



## RECORD OF PROCEEDINGS

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

August 18, 2021, 5:30 p.m.

Held via conference/Zoom call.

**ATTENDEES** Directors present: Gary Carson, Mike Swartzlander, Julie Noonan, and Michael Oakley.  
Others present Ronda Zivalich (MAPs, Inc.), Jordan Herzing (ORC Water Professionals), Nickie Holder (NMHolder Financial, Inc.), Nick Marcotte (Element Engineering, Inc.)  
Residents present: Steve Iskallis

**QUORUM** The meeting was called to order by Manager Zivalich at 5:34 p.m. and a quorum was noted. The Board excused Director Weinberg's absence.

#### CHANGE IN ATTENDANCE

Nick Marcotte left at 6:05 p.m.

Jordan Herzing left at 6:12 p.m.

### CONSENT AGENDA ITEMS

#### 1. ADMINISTRATIVE MATTERS

- A. Agenda: No change
- B. Minutes: No change

#### 2. REPORTS

- A. Operator's Report: The Operator's Report was submitted in the Board packet for review. In addition, the following was discussed: Director Oakley asked if any residents contacted the District with any issues during the hydrant flushing. Other than one comment about erosion caused by the flushing where topsoil was carried on to Forest Hills Drive, there were no other issues. ORC offered to sweep the gravel/dirt off of Forest Hills Drive. Director Carson asked if the wet well annual pump out was going to happen, and Mr. Herzing noted it had already been completed.

Director Carson was contacted by a homeowner who was concerned about smelling sewer gas at their home. It was noted that the owner was concerned that the jetting was not being completed. Director Carson directed the owner to the website project list. ORC noted that there was nothing happening in the system that would have caused the odor.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. Director Oakley asked that the list of action dates and environmental compliance deadlines in EE's report be updated with the most current information. Director Oakley asked if the design work for the WWTP needed to begin in 2021 and was it budgeted in 2021. Ms. Holder confirmed that it was in the 2021 budget; and Mr. Marcotte confirmed that it was advisable to start design work this calendar year. Upon **motion** by Director Oakley, duly seconded by Director Noonan, and upon vote, unanimously carried, the Board approved the design bid from EE for the WWTP improvements. Ms. Zivalich will issue the PO.

The booster pump station schedule has not changed. Mr. Marcotte noted that the majority of the submittals have been submitted, reviewed, and approved that construction should begin in early November. Once construction begins, EE will provide a weekly update on the progress of the project.

- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review. Director Oakley asked that page 2 of the Manager's Report be updated to read "Collection" instead of "Distribution" system. Director Carson asked if customers whose balance was \$1,000 or more had been contacted. Ms. Zivalich explained that her understanding was the Board wanted to wait until next year so that a collection policy could be prepared, presented to the homeowners, and approved by the Board. Ms. Zivalich and Director Noonan will work together to draft the policy for review at the September meeting. In addition, Director Carson noted that the emergency evacuation plan was not on the agenda and still needs to be addressed, particularly around opening back gates in an emergency. Director Oakley suggested that the MPC review options for automating the back gates and present to the Board, including consulting with PGA on options for enhancing the gates to open to automatically open for existing traffic.
- C. Master Planning Committee Report/Minutes: The Master Planning Committee (MPC) Report was submitted in the BOD packet for review. Director Oakley reviewed Exhibit A with the Board. The exhibit includes seven projects that the MPC proposes the Board consider completing in 2021. After discussion, an additional \$1,850 needs to be added to item #7 of Exhibit A to account for additional electrical work. The total for the proposed projects is \$19,455, which includes a 10% contingency.

- D. Upon **motion** by Director Oakley, duly seconded by Director Noonan, and upon vote, unanimously carried, the Board approved the expenditure. It was agreed that if the budget exceeded 10%, the Board would be notified and given the opportunity to discuss the extra work.

In addition, the MPC has looked at options for the Eastwood back gate to keep people from moving the rocks currently in place. The Committee proposed the addition of three steel posts on each side of the gate as the best option. It was noted that Director Carson would ask PGA to provide a quote for installing the posts. If approved, the homeowners whose property abuts the gate would be asked for permission to install the steel posts as they would be on their property. This will be discussed at the September meeting. Erich Kirsch had volunteered to install a trail camera at this gate to try to identify who is going around it.

### 3. FINANCIAL MATTERS

- A. Claims: Through July 2021. Submitted in the BOD Packet for review. No discussion.
- B. Financial Statements: Through July 2021. Submitted in the BOD packet for review. No discussion.

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

### REGULAR AGENDA ITEMS

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

- A. Steve Iskalis – Noted that the Forest Hills Drive west side curb drain was overflowing and not draining during the last heavy storm and water was running across the street to the east side drain. Ms. Zivalich noted that the drain has since been cleaned out. He asked if the gazebo roof had been inspected for hail damage, but no one knew. He asked if any siding on the gatehouse had been replaced. Ms. Zivalich noted that she met with the contractor when the work began, and the contractor showed that none of the siding was rotted from moisture; therefore, she agreed that siding did not need to be replaced. Mr. Iskalis and Ms. Zivalich will meet at guardhouse later this week to discuss the areas of concern.

#### 5. OLD BUSINESS

- A. Roadway Project/WWTP Road: Ms. Zivalich noted that the original bid date of August 9, 2021, produced no bids. WesTest updated the bid and readvertised with a due date of August 17, 2021. WesTest provide an update on 8/18/21 that one bid was received from ESI for \$743,000. Eric West is going to work with ESI to understand why the bid was so high and see if they can negotiate down. Mr. West noted that he personally talked to nine vendors asking them to bid, of which five said they were too busy, and others commented that the completion schedule was too short and should be 58 days rather than 45. All contractors noted

that they are having difficulty getting asphalt due to the Suncor shutdown. Mr. West will have a better idea of where things stand in the next week or so.

A PO has been issued to Noble who anticipates completing the WWTP road work in October.

- B. Status of Transfer from the General Fund to the Water & Sewer Fund: Ms. Holder will complete the bank transfer of \$25,000 from the general fund to the water & sewer fund.
- C. Forest Hills and Summerwood Gate Update: Director Carson noted that the electrical work has been scheduled for the week of September 6, 2021. The Eastwood gate should be installed in September and Summerwood gate should be installed in early October. The Board needs to discuss open times for the gates at the September meeting. New lights need to be approved, ordered, and installed on the gate pillars at both Summerwood and Forest Hills Drive. Upon **motion** by Director Carson, duly seconded by Director Noonan, and upon unanimous vote, the Board approved the purchase of six new lights. Director Oakley stated he is concerned about durability of the lights that are being purchased.

## 7. NEW BUSINESS

- A. Converting the District Roads to Public Roads: Ms. Zivalich talked with the District's legal counsel (CCC), CDPHE and bond counsel about what would need to be done for the district's roads to be considered public with an accompanying reduction in bond interest. The process included refinancing the bond loan again which would be cost prohibitive. After discussion, it was agreed that no further action would be taken.

**8. ADJOURNMENT**

Upon **motion** by Director Oakley 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 6:51p.m. The next regular meeting is scheduled for September 15, 2021, via conference call beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL AUGUST 18, 2021, MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:

  
Recording Secretary

APPROVED:  
  
Board Secretary