



## RECORD OF PROCEEDINGS

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

February 16, 2022, 5:30 p.m.  
Held via conference/Zoom call.

**ATTENDEES** Directors present: Craig Weinberg, Julie Noonan, Mike Swartzlander, Michael Oakley and Victor Robert  
Others present: Gabby Begeman (ORC Water Professionals), Ronda Zivalich (MAPs, Inc.) and Nickie Holder (NMHolder Financial, Inc.)  
Residents present: Brenda Shuler and Stephen Iskalis

**QUORUM** The meeting was called to order by Chairperson Weinberg at 5:32 p.m. and a quorum was noted.

#### CHANGE IN ATTENDANCE

Gabby Begeman arrived at 5:34 p.m. and left at 6:12 p.m.  
Steve Iskalis left at 6:10 p.m.

### CONSENT AGENDA ITEMS

#### 1. ADMINISTRATIVE MATTERS

- A. Appointment of Victor Robert: Ms. Zivalich administered the Oath of Office to Director Robert on February 11, 2022; and Chairperson Weinberg officially appointed him to the Board at the beginning of this meeting. District Management filed all necessary paperwork with Jefferson County and the Department of Local Affairs, as required.
- B. Agenda: No changes.
- C. Minutes: January 19, 2022. No changes.

#### 2. REPORTS

- A. Operator's Report: The Operator's Report was submitted in the Board packet for review. Director Oakley asked about the discrepancy between water sold versus water loss as related to the smart meters. The current discrepancy is about 18%, whereas a 10% discrepancy has been considered normal. Ms. Begeman stated that six customers have refused installation of the smart meter in their homes and are paying the meter-reading fee instead. It was also noted that there are several registers that have failed and need replacement. Due to supply chain issues, ORC was unable to get replacement registers and smart meters, but now have them on hand. Other factors are ORC's staffing issues and homeowner's response and availability for scheduling the appointments. Ms. Zivalich continues to contact homeowners by phone and email to get appointments scheduled. Director Oakley requested that the monthly meter-reading spreadsheet and the meter installation spreadsheet, Ms. Zivalich maintains, be provided to the Board before the next meeting. The Board also discussed the current meter-reading fee of \$20 and will consider raising it in the near future.

Director Oakley asked ORC to include the water consumption chart in their monthly report. Mr. Iskalis inquired about catch-up billing for those owners who do not have smart meters and/or have broken registers. District Management noted that, at some point, there would be additional charges to match the correct usage; and the affected homeowners would have to pay. Director Oakley noted he is completing a review of the Rules and Regulations over the next few months, but he would look more quickly to determine what powers the District has to gain access to homes for the purpose of installing or repairing meters.

Sludge hauling was brought up as a concern of going over budget as Ms. Begeman requested six sludge hauls in 2022. Ms. Zivalich noted that Mr. Herzing had also requested that when the 2022 budget was being developed. Ms. Zivalich will inquire with McDonald's Farm if there was a price increase for 2022 and confirm to the Board whether or not the budget is adequate.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. The first pay application for the Booster Pump Station has been received from RN Civil and was reviewed and approved by EE. Upon **motion** by Director Oakley, duly seconded by Director Noonan, and upon unanimous vote, the Board approved the pay application submitted by RN Civil. Ms. Zivalich noted that the WWTP improvement bid solicitation is still being advertised in March. EE will complete the design phase in time to advertise the project solicitation.
- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review. No discussion.
- D. Master Planning Committee Report/Minutes: The MPC is aware that the project budget for 2022 is \$50,000. The committee will reach out to contractors for project estimates for submittal to the FHMD Board for approval. Mr. Iskalis will be setting up meeting with the HOA, regarding the color palette.

### 3. FINANCIAL MATTERS

- A. Claims: Through January 2022. Submitted in the BOD Packet for review. Director Oakley expressed a concern about the utility locates being charged by EE, as it appears we are already over budget for the year. Ms. Zivalich will discuss with EE.
- B. Financial Statements: Through January 2022. 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

No public comments.

### 5. OLD BUSINESS

- A. Booster Pump Station Update (Daily Check in by EE): An update was provided in EE's report.
- B. Gates/Antennas (Bid): PGA provided a bid for installation of a 12-foot post to be installed behind the existing keypad to extend the reach of the antennas and reduce interference between the Summerwood and Forest Hills antennas. The bid is \$981. The Board discussed where else the antennas could be placed rather than behind the keypad (i.e., the gatehouse or on the west side of Forest Hills). Before the Board decides on this proposal, it requested that Ms. Zivalich contact Mike Zinniker to get his thoughts on how the antennas could be moved to the gatehouse and obtain an estimate of the associated installation costs from PGA.
- C. Pond 4 Leak and Pond 6 Liner Damage: Ms. Zivalich contacted Noble regarding a bid for a clay liner in Pond 4. Noble had several questions about the pond itself; and Ms. Zivalich had forwarded the questions to RESPEC and was awaiting a response. It is anticipated that a bid estimate will be available at the March meeting. ORC noted that there is a valve that can be opened to drain the pond, however it has not been exercised recently and may not work. Director Swartzlander asked if the Pond 6 liner tears will be repaired as well, but Ms. Zivalich noted that the tears are only along the perimeter and therefore do not affect the pond itself, as there are no leaks. Any repairs to either pond will be taken into consideration and may be deferred to 2023.
- D. PFAS and Phosphorus EE & ORC Update: Mr. Marcotte is working on the grant application and will submit a draft to the District by end of February. As a reminder, the due date for the grant application is April 1, 2022.
- E. Roadway Project Update: The bid solicitation went out on February 3, 2022, via Bidnet and the Golden Transcript. Bids are due by February 17, 2022. In addition, WesTest called eight vendors to alert them to the bid solicitation. Ms. Zivalich will notify the Board by February 18, 2022 of how many bids were received.
- F. Election/Open Positions/Self Nominations: Self-nomination forms are due to the Designated Election Official no later than February 25, 2022. The election will be canceled, if the number of self-nominations received equals, or is less than, the number of open positions.
- G. Gates Annual Maintenance Contract (On hold)

- H. Rules & Regulations Update (On hold)
- I. Eastwood Back Gate Steel Posts Permission Update (On hold)
- J. Eastwood Back Gate Steel Posts Permission Update (On hold)
- K. Fire Evacuation Plan (On hold)
- L. Park Irrigation (On hold)

**6. NEW BUSINESS**

- A. Lighting at Eastwood Gate and our Neighbors: The District received a complaint from a Genesee neighbor, regarding the lighting at the Eastwood gate, as it shines directly into their living room window and is very bright. After discussion, it was agreed that Ms. Zivalich would come up with a resolution without removing the lighting in its entirety.

**7. ADJOURNMENT**

Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, 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 6:42 p.m. The next regular meeting is scheduled for March 16, 2022, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, FEBRUARY 16, 2022, 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