



RECORD OF PROCEEDINGS

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

November 17, 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 Brenda Shuler

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

**CHANGE IN ATTENDANCE**  
Brenda Shuler arrived at 5:37 p.m.  
Jordan Herzing left at 6:48 p.m.  
Nick Marcotte left at 6:48 p.m.  
Steve Iskalis left at 6:55 p.m.  
Brenda Shuler left at 7:15 p.m.

**CONSENT AGENDA ITEMS**

**1. ADMINISTRATIVE MATTERS**

- A. Agenda: No change.
- B. Minutes: October 20, 2021 and October 28, 2021. No changes.

**2. REPORTS**

- A. Operator's Report: The Operator's Report was submitted in the Board packet for review. Director Oakley asked that the spreadsheet being kept to track curb stop locations be included in their monthly report.

ORC reported that effluent pump #2 is currently inoperable and the backup pump is being used. ORC recommends that the pump be replaced, and the backup be kept in case of emergency. ORC obtained a quote from Falcon Environmental, which with the pump (\$3,966) and installation by ORC (\$500), would be \$4,500. Upon **motion** by Director Oakley, duly seconded by Director Swartzlander, and upon a unanimous vote, the Board approved the purchase and installation of the effluent pump.

Ms. Zivalich noted that ORC reported a leak in Pond 4. Mr. Herzing stated that the leak is seeping up through the ground after the concrete/rock spillway downstream of the pond. It is recommended that the pond be drained to identify where the leak is actually located and allow repair options to be developed.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. Mr. Marcotte discussed the timeline for the WWTP upgrade project. EE anticipates completion of the design by March and the bid to go out in mid to late March or April. It is anticipated that the work will be completed in May/June. Director Oakley asked that ORC and EE include a more detailed project schedule in the December Engineer's Report.

Mr. Marcotte provided an update on the booster pump station project. The prefabricated vault will not be received until February 2022, and some equipment has yet to be received. RN Civil has requested a change order and change in scope to extend the contract to February 2022 to allow for a cast-in-place vault to be constructed in December with mobilization on December 6, 2021. EE acknowledged that any change in scope needs to be approved by the Board. After discussion, the Board rejected the change in scope and asked that Mr. Marcotte work with RN Civil to figure out a way to stay within the original design utilizing the prefabricated vault. If necessary, a meeting will be scheduled with RN Civil, Director Oakley, Chairperson Weinberg, EE, and Ms. Zivalich to discuss getting this project completed.

- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review. No discussion.
- D. Master Planning Committee Report/Minutes: No minutes were provided for the Board's review. Chairperson Weinberg stated that the MPC is waiting for the 2022 budget to be adopted so they can determine which projects they will recommend to the Board for approval, based on funds available.

### 3. FINANCIAL MATTERS

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

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

## REGULAR AGENDA ITEMS

### 4. PUBLIC COMMENT

Ms. Shuler requested three new gate clickers, as hers are not working. Director Carson will meet with Ms. Shuler to evaluate her clickers and determine if new ones are deemed necessary.

## 5. OLD BUSINESS

- A. March 17, 2021, Resolution to Authorize Interfund Loan: This resolution was never acted upon during 2021, and no loan was made between the General Fund and Water/Sewer Fund.
- B. PFAs and Phosphorus EE & ORC Update: Ms. Zivalich has been meeting with ORC and EE to discuss what plant improvements will be needed to meet the upcoming PFA and phosphorus limits that will be adopted by CDPHE. EE and ORC noted that the District's current permit expires in 2023 and would likely be extended for five years. A compliance schedule will then be developed for making changes to the system to meet the limits. EE and ORC will work together to provide a proposal for meeting future limits. In addition, ORC will implement additional monthly testing to establish real-time data.
- C. Culvert Work: Noble completed the culvert replacement at Elk Park, cleaned the Nakota culvert, and finished the two areas for ditch drainage improvements. District Management sent a notice to homeowners, stating they could contract directly with Noble to have private culverts under their driveways cleaned, at their expense. There was agreement that the website should include a statement that homeowners are responsible for cleaning and maintaining the culvert under their driveway as these are on their property.
- D. Roadway Project/WWTP Road: No update on the Roadway Project, but it still intended to be put it out to bid in January 2022. Noble also completed the WWTP road work, added two new culverts, per the original PO, and replaced an existing culvert at an additional cost of \$3,000.
- E. 2022 Draft Budget: A final draft of the 2022 budget was provided in the Board packet for review. Board members asked a few questions and received appropriate answers.
- F. 2022 Rate Increase Consideration: The Board discussed the rate increase that the Budget Committee had recommended. After discussion, the Board agreed to increase the base water fee to \$93.00 and the base sewer fee to \$122.50. The monthly usage fee will be doubled in the first tier only, with all other tiers remaining at the 2021 rates.
- G. Eastwood Back Gate Steel Posts Permission Update: On hold.
- H. Fire Evacuation Plan: On hold.
- I. Color Palette: Tabled until January 2022.

## 6. NEW BUSINESS

- A. Public Hearing for Budget: Chairperson Weinberg called to order the public hearing for the 2022 budget. There being no comments, the public hearing was closed.

Upon **motion** by Director Oakley, duly seconded by Director Swartzlander, upon a unanimous vote, the Board approved the 2022 Budget draft, as presented.

- B. Public Hearing for the Rate/Fee Increase: Chairperson Weinberg called to order the public hearing for the 2022 rate and fees increase. There being no comments, the public hearing was closed. The rates will be increased per the 2022 approved budget.
- C. CCC Changes: Ms. Zivalich informed that Board that Collins Cockrel and Cole are dividing the firm. Jim Collins, Allison Ulmer, and Crystal Schott will all be with the new firm, Collins, Cole, Flynn, Winn & Ulmer, PLLC. The Board agreed that the District shall remain with Jim Collins and Allison Ulmer. Upon **motion** by Director Noonan, duly seconded by Director Carson, and upon a unanimous vote, the Board approved transfer of the District's files to the new firm.
- D. Park Irrigation: Tabled to December.

**7. ADJOURNMENT**

Upon **motion** by Chairperson Weinberg, duly seconded by Director Swartzlander, and upon a 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 8:15 p.m. The next regular meeting is scheduled for December 15, 2021, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, NOVEMBER 17, 2021, MEETING 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:  
[Signature]  
Board Chairperson