



## RECORD OF PROCEEDINGS

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

March 17, 2021, 5:30 p.m.

Held via conference/Zoom call.

**ATTENDEES** Directors present: Gary Carson, Michael Oakley, Mike Swartzlander, Julie Noonan, 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: Susie Thiret and Brian Urtel  
Guests: None

**QUORUM** The meeting was called to order by Chairperson Weinberg at 5:32 p.m. and a quorum was noted.

#### CHANGE IN ATTENDANCE

Susie Thiret left at 5:56 p.m. Brian Urtel left at 6:55 p.m. Nick Marcotte left at 7:04 p.m. Jordan Herzing and Gabby Begeman left at 7:12 p.m.

#### CONSENT AGENDA ITEMS

##### 1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes necessary.
- B. Minutes: No changes necessary.
- C. Ratification of Action Outside of Meeting: Via evote on 3/10/2021, the Board approved reducing the BPS loan application from a 30-year term to a 20- year term (3 to 2).

##### 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: Additional samples have been taken for PFAs from Well 6 and 9, results will be received in a week or two, at that time the results will be shared with the Board. Director Oakley asked for clarification of the location of the repaired valve casing. Mr. Herzing noted that it is located at Red Hawk Lane and Forest Hills Drive on the west side of the road near the fire hydrant. In addition, Mr. Herzing noted that part of the discrepancy between the water treated and sold was due to the registers of five residents that stopped sending data to Waterscope. Once the registers are replaced the data will be transmitted again and the discrepancy corrected.
- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the board packet for review. There were no questions.

- C. Manager's Report: The Manager's Report was submitted in the board packet for review. There were no questions.
- D. Master Planning Committee Report/Minutes: The Master Planning Committee Report/Minutes were submitted in the board packet for review. Ms. Zivalich asked Director Oakley for two points of clarification: when will the MPC's 10-year budget be available for the Board's review and approval; and what is the progress of replacing Mr. Carson, who stepped down from the committee. Director Oakley explained that the 10-year budget will be available for the distribution to the Board prior to the April 21, 2021 board meeting. He noted that one of the committee members is talking with a homeowner to gauge his interest in participating on the committee.

### 3. FINANCIAL MATTERS

- A. Claims: Through February 2021. Submitted in the board packet for review. Ms. Holder advised the Board that the District is now paying approximately 90% of their vendors each month via ACH.
- B. Financial Statements: Through February 2021. Submitted in the board packet for review. No discussion necessary.

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

### REGULAR AGENDA ITEMS

#### 4. PUBLIC COMMENT (if any)

- A. Susie Thiret explained to the Board the plumbing issues she has been having and thanked Mr. Herzing, Ms. Zivalich and Chairperson Weinberg for their assistance over the past week. Mr. Herzing was unable to locate her curb stop. She has received bids for installation of a curb stop and understands that if she chooses to have it installed, it will be at her cost.

#### 5. OLD BUSINESS

- A. Booster Pump Station Discussion: Ms. Zivalich informed the Board that the Colorado Water Resources & Power Development Authority (CWR&PDA) will meeting regarding the District's approval of the requested supplemental loan on April 23, 2021. She recommended that the Board consider awarding the contract now to avoid delays in the work. She informed the Board that the Department of Local Affairs had emailed regarding the District's credit report and they recommended to the Power Authority that the loan be approved. As previously discussed, water and sewer base rate increases also need to be considered by the Board.

After discussion and upon **motion** by Director Oakley, duly seconded by Director Swartzlander, and upon vote, unanimously carried, the

Board approved awarding the Booster Pump Station project to RN Civil Construction in the amount of \$551,500.

- B. Resolution for Loan Between General Fund and W/S Fund: The Board discussed a resolution for an interfund loan to be made between the General Fund and the W/S Fund if additional funding is needed to pay contractor expenses before the final loan with CWR&PDA is approved and closed.

Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, and upon vote, unanimously carried, the Board approved the resolution for a loan between the General Fund and W/S Fund in the amount of \$61,500.

- C. Gate Installation/Replacement: Director Carson provided the Board with a summary of the installation/replacement in the monthly Board packet. There were three bids received for the project, however, he is not ready to present them as there are outstanding concerns and questions. He will provide an update at the April Board meeting.
- D. Homeowner Communication/Website: Director Carson informed the Board know that the website is in the final design stage. Ms. Zivalich advised the Board that the new website requires a different platform for hosting which means District emails would also need to be moved from Front Steps/Association Voice as they host the email as well. She has found a less expensive solution and is working with IT to complete a transition from Rackspace to the new platform by the end of March.
- E. Status of the \$25K Grant from the General Fund to the W/S Fund: Ms. Holder advised the Board that once the property tax disbursement was completed in July, the accounts would be observed, and the transfer would be made at that time.
- F. The Pines at Riva Chase Meter Access: As discussed at the February Board meeting, the meters need to be relocated at The Pines at Riva Chase to a centralized location outside of the townhomes and condos. Director Noonan and Ms. Zivalich will continue to work together offline to draft a letter to The Pines HOA to inform them that the HOA would be responsible for costs to move the meters/equipment to a localized pit.
- G. CORA Resolution-Bylaw's: Director Oakley suggested at the last Board meeting that this resolution may not be needed as the CORA information is already included in the District bylaws. The District's legal counsel confirmed that there is no need for the resolution.
- H. HOA Communications/Gate House Use/Joint Meeting: As discussed at the February Board meeting Director Noonan will draft an agenda for a joint meeting between the FHMD Board and the HOA Riva Chase Board. It will be sent to both Boards for input and scheduling of the meeting.

## 6. NEW BUSINESS

- A. EE Stormwater Drainage Study – Phase II Bid: Element Engineering (EE) prepared a Phase II bid for the stormwater drainage study for consideration by the Board. It was noted that WesTest did not including surveying in their scope of work. Upon **motion** by Director Oakley, duly seconded by Director Noonan, and upon vote, unanimously carried, the Board approved EE's Stormwater Drainage Study – Phase II bid.

Mr. Urtel was advised that one of the survey areas was his property.

- B. PFA's Discussion: Because of the CBS story that was released to the community by the HOA Board President, the Board discussed how to move forward. A purchase order was cut for ORC to complete testing on Wells 6 and 9 and will determine whether the PFAs are localized or systematic. Ms. Begeman suggested that the Board speak with a geologist she knows who could provide further information regarding the water feeding the wells. She will provide his contact information to Director Carson who agreed to make the initial call. Ms. Zivalich will ask RESPEC to perform an analysis of water movement within the District. More information will be provided to the community once the District has gathered this information.
- C. Water Rate Increase Discussion: For the current application for a supplemental loan with CRW&PDA to move forward, the Board must consider a rate increase of at least \$8 per month/per resident (\$4 increase to the water base rate and \$4 increase to the sewer base rate). Without this increase the District will not have the funds available to cover the annual debt service of any additional financing for the Booster Pump Station project. The Board agreed to move forward with a public hearing to discuss a rate increase at the April 2021 meeting. Ms. Zivalich and Ms. Holder will coordinate with District counsel to ensure proper notification of the public hearing.
- D. HROD Recommendation to Enter Case #WD-1,21CW3012, John & Debra Medved: The Board discussed the recommendation by HROD and RESPEC to enter the case. Upon **motion** by Director Oakley, duly seconded by Director Swartzlander, and upon vote, unanimously carried, the Board approved entering the case.

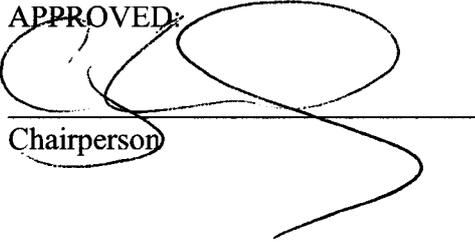
## 7. ADJOURNMENT

Upon **motion** by Chairperson Weinberg, duly seconded by Chairperson 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 7:40 p.m. The next regular meeting is scheduled for April 21, 2021, via conference call beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL MARCH 17, 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