

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

September 18, 2024 - 5:30 p.m.

Held via conference/Zoom call

ATTENDEES Directors present: Craig Weinberg, Michael Oakley, Victor Robert, and Mike Zinniker
Others present: Dave Lewis and Mike Menke (Direct Discharge - DD), Westley Ferraro (Element Engineering - EE), and Nickie Holder (NMHolder Financial, Inc.)
Residents present: Dave Clappisi, Nikki Patrick and Kelly Lindauer
Guests: None

QUORUM The meeting was called to order by Chairperson Weinberg, at 5:33 p.m. and a quorum was noted. Upon **motion** by Chairperson Weinberg, duly seconded by Director Robert, and upon unanimous vote, the Board approved the absence of Director Blue from the Board meeting.

CHANGE IN ATTENDANCE

Kelly Lindauer arrived at 5:52 p.m. and left at 6:00 p.m.
Westley Ferraro, Dave Lewis and Mike Menke left at 6:14 p.m.
Dave Clappisi and Nikki Patrick left at 6:32 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: September 18, 2024 – No changes.
- B. Minutes: August 21, 2024 – No changes.
- C. Meeting Date Moved: The October 2024 Board meeting has been moved to October 23, 2024. Ms. Holder will post the date change to the District website.
- D. District Manager Replacement - Update: Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved selection of Public Alliance to become the next District Manager for FHMD upon Ms. Zivalich’s retirement from the District at the end of 2024. Ms. Zivalich will work with Public Alliance prior to the October board meeting to inform Public Alliance of the District’s processes and procedures so that there is a smooth transition by year’s end.

2. REPORTS

- A. Operator’s Report: The Operator’s report was submitted in the board packet for review.
 - i. Ted Laves Request that FHMD Adjust the District’s PRV Output Pressure – The valves are scheduled to be tested by the independent contractor the first week of October. Once the testing is completed, Mr. Laves will be notified of the results and the Operator’s recommendations for settings.

- ii. InVision GIS– A proposal for installing a GIS system, was provided in the Board packet. The estimated cost for the GIS system and installation services would be \$13,900. DD had recommended the GIS system, due to the District maps being inaccurate, and because there had been two issues in the community this past summer where water main valves could not be located, creating the need to shut down entire sections of the water mains for hours at a time. The Board agreed to include the GIS program as part of the 2025 draft budget.
 - iii. WWTP Transfer Switch – The transfer switch was installed on September 5th and is currently operational. Chairperson Weinberg inquired as to whether the generator will work now that the transfer switch has been installed. DD informed the Board that the generator will operate when needed, since the transfer switch has been installed. DD is working with DVL to provide service agreements to conduct annual maintenance for both the WWTP and WTP generators and transfer switch equipment. Director Oakley asked how often DD exercised the equipment; and DD informed the Board that they exercise the equipment weekly.
 - iv. Sanitary Survey – CDPHE was on site on September 18th to conduct the Sanitary Survey for the District’s potable water system and found one violation. The State of Colorado requires the operator to maintain three years of tank inspection records. DD had not received these records from the prior operator. This violation is considered a tier 2 violation, and the public will need to be notified in the next CCR. DD has contacted the prior operator for the records, in order to bring the district in compliance. All other matters under the survey were in compliance.
 - v. Pond 6 – Director Oakley asked that DD ensure that pond 6 is filled at least to the edge of the vegetation. DD will follow up with the level of water in the pond.
 - vi. Hydrant Flushing – Flushing will take place the first week of October. The start date was not yet clear. Ms. Holder will update the flushing notice, provided by Ms. Zivalich, once the date is known, and post it to the District website, as well as send out an eblast to the residents.
- B. Engineer’s Report (Element Engineering {EE}): The Engineer’s report was submitted in the board packet for review.
- i. Pond 5 Culvert – Eastwood Hold Open Questions/Signage – Update - Ms. Zivalich, Keith Smith (EE) and Director Oakley conducted the preconstruction meeting with John Noble. Ms. Holder will send out communication to the residents once a project start date has been provided. In addition, coordination will be necessary between Ms. Holder and EE to ensure that the regular and emergency gates are held open, when needed and that the appropriate signage is posted at the Forest Hills Drive gate to direct people to the alternative entrances.

- ii. Review and Repair Recommendations for Areas of Concern Found in DRC Videos of Sewer Mains: Mr. Marcotte reviewed the CCTV video from DRC and provided a recommendation and engineer's estimate for repairs at \$63,000. During discussion, EE noted that these repairs are not an emergency and should be budgeted for 2025 completion.
- C. Manager's Report: The Manager's report was submitted in the board packet for review.
 - i. Electrical/Lighting at Monument Sign – Director Zinniker and Ms. Zivalich have been working to obtain a bid for repairing the lighting at the monument sign; however, after discussion, the Board decided that the smaller bunkers' lighting at the Forest Hills gate entrance was sufficient. Director Oakley also noted that the lighting on the east side bunker was not working and needed to be repaired.

3. FINANCIAL MATTERS

- A. Claims: Through August 2024. Submitted in the board packet for review. No discussion.
- B. Financial Statements: Through August 2024. Submitted in the board packet for review. No discussion.
- C. 2024 Audit: Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved the 2023 audit pending review of the auditor's independent auditor's report.
- D. Enterprise Fund Discussion – Craig: Chairperson Weinberg provided the Board with an update on his discussion with legal counsel, regarding the possibility of combining the General Fund and Wwater & Sewer funds, in order to have access to property tax funds with no risk of affecting the Enterprise Fund status. The Board determined that there were more reasons to keep the Enterprise Fund status and generate income from rates and fees rather than combining the two funds.
- E. 2025 DRAFT Budget – Update: The board reviewed the 2025 draft budget and made updates to the Water & Sewer Fund. Ms. Holder will send out the updated spreadsheet to the Board members and Ms. Zivalich.

4. HOA MATTERS

- A. HOA Matters: No updates.

Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the consent agenda.

REGULAR AGENDA ITEMS

5. PUBLIC COMMENT – NON-AGENDA ITEMS

No comments.

6. PUBLIC HEARING TO AMEND BUDGETS FOR 2023 AND 2024

Chairperson Weinberg called to order the public hearing for the 2023 amended budget. There being no comments, the public hearing was closed. The Board decided to hold off until later in 2024 to amend the 2024 budget, if necessary.

7. OLD BUSINESS

- A. Park Upgrades – Update: Chairperson Weinberg, Director Blue and Nikki Patrick met with Alpine Landscaping to talk through the details of the park upgrade design. A survey of the area will need to be done. Chairperson Weinberg will reach out to the playground equipment company to discuss final pricing and setup costs.
- B. Fire Mitigation Grant – Update: The removal of all slash and logs was completed by the end of August.
- C. WWTP Roof Repairs: A contract with Arapahoe Roofing was issued and the roof repairs would be completed this month.
- D. Shared Drives/Springflower Swale Road Work/Repairs/Walk-Through Estimates - Update: Atlas provided a bid for this work to be included in the 2025 budget. Ms. Zivalich has asked Atlas for a proposal to provide design, bid solicitation and construction management service for inclusion in the 2025 budget draft.

7. NEW BUSINESS

- A. No new business

8. EXECUTIVE SESSION

Upon **motion** by Director Robert, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved entering into an Executive Session at 6:34 p.m, pursuant to Section 24-6-402(4)(e), C.R.S., to determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and instruct negotiators with respect to a proposed water and sanitary sewer services agreement.

Upon **motion** by Director Oakley, duly seconded by Director Zinniker, and upon unanimous vote, the Board approved coming out of executive session at 7:00 p.m.

No action was taken

9. ADJOURNMENT

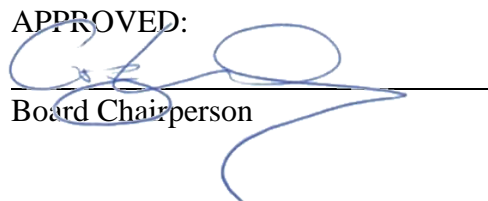
Upon **motion** by Chairperson Weinberg, duly seconded by Director Robert, and upon a unanimous vote, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time, the meeting was adjourned at 7:31 p.m. The next special meeting is scheduled for October 23, 2024, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, SEPTEMBER 18, 2024, MEETING MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:

Nickie Holder

Recording Secretary

APPROVED:


Board Chairperson