

RECORD OF PROCEEDINGS

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

December 14, 2022, 5:30 p.m.

Held via conference/Zoom call.

ATTENDEES Directors present: Craig Weinberg, Michael Oakley, Victor Robert, and David Blue.
Others present: Ronda Zivalich (MAPs, Inc.), Gabby Begeman (ORC Water Professionals) and Nickie Holder (NMHolder Financial, Inc.).
Guests present: Bjorn Dahl and Lyle Laverty
Residents present: Chuck Silverman

QUORUM The meeting was called to order by Chairperson Weinberg at 5:32 p.m. and a quorum was noted. Nikki Patrick had an excused absence.

FIRE MITIGATION DISCUSSION

Mr. Dahl and Mr. Laverty joined the meeting to discuss fire mitigation and potential grants to support efforts. The US Forest Service currently has grants available through the Community Wildfire Defense Fund. Mr. Dahl informed the Board that the Foothills Fire Protection District (FFPD) has prepared an assessment of the area, which includes FHMD, eliminating the need for an additional assessment. FHMD could utilize FFPD's plan to apply for available grants. Mr. Dahl encouraged the Board to contact Mt. Vernon Homeowners Association to inquire about its interest in joining together to apply for grant funds for mitigation. Mr. Dahl explained that when governmental entities join together, they become more competitive as the request for funds covers a larger area. The grants for which FHMD would be qualified will be released in the Spring of 2023. Messrs. Dahl and Laverty also confirmed they were prepared to help the District develop grant requests and scopes of mitigation work for future contracts, all within their previous quote. The Board will discuss next steps to be taken at the January 18, 2023, board meeting.

CHANGE IN ATTENDANCE

Bjorn Dahl and Lyle Laverty left at 6:11 p.m.

Gabby Begeman left at 6:22 p.m.

Chuck Silverman left at 6:41 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

A. Agenda: No changes.

B. Minutes: November 16, 2022. No changes.

2. REPORTS

- A. Operator's Report: The Operator's report was submitted in the board packet for review. Ms. Begeman clarified the pricing of the bi-annual booster pump station generator service agreement from Power Systems West. The full bi-annual service agreement is \$1,903 and ORC recommends approval of the contract. Upon **motion** by Director Blue, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved the Service Agreement with Power Systems West.

Director Blue asked if there is a time limit set for installation of a smart meter for the remaining homes that have yet to allow installation. Ms. Zivalich noted that there is no limit and added that there are only a handful of homes remaining and some are in areas where cell service is an issue and, in some cases, a penetration through a wall would be required to install an antenna. This topic will remain on the agenda for discussion at the January meeting.

- C. Engineer's Report (Element Engineering {EE}): The Engineer's report was submitted in the board packet for review. No discussion necessary.
- D. Manager's Report: The Manager's report was submitted in the board packet for review. No discussion necessary.

Master Planning Committee (MPC) Report/Minutes: As discussed in November, Chairperson Weinberg and Director Oakley will review the Excel file previously provided by Eric Kirsch, which contains the MPC project-tracking list, and will provide more information at the January board meeting.

Ms. Zivalich provided an update on the painting project. The paint continues to fail on all structure steel roofs. The painting contractor vows to honor their contract and come back in the spring to properly prep the surfaces and repaint. Ms. Zivalich is recommending a contract/PO extension to May 31, 2023. Upon **motion** by Director Oakley, duly seconded by Director Blue, and upon unanimous vote, the Board approved extending the original contract/purchase order with the Colorado Painting to May 31, 2023.

Because the painting of the gatehouse and gazebo were inspected and approved by FHMD and the HOA, Ms. Zivalich recommends the Board approve a partial payment. After discussion and upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved a \$5,000 partial payment, contingent upon Colorado Painting signing the contract/PO extension, committing in writing to completing the roof surfaces repainting by May 31, 2023, and also providing a plan as to how they plan to successfully complete the steel roof repainting with Sherwin Williams paint.

3. FINANCIAL MATTERS

- A. Claims: Through November 2022. Submitted in the board packet for review. It was noted that the Board was executing the 2022 Interfund Loan Resolution for transferring \$65,000 that was originally approved at the January 2022 board meeting. Ms. Holder will transfer the funds from the General Fund to the Water/Sewer Fund checking account before the end of the month.
- B. Unaudited Financial Statements: Through November 2022. Submitted in the board packet for review. No discussion necessary.
- C. 2023 Proposed Rate and Fee Increase (Rate Increase Effective February 1, 2023, for January bills): Ms. Zivalich noted that the Appendix A – Schedule of Fees and Charges, as well as the 2023 Rate and Fee Schedule, would be posted to the website and eblasted to the owners by the end of the year. In addition, it was made clear that the 2023 rates will begin with the February 2023 billing for January usage.

4. HOA MATTERS

- A. Signs/Logo/Colors: No update.

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

REGULAR AGENDA ITEMS

5. PUBLIC COMMENT

There were no comments by the public on the rate and fee increase.

6. OLD BUSINESS

- A. Booster Pump Station - Update: The booster pump station project had been closed out and the final payment had been made to FHMD. Ms. Zivalich noted that the project came in under budget dropping the amount due on the supplement loan by \$65,000.
- B. WWTP Upgrade Update: The Fluidyne equipment had shipped, and the 65% payment was included in the payables for approval by the Board. ORC had taken receipt of the equipment and would deliver it to the WWTP after they ensure all pieces were received. Fluidyne and Barnard Structures anticipated installation to start during the week of January 9, 2023; and that this project would be completed by the end of January.
- C. Roadway Project Update: The roadway project had been completed. Final payment to A1 Chip Seal would be made on December 28, 2022. At the November meeting, Chairperson Weinberg noted there was a pothole near Mt. Rose on Eastwood that should be evaluated. Ms. Zivalich noted that the pothole was not originally marked and may have appeared due to colder weather and snow plowing efforts, therefore it was not covered under warranty. It should be repaired as part of next year's roadwork.

- D. WesTest Contract/Chip-Seal and CM Bid - Update: The WesTest contract for chip seal and construction management services was redone to include the FHMD standard contract with their scope of services as an exhibit. Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved awarding of the WesTest contract.
- E. Adept Utility Locate Contract: The Adept Utility Locate contract for locate services was redone to include the FHMD standard contract with the scope of services as an exhibit. Upon **motion** by Director Blue, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved awarding of the Adept Utility Locate contract.
- F. SaBells Landscaping Contract: The SaBells Landscaping contract for 2023 landscape services was redone to include the FHMD standard contract with the scope of services as an exhibit. Upon **motion** by Director Robert, duly seconded by Director Oakley, and upon unanimous vote, the Board approved awarding of the SaBells Landscaping contract.
- G. PFAs and Phosphorus Testing Grant Update: CDPHE had paid the first invoice application.

7. NEW BUSINESS

- A. 2023 Election Resolution: Upon **motion** by Director Oakley, duly seconded by Chairperson Weinberg, and upon unanimous vote the Board approved the 2023 Election Resolution.
- B. 2023 Resolution to Increase Water and Sewer Rates, Fees, and Charges: Upon **motion** by Director Oakley, duly seconded by Director Blue, and upon a unanimous vote, the Board approved the 2023 Resolution to Increase Water and Sewer Rates, Fees, and Charges.
- C. Resolution to Adopt the 2023 Budget and Approve the Certification of Tax Levies: Upon **motion** by Chairperson Weinberg, duly seconded by Director Robert, and upon a unanimous vote, the Board approved the Resolution to Adopt the 2023 Budget and Approve the Certification of Tax Levies.
- D. Motions to Approve Repairs and/or Purchases of New Equipment per ORC's Request: Each repair and/or purchase item is listed below with a separate motion.
 - i. BPS Handrail Extension - \$5,000 – Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the purchase of the BPS handrail extension for \$5,000.
 - ii. Crane Lift - \$3,000 - Upon **motion** by Director Oakley, duly seconded by Director Blue, and upon unanimous vote, the Board approved the purchase of the crane lift for \$3,000.

- iii. Basin Feed Pump - \$7,400 - Upon **motion** by Director Blue, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the repair to the basin feed pump.
- iv. Lift Station Annual Cleaning - \$1,000 - Upon **motion** by Director Robert, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved the contract for annual cleaning of the lift station.

8. ADJOURNMENT

Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, 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 7:06 p.m. The next regular meeting is scheduled for January 18, 2023, via conference call, beginning at 5:30 p.m.


THESE MINUTES ARE APPROVED AS THE OFFICIAL, DECEMBER 14, 2022, 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