



## RECORD OF PROCEEDINGS

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

July 21, 2021, 5:30 p.m.

Held via conference/Zoom call.

**ATTENDEES** Directors present: Gary Carson, Mike Swartzlander, Julie Noonan, and Craig Weinberg.  
Others present Ronda Zivalich (MAPs, Inc.), Jordan Herzing (ORC Water Professionals), Nickie Holder (NMHolder Financial, Inc.).  
Residents present: Erich Kirsch and Steve Iskalis (MPC members)

**QUORUM** The meeting was called to order by Chairperson Weinberg at 5:32 p.m. and a quorum was noted. Director Oakley's absence was excused.

#### CHANGE IN ATTENDANCE

Jordan Herzing left at 5:55 p.m. Erich Kirsch left at 5:57 p.m. Steve Iskalis joined at 6:30 p.m.

#### CONSENT AGENDA ITEMS

##### 1. ADMINISTRATIVE MATTERS

- A. Agenda: The agenda was amended to add the following under Old Business, Items A and B: Resolution Authorizing Integrated Project Delivery for the Roadway Project and Gate Work Update. Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, and upon vote, unanimously carried, the Board approved the amended agenda.
- B. Minutes: Chairperson Weinberg provided Ms. Holder with the updated information needed to finalize the June 16, 2021 minutes with regards to executive session and the meeting adjournment times.

##### 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: ORC will be performing hydrant flushing in August and would like to give the residents as much notice as possible. He will coordinate with Manager Zivalich to ensure proper notice is provided to owners. The repairs to the Lift Station #1 pump mechanical seals were replaced.
- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. Manager Zivalich provided an update to the Board regarding the Booster Pump Station project which is on schedule with ordering of equipment. It was noted there was a project schedule update included with EE's report. Chairperson Weinberg and Manager Zivalich will connect offline to discuss the project timeline so that an eblast can be sent out to the neighborhood reflecting the progress of the current projects that are now moving forward.

- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review. Director Carson asked if the current Evacuation Plan on the website needed to be updated regarding the exit gates. Chairperson Weinberg and Manager Zivalich will work together to compile the list of gates and which Board member will be responsible for opening those gate exits during an evacuation.

Director Carson asked if the fish had been stocked. Ms. Zivalich noted that 90 fish, 8 – 12-inch, were stocked.

Manager Zivalich noted the July Bear Creek Watershed meeting addressed the State's intent to lower the limit for phosphorus discharge. The State is looking for zero and the waste discharge entities are balking. BCWA is compiling a letter to send to the CDPHE stating its opinion on a fair limit, which is recommended at .5. ORC and Ms. Zivalich are working on a statement to send to BCWA for inclusion in the letter.

- D. Master Planning Committee Report/Minutes: The Master Planning Committee (MPC) Report was submitted in the BOD packet for review. No discussion.

### 3. FINANCIAL MATTERS

- A. Claims: Through June 2021. Submitted in the BOD Packet for review. Four purchase orders were received from Precision Gates and Automation, Inc. (PGA) on June 16, 2021. They are requiring 50% payment upfront of each purchase order. NMH will include checks for signature by Director Swartzlander with the other July checks.
- B. Financial Statements: Through June 2021. Submitted in the BOD packet for review. No discussion.

Upon **motion** by Chairperson Weinberg, 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)

- A. No comments.

#### 5. OLD BUSINESS

- A. Resolution Authorizing Integrated Project Delivery: Ms. Zivalich noted the resolution authorize the Board to accept a bid for the roadway project that may not be the lowest bid, but the best value bid. After discussion, and upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, and upon unanimous vote, the Board approved the resolution.
- B. Gates Project Update: Director Carson provided an update. He is confident that the gates will be installed within four weeks of contract signing. He cautioned that the manufacturer may be delayed due to steel availability. Director Carson will keep the Board informed as soon as

he has additional information. PGA is currently working with Jefferson County to secure the necessary permitting.

Director Carson asked the Board to consider having a system where visitors could call a general number through the keypad that was answered by an operator who would ask for pertinent information to determine if the person was allowed access. He indicated this could save up to \$9K per year in interest payments as it appears that the community is more accessible and/or public.

- C. Roadway Project: CCC is reviewing the bid solicitation contract. Director Oakley and Ms. Zivalich have already reviewed and provided comments to WesTest. The solicitation will be advertised on Bid.net in the next week and in a notice will be published in the Golden Transcript. The bid opening will be held on August 9, 2021, at 2:00 pm at WesTest's office.
- D. Status of Transfer from the General Fund to the Water & Sewer Fund: Ms. Holder will make the transfer at the end of July 2021.

## 7. NEW BUSINESS

- A. Fine System for Excessive Water Use and Non-Payment of Water Bill: Options were discussed for penalizing residents for excessive water use and non-payment of water bill. After discussion, it was determined that because there are only a few residents that would be affected, the discussion would be tabled until late 2021 or early 2022.
- B. WWTP Road: Ms. Zivalich spoke with John Noble regarding the WWTP road. He noted that, in his opinion, the roadway will not make it through another snow season. Ms. Zivalich encouraged the Board to approve adding two culverts and rebasing the roadway at the cost of \$16,000. It was noted that the funds to pay for the work would come from the Capital Projects. Upon **motion** by Director Noonan, duly seconded by Director Swartzlander, and by unanimous vote, the Board approved the WWTP roadwork.
- B. Lawn in Park: Tabled until 2022.
- C. Main Entrance Update: Erich Kirsch, MPC member, provided an update regarding potential funds available to be used by the District to refresh the front gate area. Three items the MPC is recommending be completed this year are painting the large sign on the hill, paint the monument signs and to paint the gatehouse roof and Forest Hills gate.

To improve communication between the FHMD Board and the MPC, Mr. Kirsch is recommending that the MPC provide the Board with a written proposal for each project stating the clear scope and cost for consideration/approval. The Board agreed this approach would be helpful.

- D. Main Entrance Update: Erich Kirsch, member of the Master Planning Committee (MPC), provided the Board with an update of the funds available to be used by the district to refresh the front gate area of the neighborhood. Three items that that MPC is recommending to the board to be completed in 2021 with budgeted funds are to refresh the signage at the front entrance, refresh the monument signs and to paint the gatehouse bunkers using the same color scheme as previously approved by the Board. To improve communication between the FHMD Board and the MPC, Mr. Kirsch is recommending that the MPC provide the Board with a written proposal for each project stating the clear scope of the individual project as well as the cost for the Board to approve. The Board felt this would be a great addition to communication between the FHMD Board and the MPC moving forward.
- E. Eastwood Back Gate Illegal Entries/Boulder Addition: At this time there have been no complaints received by District Management regarding illegal entry to the bank gate. Chairperson Weinberg suggested that the MPC discussed a more permanent solution to the issue, rather than adding boulders to stop traffic coming through.
- F. In-Person Board Meetings: After discussion of possibly transitioning back to in-person board meetings or continuing with ZOOM video conference meetings each month, the Board decided to table this agenda item until late 2021 or early 2022.

## 8. ADJOURNMENT

Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, and upon 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 6:52 p.m. The next regular meeting is scheduled for August 18, 2021, via conference call beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL JULY 21, 2021, MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:

*Nickia M Holder*  
Recording Secretary

APPROVED:

Chairperson