



RECORD OF PROCEEDINGS

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

October 20, 2021, 5:30 p.m.

Held via conference/Zoom call.

ATTENDEES Directors present: Gary Carson, Craig Weinberg, Julie Noonan, Mike Swartzlander 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 Iskalis and Chuck Silverman

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 left at 5:49 p.m.

Nick Marcotte left at 5:49 p.m.

Chuck Silverman arrived at 5:50 p.m. and left at 7:00 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: Manager Zivalich requested that under Old Business, Item J be tabled until the December meeting as it's not ready for discussion.
- B. Minutes: No change.

2. REPORTS

- A. Operator's Report: The Operator's Report was submitted in the Board packet for review. Director Carson asked for clarification about the cost of the unidirectional hydrant flush scheduled for 2022. Mr. Herzing noted that the extra cost would be for ORC's time and materials. Ms. Zivalich noted that the Pond 4 aerator was still in use on that morning; and Mr. Herzing confirmed it was removed in the afternoon of 10/20/21.
- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. Director Oakley noted that the District already met the new E. Coli permit requirements, as discussed in the previous Board meeting, and WWTP Upgrade Project was being designed to meet the new Total Inorganic Nitrogen (TIN) limits; however, the Engineer's Report made no mention of the new ammonia limits. Mr. Marcotte responded that the WWTP Upgrade would also ensure ammonia limits were met. Director Oakley asked that Mr. Marcotte amend his next report to clarify that point.
- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review. No discussion.

- D. Master Planning Committee Report/Minutes: There were no minutes provided for the Board's review. Manager Zivalich asked for clarification regarding the restructuring of the MPC. Mr. Iskalis noted that the MPC currently has five members, which they feel is sufficient. It is also noted that any communication with the MPC be conducted through Mr. Iskalis or Mr. Erich Kirsch.

3. FINANCIAL MATTERS

- A. Claims: Through September 2021. Submitted in the BOD Packet for review. Ms. Zivalich confirmed that the touch up painting at the gatehouse was completed and recommended that Auxilium Abalto, LLC be paid in full.
- B. Financial Statements: Through September 2021. Submitted in the BOD packet for review. No discussion.

Upon **motion** by Director Oakley, duly seconded by Chairperson 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. Roadway Project/WWTP Road: There is no update on the Roadway Project. It was noted by Ms. Zivalich that Noble had begun work on the WWTP. Utility locates will be requested for installation of the culverts.
- B. Culvert Work Update: WesTest broke out the culvert replacement, grading and cleaning work and sent it out to bid. ESI and Noble were the only bidders. ESI's bid was over \$130K and Noble's bid was \$16,850. Neither bid included cleaning of culverts with the exception of Nakota. Ms. Zivalich recommended the Board approve Noble's bid. Noble was asked to provide a bid on cleaning the remaining 13 or 14 culverts. It is anticipated that each culvert would cost approximately \$1,500. Ms. Zivalich will work with Noble to confirm final cleaning costs. Upon **motion** by Director Oakley, duly seconded by Director Carson, and upon vote, unanimously carried, the Board approved the bid from Jim Noble, Inc. of \$16,850. In addition, upon **motion** by Chairperson Weinberg duly seconded by Director Oakley, and upon vote, unanimously carried, the Board granted Ms. Zivalich the authority to amend the purchase order for cleaning of remaining culverts for an additional amount not to exceed \$25,000.
- C. Summerwood Pillar Installation Payment: Ms. Zivalich confirmed the District had received payment from the Summerwood residents for the installation of the pillars at the Summerwood gate. After discussion, the Board agreed to support their original decision to accept the payment from the homeowners for the pillars.

- D. Gates and Open Times: Director Carson noted that the pillar lights have been installed at the Forest Hills gates. The Forest Hills gates have been removed and sent out for powder coating. The gates will be reinstalled and operational in the next few weeks. Open times will be further discussed once the gates are fully operational.
- E. Fire Evacuation Plan (holding place): At the previous Board meeting both Mr. Herzing and Director Carson agreed to call their contacts at the fire department regarding the pond water quality as a firefighting source. It was noted that the quality is not an issue, but the cleanliness of the possible extraction point(s) is a concern, and the District would be responsible for keeping it free of debris. ORC noted that they did not know where the extraction points were in any of the ponds and recommended that the District pay to have them located. Director Carson agreed to contact the Foothills Fire Protection District for their help in locating any points that might exist. Ms. Zivalich mentioned that homeowners were complaining about the scum on Pond 5 and offered that the Board should consider having the ponds cleaned periodically by an outside vendor. The Board may look at this next year if it becomes an issue again.
- F. Color Palette Options: The new color palette options were discussed, and opinions sought from the MPC. Mr. Iskalis noted that the members of the MPC preferred the option with the Urbane Bronze roof color. Mr. Silverman also gave his opinion of the color palettes and overall thoughts on “branding” for Riva Chase. Chairperson Weinberg agreed to listen to Mr. Silverman’s ideas outside the Board meeting. No decision was made on the color palette, as painting will not be done until Spring. Director Carson will proceed to have the signs at the gate installed per requirements of the Fire Department.
- G. Eastwood Back Gate Steel Posts Permission Update: No update.
- H. 2022 Draft Budget: Ms. Zivalich and Ms. Holder presented the 2022 draft budget that was compiled by the Budget Committee. The Board reviewed it by line item and fund. After much discussion, the Board agreed to further review and discuss the draft budget at a special Board meeting at 5:30 p.m on October 28, 2021.
- I. 2022 Rate Increase Consideration: As part of the draft budget discussion the Board considered a rate increase of the water and sewer rates to balance the 2022 budgeted expenditures. After discussion the Board decided to postpone the discussion until the special meeting mentioned above. The District will send a notice to the community and post it on the website.
- J. Update Rules & Regulations to Reflect Collection Policy: Tabled until the December Board meeting.

6. NEW BUSINESS

- A. Delivery Drivers and Gate Access (code vs. clicker): After discussion, the Board agreed that delivery drivers should only be provided a four-digit and not provided gate clickers.
- B. Homeowner's Request for Reimbursement on Curb Stop Location: Mr. Herzing was unable to locate the curb stop at 22616 Forest Hills Drive. The homeowner was having plumbing work done inside her home that required the main water line be shutoff; so, she hired an outside vendor to find the curb stop and has now requested reimbursement for the charge. Upon **motion** by Director Swartzlander, duly seconded by Chairperson Weinberg, and upon vote of four in favor and one against, the Board approved the reimbursement.
- C. Board Member Positions for 2022 and Potential for Election: Ms. Zivalich noted that four of the five Board member's terms are up in May 2022. Anyone interested in running for the Board must complete a self-nomination form by the end of February 2022, including current Board members who wish to run again.
- D. PFAs Proposal Request from ORC/Element: Ms. Zivalich asked that this agenda item be moved to the November Board meeting to allow for discussion with both ORC and Element, regarding proposals.
- E. HROD – Statement of Opposition – Bear Creek Mountain Mutual Augmentation Cases: The opposition that was filed in this case was included in the Board packet. This item is listed on the agenda to provide an update to the Board on the water cases filed on the District's behalf.

7. ADJOURNMENT

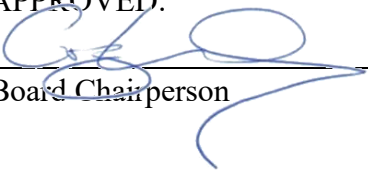
Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, and upon unanimous vote, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time, the meeting was adjourned at 8:27p.m. The next special meeting is scheduled for October 28, 2021, via conference call, beginning at 5:30 p.m. The next regular meeting is scheduled for November 17, 2021, via conference call, beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL, OCTOBER 20, 2021, MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:

Nickie M Holder

Recording Secretary

APPROVED:


Board Chairperson