

RECORD OF PROCEEDINGS

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

February 15, 2023, 5:30 p.m.

Held via conference/Zoom call.

ATTENDEES Directors present: Craig Weinberg, Michael Oakley, Victor Robert, Nikki Patrick, and David Blue.
Others present: Ronda Zivalich (MAPs, Inc.), Gabby Begeman (ORC Water Professionals), Nickie Holder (NMHolder Financial, Inc.) and Nick Marcotte (Element Engineering, Inc.).
Guests present: None
Residents present: Steve Iskalis

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

CHANGE IN ATTENDANCE

Gabby Begeman and Nick Marcotte left at 6:18 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes.
- B. Minutes: January 18, 2023. No changes.
- C. 2023 Election Status Update: Two positions will be open in May. A notice has gone to the community to encourage individuals to complete self-nomination forms. If only two nominations are received, the election will be cancelled.

2. REPORTS

- A. Operator's Report: The Operator's report was submitted in the board packet for review. The 2G to 4G upgrades have begun. One installation required a plumber to install a new pressure-reducing valve (PRV) in the owner's home, due to a leak created in the existing PRV during the work. Payment at the District's expense will be made to the plumber via credit card. A priority list was created; and ORC is installing meters in those homes first, with the remaining homes to follow.

Mr. Iskalis asked for clarification regarding catch-up billing for those owners whose bills are being estimated until installation can occur. He expressed concern that, when the catch-up billing occurs and if the usage is at a higher rate, it may force the amount due into the next tier. The Board and Ms. Zivalich noted that the bills will be watched carefully to ensure higher-tier billing will not be allowed.

Director Oakley noted that there is a grant available for infrastructure improvements with regard to PFAs and asked that, if the District is eligible, ORC, EE and Ms. Zivalich work to complete the application by the deadline of March 31, 2023.

- D. Engineer's Report (Element Engineering {EE}): The Engineer's report was submitted in the board packet for review. Mr. Marcotte informed the Board that the WWTP upgrade project had been completed. Ms. Begeman stated that it is too early to tell if the upgrade has improved results for TIN, as expected, because more testing and tweaking of the equipment need to occur.
- E. Manager's Report: The Manager's report was submitted in the board packet for review. Ms. Zivalich informed the Board that, due to the previously chosen service provider's default, she had chosen a new locate contractor, Diversified Underground, and recommended approval of the contract. Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved awarding the contract to Diversified Underground.

Director Blue asked how many locates are typically requested in any given year. Ms. Zivalich commented that in 2022 there were 67 locates requested but noted it was more than usual because of the roadwork and BPS project. In view of that information, the Board further agreed that any locates related to a specific District project would be charged to that expense line item.

Chairperson Weinberg committed to scheduling a meeting with Ms. Zivalich and Director Oakley in March, regarding roadway designations. Director Blue offered to participate in the discussion, and Director Oakley offered to step out of the discussion to let Director Blue participate instead.

Director Blue asked about water rights oppositions. Ms. Zivalich stated that HROD, the District's water rights attorneys, review cases that come before the water court and at times recommends that FHMD file an opposition, if it appears the filing could impact FHMD's water rights. RESPEC, the District's water rights engineers, offer their opinion on HROD recommendations, and if the Board agrees, HROD file the opposition.

D. Master Planning Committee (MPC) Report/Minutes:

1. 2023 Painting Project for Roofs – Update – No new information.

The Board discussed MPC projects that would have the most positive impact on the community. The landscaping at the Forest Hills entrance was considered the best use of the funds in 2023. Director Oakley emailed to the Board the plans from the landscape architect that were originally submitted in 2021. Director Blue and Director Patrick will

work together to contact three landscaping companies to seek proposals to complete Forest Hills entrance improvements. Director Oakley indicated he would also send Director Blue the MPC's spreadsheet that identifies street signs that need to be replaced. Director Blue volunteered to follow up on this potential 2023 project.

3. FINANCIAL MATTERS

- A. Claims: Through January 2023. Submitted in the board packet for review. No discussion necessary.
- B. Unaudited Financial Statements: Through January 2023. Submitted in the board packet for review. No discussion necessary.

4. HOA MATTERS

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

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

REGULAR AGENDA ITEMS

5. PUBLIC COMMENT

There were no comments by the public.

6. OLD BUSINESS

- A. WWTP Upgrade Update: The project has been completed; and the District has made final payment to the contractor. See the Engineer's Report for further information.
- B. Roadway Project Update: Ms. Zivalich noted that only one responsive bid was received by the bid deadline for the chip seal work on Forest Hills Drive, Eastwood and Anasazi. A second contractor asked if the District would consider a bid that did not include rumble strips, to which Ms. Zivalich agreed but their bid was not received by the bid due date. After discussion, the Board agreed to extend the due date and not award the project until a bid could be received from this contractor. Director Oakley suggested that an extension be filed on the solicitation and other bidders be allowed an opportunity to provide a "best and final" bid. A special meeting will be held to vote on the winning bid, which must be awarded 10 days from the bid deadline of February 13, 2023.
- C. 2G to 4G Smart Meter Upgrade - Update: The meters had been received and were currently being installed by ORC. Please see comments under the Operator's report.
- D. Fire Mitigation/Grant Assistance Update: There have been no updates provided by Bjorn Dahl, regarding the fire mitigation grants. The Board will move forward once information is available.

7. NEW BUSINESS

- A. Ponds 4 and 5 Cleaning – Boulder Ponds Contract/POs: A contract and purchase orders (POs) had been provided in the board packet; and Ms. Zivalich recommended approval for cleaning of Pond 5 and the cleaning of the south end of Pond 4. Upon **motion** by Director Blue, duly seconded by Director Patrick, and upon unanimous vote, the Board approved the contract and POs for cleaning both ponds.

Chairperson Weinberg will draft a notice to send to the community, regarding the various upcoming projects. The Board members will have an opportunity to review the notice before it is sent.

8. ADJOURNMENT

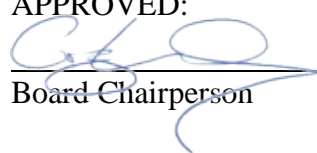
Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon a unanimous vote, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time, the meeting was adjourned at 7:20 p.m. The next regular meeting is scheduled for March 15, 2023, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, FEBRUARY 15, 2023, 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