

RECORD OF PROCEEDINGS

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

July 19, 2023, 5:30 p.m.

Held via conference/Zoom call

ATTENDEES Directors present: Victor Robert, David Blue and Jason Krutsch
Others present: Gabby Begeman (ORC Water Professionals), Nick Marcotte (Element Engineering), Ronda Zivalich (MAPS, Inc.) and Nickie Holder (NMHolder Financial, Inc.)
Residents present: Bernie Garvey and Joe Reese

QUORUM The meeting was called to order by Ms. Zivalich, at 5:30 p.m. and a quorum was noted. Upon **motion** by Director Robert, duly seconded by Director Blue, and upon unanimous vote, the Board approved the absence of Chairperson Weinberg and Director Oakley from the meeting.

CHANGE IN ATTENDANCE

Nick Marcotte left at 5:40 p.m.
Gabby Begeman left at 5:53 p.m.
Bernie Garvey left at 6:59 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: Item 3.C. will be added to the agenda to discuss the 2022 financial statement audit.
- B. Minutes: No changes.

2. REPORTS

- A. Operator's Report: The Operator's report will be submitted to the Board after the meeting. ORC will update her report regarding discrepancies in the meters that still need to be replaced for the 2G to 4G upgrade.
- B. Engineer's Report (Element Engineering {EE}): No updates.
- C. Manager's Report: The Manager's report was submitted in the board packet for review. It is noted that ORC is reviewing the capital improvements and repair list to include work and/or equipment that need to be included in the 2024 budget. EE will be asked to do the same. Director Blue noted that there was a water rights opposition included in the Board packet. Ms. Zivalich reminded the Board that oppositions are filed when there is a case that may affect the District's water rights and includes those filings in the packet.
- D. Master Planning Committee –
 - 1. 2023 Painting Project for Roofs Update: Ms. Zivalich and Erich Kirsch have completed another walk-through for painting of the roofs. There is still bubbling of paint where either gases or water appear to be underneath the coat of paint. It was recommended that

2. another month be given for those to adhere. The gazebo was also inspected, and it was determined that there are several areas that have failed. The contractor will schedule repainting in early August. Another walk-through will be scheduled for mid to late August and no final payment will be made until the project is deemed acceptable.
3. Resurfacing of the Basketball Court – Homeowner Request Update: Ms. Zivalich connected with the homeowner, but he had not had time to research projects and associated costs. This item will be tabled until the homeowner has an opportunity to provide data. This will be budgeted for 2024.

3. FINANCIAL MATTERS

- A. Claims: Through June 2023. Submitted in the board packet for review.
- B. Financial Statements: Through June 2023. Submitted in the board packet for review.
- C. 2022 Financial Statement Audit: The financial statement audit is in its final review with the CPA firm and will be reviewed and approved by the Board in August. An extension will need to be filed as the audit is supposed to be filed with the State by July 31, 2023. Ms. Holder is asking the Board to approve an extension due date to September 30, 2023. Upon **motion** by Director Blue, and seconded by Director Krutsch, and upon unanimous vote, the Board approved filing an audit extension with the State. The District will need to amend the 2022 budget and will advertise in the Golden Transcript that a public hearing will be held at the August meeting.

4. HOA MATTERS

- A. HOA Signs: The HOA has provided proposals for bunker and monument signage updates and were included in the board packet. After discussion with the two homeowners in attendance, it was determined that there still is no clear choice on the color scheme, therefore, this topic was tabled until the August meeting.

Ms. Zivalich noted that residents have been inquiring about installing a BBQ grill at the gazebo and discussed this with Yvett Green. Ms. Green noted that they would like to add a grill again but wanted to revisit building an enclosure. Ms. Zivalich conveyed to Ms. Green that the Board would be happy to review any plans for a built-in BBQ grill when they have them.

Upon **motion** by Director Krutsch, duly seconded by Director Robert, and upon unanimous vote, the Board approved the Consent Agenda.

REGULAR AGENDA ITEMS

4. PUBLIC COMMENT

Joe Reese noted that he would like to hold a concert at the park and wanted to know the process to follow for approval. Ms. Zivalich noted that the District had received his request via the website and directed him to the website to review the park rules and suggested that he also contact the HOA.

Mr. Reese inquired about whether paving was to be done on the District's smaller roads. The Board and Ms. Zivalich noted that due to the increased cost of product and labor the four main roads are the only ones that will be chip sealed in 2023. Mr. Reese asked when the roads would be completely cured and how long this treatment should last. It was noted that the chip seal should extend the life of the roads 6 to 8 years and that the chip seal will continue to cure over the next few weeks and months.

5. OLD BUSINESS

- A. PFAS Infrastructure Grant Update: No new updates.
- B. Alpine Landscaping Project - Update: The landscape project is 100% complete and the care and maintenance has been turned over to Sabell's. The project has been reviewed and approved by Ms. Zivalich, Chairperson Weinberg, Director Blue and Nikki Patrick and all recommend payment of the final invoice.
- C. Roadway Project – Update: The roadway project has been completed with the exception of touchups, striping and temporary painting, which should be completed in the next couple of weeks. Ms. Zivalich noted that there are four options for the Board to decide upon at this meeting.
 1. Paint a temporary centerline strip on Nakota;
 2. Paint an epoxy centerline strip and epoxy stop bars on Willobe;
 3. Paint temporary stop bars on all other roads at stop signs;
 4. Extend chip seal and fog coat to easements on roads that meet the newly treated roads.Upon **motion** by Director Robert, seconded by Director Krutsch, and upon unanimous vote, the Board approved epoxy striping and stop bars on Willobe. Upon **motion** by Director Blue, seconded by Director Robert, and upon unanimous vote, the Board approved painting a temporary centerline on Nakota and temporary painting of stop bars on all other streets that have stop signs. Upon **motion** by Director Krutsch, seconded by Director Robert, and upon unanimous vote, the Board agreed to follow the expert's advice and not apply chip seal on easements that meet treated roads.
- D. 2G to 4G Smart Meter Upgrade - Update: Upgrades have continued with about 15 meters remaining. ORC had noted there are additional meters that need to be replaced due to failures. Upon **motion** by Director Blue, seconded by Director Krutsch, and upon unanimous vote, the Board approved the purchase of 10 additional meters.
- E. Pond 5 Culvert Leak Update: No further updates.

- F. Pond 4 Leak Update: CO Pond and Lake is providing pricing for a different type of sealant that should seal the pond permanently. Preliminary pricing appears to be under \$2,000. If the pricing remains under \$3,000, Ms. Zivalich will approve the work and CO Pond will order the product and spray in when received.
- G. Pond 6 Repairs – Update: CO Pond and Lake is working on repairs to the air lines and aerators but is waiting for some parts to complete the work.
- H. Fire Mitigation/Grant Assistance - Update: Ms. Zivalich met with Foothills Fire Chief regarding grants for which the District may qualify. He noted that Genesee Foundation and several other entities are applying for a three-year grant through Colorado State Forest Service for annual slash pick up. After discussion, the Board agreed that participating would benefit the District. Ms. Zivalich will meet with Yvett Green and schedule a meeting with Genesee Foundation for further discussions for participation.
- I. Tree Removal Bids Update: Schulhoff has confirmed their bid to remove marked trees for under \$4,000, which was previously approved by the Board. Removal will be scheduled in August.
- J. Irrigation at the Park: Ms. Zivalich noted that SaBells and ORC attempted to turn the irrigation on at the park but there was not enough pressure to turn the valves on. There may be several issues like plugged lines, pump failure, valve issues, broken lines and the like. SaBells noted that could investigate what is wrong, but there is no way to estimate how much time it would take to figure it out. It appears that it would be very expensive and may lead to an entire replacement of the system. After discussion, the Board agreed to hold off on any irrigation expenditures at the park and include this in the 2024 budget as the MPC was targeting 2024 for a major upgrade to the park area.

Several Board members noted some concerns with SaBells performance. Ms. Zivalich will meet with them to discuss all the issues noted with current conditions and concerns. Washouts along trails was also noted as a concern, however, trail improvements are not part of SaBells contract. Ms. Zivalich asked if the Board would like to obtain pricing from SaBells for this work. After discussion, Directors Robert and Blue offered to purchase breezeway stone and complete the repairs themselves.

6. NEW BUSINESS

- A. 2024 Budget Planning/Public Notice Posting Timing: Budget planning has begun and pricing for repairs and maintenance for next year is being discussed with ORC and EE. A draft budget will be included in the August board meeting packet for brief discussion. A committee will also be appointed at that meeting. Directors Robert and Krutsch volunteered to be on the committee.

7. **ADJOURNMENT**

Upon **motion** by Director Blue, duly seconded by Director Robert, 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 7:24 p.m. The next regular meeting is scheduled for August 16, 2023, via conference call, beginning at 5:30 p.m.

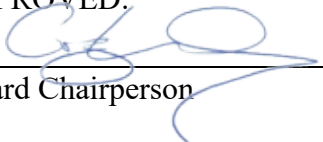
THESE MINUTES ARE APPROVED AS THE OFFICIAL, JULY 19, 2023, MEETING MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:

Nickie Holder

Recording Secretary

APPROVED:



Board Chairperson