. Upon **motion** by Director Carson, duly seconded by Director Oakley, and upon vote, unanimously carried, the Board approved the new logo design created by Roz Birkelo.

- E. Due Diligence Filing on Planned Future Storage Reservoirs (RESPEC Proposal): Chairperson Weinberg and Ms. Zivalich met with Alan Leak of RESPEC and John Dingess of Hamre, Rodriguez, Ostrander & Dingess to discuss the District's water storage rights, currently due for review in 2024. To keep these rights, the District needs to show progress has been made on building the storage ponds. After discussion it was agreed that this topic will remain on the February agenda so that newly appointed Director Noonan can participate in the discussion and offer her opinion. It was further agreed that Alan Leak and John Dingess would be asked to attend the March Board meeting to answer any questions the Board may have and further discuss their proposal to provide reservoir diligence review and documentation.
- F. Status of Water Plant Alarm System: Equipment has been ordered; no shipping date has been determined.
- G. Status of Transfer from the General Fund to the Water & Sewer Fund: The transfer can be made anytime during the year. Ms. Holder will monitor the cash flow in the checking accounts and move the funds when appropriate.

6. NEW BUSINESS

- A. Click Up Program Discussion and Evote: Click Up is a cloud-based software application that the Master Planning Committee has currently been assessing to help maintain their asset listing process and projects. Director Carson is seeking approval from the Board to pay a consultant \$800 for initial set up of the software with the District's information and \$40 - \$50 per annual license (8 – 10 licenses recommended). Upon **motion** by Director Carson, duly seconded by Director Oakley, and upon vote, the board voted 2 to 2. Due to the tie, it was agreed to table the vote until the February Board meeting when the Board would again have five voting members with the addition of Julie Noonan.
- B. WesTest Proposal for Construction Package: Board approved proposal under section 5.B.i. of these minutes.
- C. The Pines at Riva Chase Meter Access: The condos and townhomes only have access through one unit each to, piping, smart meters and PRVs (townhomes through Unit A, condos through Unit B). The owner of Unit A in the townhomes does not live in Golden full time and has asked that the District figure out a way to move access for Units B and C piping and equipment out of his crawl space. In addition, the space where the meters are currently located is an unsafe, confined space. ORC and Ms. Zivalich have discussed options for relocating the meters to pits outside the units but is asking the Board to discuss who is fiduciarily responsible for relocation of this equipment. After discussion, it was agreed that this will be further addressed at the February Board meeting.
- D. Park Signage to Closeout Inspection: This item was discussed in section 5. C. of these minutes.

7. ADJOURNMENT

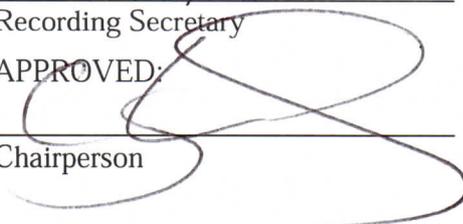
Upon **motion** by Director Swartzlander, duly seconded by Chairperson Weinberg, and upon vote, unanimously carried, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time the meeting was adjourned at 8:05 p.m. The next regular meeting is scheduled for February 17, 2021, via conference call beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL JANUARY 20, 2021 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: 

Chairperson