

RECORD OF PROCEEDINGS

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

January 18, 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: None

QUORUM The meeting was called to order by Chairperson Weinberg at 5:34 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE

Gabby Begeman and Nick Marcotte left at 5:53 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: Ms. Zivalich added Item F. under Administrative Matters to discuss the upcoming May election. Chairperson Weinberg asked to add Item C. under New Business to discuss snow plowing and resident's expectations.
- B. Minutes: December 14, 2022. No changes.
- C. Minutes: December 24, 2022. No changes.
- D. Chairperson Appointment for First Half of 2023: Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved Chairperson Weinberg to remain as the Chairperson through June 2023.
- E. Board Member Positions: Positions will be discussed after the May 2, 2023 election.
- F. 2023 Election: There are two seats up for election in May and both are for 4-year terms. Ms. Zivalich noted that Call for Nominations would be published in the Golden Transcript on January 26, 2023 as well as posted on the District website. After discussion, the Board agreed that an eblast should also go to the community. Self-nomination forms are due to the District's Designated Election Official (DEO) by the end of the day on February 24, 2023.

2. REPORTS

- A. Operator's Report: The Operator's report was submitted in the board packet for review. Ms. Begeman noted that the PFA test results were received in early January and that all were above CDPHE recommended limits. CDPHE will follow up with a letter to the District which will include next steps for the District to consider. This discussion was tabled until the CDPHE letter is received. The Board did ask EE to provide a ballpark quote for installation of an activated-carbon or reverse osmosis (RO) system for future reference.

Director Oakley requested that Ms. Begeman add the averaged usage for the 67 smart meters homes to the comparison spreadsheet/graph so it reflects more accurately current usage data.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's report was submitted in the board packet for review. No discussion necessary.
- C. Manager's Report: The Manager's report was submitted in the board packet for review. No discussion necessary.
- D. Master Planning Committee (MPC) Report/Minutes: Ms. Zivalich noted that a contract/PO extension was signed by Colorado Painting extending their original contract to May 31, 2023 with a commitment to complete the painting satisfactorily by that date at no additional cost.

The Board discussed the potential Master-planning Committee (MPC) 2023 projects that would be most impactful to the community. Director Oakley stated that the original list of projects prioritized the Forest Hills entry landscaping with the park/gazebo area being second. During the general discussion, most directors had expressed a preference for that approach. Director Oakley agreed to email to the directors the landscape architect plans that were done for the MPC in 2021.

3. FINANCIAL MATTERS

- A. Claims: Through December 2022. Submitted in the board packet for review. No discussion necessary.
- B. Unaudited Financial Statements: Through December 2022. Submitted in the board packet for review. No discussion necessary.

4. HOA MATTERS

- A. Signs/Logo/Colors: Chairperson Weinberg will reach out to the HOA to set up a meeting to discuss signs, logo and colors. He will provide an update at the February meeting.

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

REGULAR AGENDA ITEMS

5. PUBLIC COMMENT

None.

6. OLD BUSINESS

- A. WWTP Upgrade Update: The Fluidyne equipment has been installed only requiring downtime of about four hours, less than originally anticipated. This installation did not affect the community. Fluidyne was currently onsite to complete installation and startup, and anticipated being done by Friday, January 20, 2023. ORC's training with Fluidyne should also be completed by the end of the week.

Barnard Structures had submitted pay application number two but included a change order request for \$2,070 for installation of owner procured floats, which were onsite. ORC noted that the old floats were working, and new ones did not need to be installed at this time. Ms. Begeman offered to install floats, when needed, under their general maintenance of the WWTP. Upon **motion** by Director Oakley, duly seconded by Director Blue, and upon unanimous vote the Board denied Barnard Structures' change order request. Upon **motion** by Director Oakley, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved Barnard Structures' pay application number two, contingent upon removal of the \$2,070 change order and a resubmittal of the pay application to the District.

- B. Roadway Project Update: Director Oakley and Ms. Zivalich had reviewed the WesTest bid solicitation documents and provided a few changes, and also had reviewed the engineer's estimate for the work. WesTest advertised the solicitation on Bidnet.com on January 13, 2023, with bids due by February 13, 2023.
- C. 2G to 4G Smart Meter Upgrade - Update: The District had ordered the necessary meters and antennas. The District also notified affected homeowners that meter replacements are needed and their estimated usage would be billed through at least March 31, 2023. A ship date for the meters had not yet been confirmed but was anticipated in late January.
- D. Fire Mitigation/Grant Assistance Update: There are no updates from Bjorn Dahl. The Board agreed to table this discussion until there is additional information about the grants.
- E. Napp Driveway Damage: Ms. Zivalich and Chairperson Weinberg discussed the Napp's request for reimbursement for damage to their driveway by snow removal efforts in 2017. Ms. Zivalich had contacted the District's attorney and asked her to write a final offer letter to the Napps, a draft of which was included in the board packet. After discussion, the Board decided to take no action at this time.

- F. PFA's and Phosphorus Testing Grant Update: Ms. Zivalich has prepared the final invoice and paperwork and submitted them to CDPHE. Test results had been received and submitted to CDPHE.

7. NEW BUSINESS

- A. 2023 Meeting Place Posting Resolution: Upon **motion** by Director Oakley, duly seconded by Director Blue, and upon unanimous vote, the Board approved the 2023 Meeting Place Posting Resolution.
- B. 2023 Meeting Location Resolution: Upon **motion** by Director Oakley, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved the 2023 Meeting Location Resolution.
- C. Snow Removal Expectations: The District had been receiving emails from residents about berms being created in front of their driveways by snow removal efforts and they were asking that the berms be removed. After discussion, the Board agreed that there should not be any expectations from homeowners that the District's snowplow vendor remove berms of snow in front of their homes/driveways. Chairperson Weinberg and Ms. Zivalich will create a generic response to be sent to homeowners when they request a berm be removed.

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 7:40 p.m. The next regular meeting is scheduled for February 15, 2023, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, JANUARY 18, 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:
[Signature]
Board Chairperson