



RECORD OF PROCEEDINGS

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

January 19, 2022, 5:30 p.m.

Held via conference/Zoom call.

ATTENDEES Directors present: Craig Weinberg, Julie Noonan, Mike Swartzlander and Michael Oakley.
Others present Mary Collins and Gabby Begeman (ORC Water Professionals), Nickie Holder (NMHolder Financial, Inc.) and Nick Marcotte (Element Engineering, Inc.).
Residents present: None

QUORUM The meeting was called to order by Chairperson Weinberg at 5:31 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE
Nick Marcotte, Gabby Begeman and Mary Collins left at 6:02 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes.
- B. Minutes: December 15, 2021. No changes.

2. REPORTS

- A. Operator's Report: The Operator's Report was submitted in the Board packet for review. Director Oakley requested that the curb stop spreadsheet maintained by ORC be included in the board packet each month, even if there are no changes.
Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. No discussion.
- B. Manager's Report: The Manager's Report was submitted in the BOD packet for review. No discussion.
- C. Master Planning Committee Report/Minutes: The MPC has acknowledged that the 2022 budget amount for capital repairs and maintenance is \$50,000 for their use. Painting of bunker signs and other structures is on the top of their list for use of the funds. Director Oakley had contacted Steve Iskalis and Erich Kirsch and provided them the names and contact information for three painting companies that they may want to ask to provide quotes.

3. FINANCIAL MATTERS

- A. Claims: Through December 2021. Submitted in the BOD Packet for review. No discussion.
- B. Financial Statements: Through December 2021. Submitted in the BOD packet for review. No discussion.

Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, 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): Chairperson Weinberg questioned the condition of the access road to the BPS site, noting that the road surface had been raised by 1 to 2 feet. His concern is that RN Civil be held responsible for returning the road to its original grade. Nick Marcotte assured the Board that the access road and any landscaping that has been altered during the Booster Pump Station project will be returned to its original state by the contractor, prior to final completion.

Director Oakley asked if RN Civil was appropriately protecting the concrete from the cold and snow; and Mr. Marcotte stated they have been covering it with blankets and following the appropriate standards.

Mr. Marcotte provided an update regarding potential additional construction management oversight required for the BPS project. He noted that more oversight will be provided during crucial milestones and daily visits will also occur, all at no extra cost. Upon **motion** by Chairperson Weinberg, duly seconded by Director Noonan, and upon unanimous vote, the Board approved a change order to the construction management oversight PO to allow for additional time for daily site visits at no additional cost.

Mr. Marcotte has received an updated three-week look ahead project schedule from RN Civil, and once reviewed he will send to the District for their information.

- B. Gates: PGA repaired the antennas that were vandalized at Forest Hills, but there continues to be issues with the range for activation by clickers and interference between the two antennas for FH and Summerwood. There are options and associated costs being explored by Ms. Zivalich and PGA that will be presented at the February meeting.

PGA provided a quote for an annual maintenance service contract in the amount of \$800. After discussion, it was decided that because there is a one-year warranty on the new gates, the maintenance contract would be revisited later in the year. This will be added to the agenda in October.

- C. FHMD Lock on Eastwood Back Gate – Change Code: After discussion, it was agreed not to change the code because this is an emergency gate, and all owners currently have the code. This item will remain on the agenda for future consideration.
- D. Color Palette: Chairperson Weinberg, Ms. Zivalich, Ms. Holder, Steve Iskalis and Erich Kirsch met after the December meeting to answer MPC questions, regarding budget and color palette. The Board agreed that the color palette selection should be turned over to the HOA. Chairperson Weinberg will draft a neighborhood update in the next couple of weeks for Board review, and the District will send the update to homeowners and post it on the website.
- E. Pond 4 Leak: The leak at Pond 4 was inspected by Alan Leak with RESPEC. He recommends that the pond be emptied, and a clay liner installed. Director Swartzlander suggested that it appears a similar issue is occurring with the edge of the Pond 6 liner. Gabby Begeman stated that they are aware of liner damage at Pond 6 which was created by elk and deer walking on the area. EE and ORC will ask John Noble for a quote to add a clay liner to Pond 4 and hope to have the information by the February meeting.
- F. Collection Policy Language/Resolution: Director Noonan updated Section 9(n) of the District Rules and Regulations to include the new collection policy language. Upon **motion** by Director Noonan, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the collection policy resolution and incorporation of said language to the Rules and Regulations. The updated language replaces in its entirety the FHMD past due accounts resolution adopted on July 9, 2014.
- G. Rules & Regulations Update: Director Oakley will continue his review of the Rules & Regulations and provide updates in the next couple of months. This item will be kept on the monthly agenda going forward.
- H. PFA's and Phosphorus - EE & ORC Update: Nick Marcotte noted that there are available grants for additional testing from the State for future limit requirements and suggested that the District apply for the grant. The grant is for \$10k of which 50% is for testing and 25% is for emergency assistance. ORC agreed that the grant is worth pursuing to offset the costs of additional sampling that will be needed for data collection on current PFA and phosphorus levels from the District's wells. The grant application is due April 1, 2022; and EE would need five manhours to complete the grant application. Upon **motion** by Director Oakley, duly seconded by Director Noonan, and upon unanimous vote, the Board approved EE to spend up to five hours complete the grant application. EE will submit the application to the Board for their review and approval by end of February.

- I. Roadway Project Update: The bid package has been updated to remove culvert work that was completed in 2021. The bid solicitation will be advertised at the beginning of February. The District will be provided the bid package to review before it is advertised.
- 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. Haynie & Company Audit Engagement Agreement: Upon **motion** by Director Oakley, duly seconded by Director Noonan, and upon unanimous vote, the Board approved the audit engagement agreement for the calendar year 2021 audit, as presented in the Board packet.
- B. HOA's Request for Hold Open on Gates for Garage Sales: After discussion, the Board agreed to allow the Forest Hills and Summerwood entrance gates to be held open during specific dates and times to accommodate the HOA's planned community garage sales.
- C. Election/Open Position/Self Nominations: The Board discussed the open positions and the upcoming May 2022 election. Ms. Holder noted that any current Board members interested in reelection need to complete a Self-Nomination form and submit to the DEO (Crystal Schott) by 5:00 p.m. on February 25, 2022.
- D. Resolution for Posting Locations: The Board asked for one change to resolution: the posting locations should be at the Pond 6 restroom bulletin board only and all other posting locations should be removed. Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the resolution with the noted changes.
- E. Resolution for Meeting Place: Director Oakley noted that Mount Vernon County Club changed their name to Mount Vernon Canyon Club and the meeting place resolution should be changed to reflect the new name. Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the resolution for meeting place with the noted change.

7. ADJOURNMENT

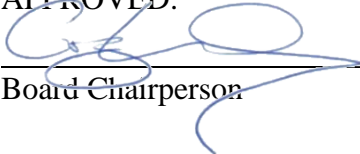
Upon **motion** by Director Oakley, duly seconded by Chairperson Weinberg, and upon a unanimous vote, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time, the meeting was adjourned at 6:41 p.m. The next regular meeting is scheduled for February 16, 2022, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, JANUARY 19, 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:


Board Chairperson