



RECORD OF PROCEEDINGS

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

July 20, 2022, 5:30 p.m.

Held via conference/Zoom call.

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

QUORUM The meeting was called to order by Chairperson Weinberg at 5:30 p.m. and a quorum was noted. Director Oakley had an excused absence.

CHANGE IN ATTENDANCE

Brad Ragusa left at 5:52 p.m.

Gabby Begeman and Nick Marcotte left at 6:13 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes.
- B. Minutes: June 22, 2022 (Regular Meeting) No changes.
- C. Homeowner Request for Forgiveness: Mr. Ragusa requested forgiveness for May and June water bills. He explained that he had an irrigation leak that went undetected for several weeks while he was on vacation. The leak not only used a lot of water but caused damage in his basement that he is having to mitigate. The Board informed Mr. Ragusa that with the installation of smart meters to each home, forgiveness is no longer given. It was further explained that homeowners are supposed to be checking Waterscope and be connected to the program so they can receive notifications of excess water use. Mr. Ragusa noted that he has been disconnected from Waterscope for about six months due to a job and email change. Ms. Holder has sent him a link to reset his password. The Board asked for some time to discuss this situation further and will inform Mr. Ragusa of their decision in the next few weeks.

2. REPORTS

- A. Operator's Report: The Operator's report was submitted in the board packet for review. Director Blue inquired about the water produced vs. sold chart. Ms. Begeman informed Director Blue that there had been a metering issue in May where about a third of the meters were unable to read causing AMCOBI to estimate usage on those accounts. The meter issue has since been fixed.

Ms. Zivalich and Ms. Begeman briefly discussed the cleaning of Pond 5. Ms. Zivalich has obtained two bids, one from Boulder Ponds and one from Doyle. Both are over \$40K, therefore the Board agreed to use these bids for budgetary purposes for next year. The pond will stay as is for the remainder of the season and be cleaned early next year.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the board packet for review. Mr. Marcotte noted that the WWTP bid solicitation will be advertised the week of July 25th. The bids are due to EE on August 12, 2022 and EE will provide the information to the Board at the August meeting. Director Blue asked if there was concern that we would receive no bids on this work. Mr. Marcotte noted that it is a possibility, but noted that the Board has options, which will be discussed at the August meeting if necessary.

Mr. Marcotte informed the Board that although the pump has passed testing by the factory, there is still have no delivery date confirmed.

- C. Manager's Report: The Manager's Report was submitted in the board packet for review. No comments.
- D. Master Planning Committee Report/Minutes: Chairperson Weinberg informed the Board that the HOA has finalized their color selection and he will inform Erich Kirsch to start looking for a vendor to complete the work. He will remind Mr. Kirsch that all work will be contracted and directed by the District.

3. FINANCIAL MATTERS

- A. Claims: Through June 2022. Submitted in the board packet for review.
- B. Unaudited Financial Statements: Through June 2022. Submitted in the board packet for review.

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

REGULAR AGENDA ITEMS

4. PUBLIC COMMENT

There were no comments by the public, however, Director Patrick had several questions for the Board. She has been asked by homeowners if the Board is considering meeting in person in the future. After discussion it was agreed that Zoom meetings would continue through 2022. The Board will revisit this after the first of the year. The second question she has received from homeowners was regarding forgiveness requests. Chairperson Weinberg indicated that any questions homeowners ask her should be directed to Ms. Zivalich.

5. OLD BUSINESS

- A. Booster Pump Station Update (Weekly Check in by EE): Refer to notes under the Engineer's report under the consent agenda.
- B. WWTP Bid Solicitation Update: Refer to notes under the Engineer's report under the consent agenda.
- C. Gates/Antennas Update: Ms. Zivalich has been informed by Noble that he would not be able to dig the trench to move the antennas. Another contractor has been contacted and a meeting scheduled onsite and PGA will also be involved. The contractor did say that the project would likely be under \$1,000 but will provide a more accurate bid once they have met with PGA and further evaluated the project.
- D. Pond 4 Leak Sealant Application & Funding Update: This work has been completed and Ms. Holder will pay Boulder Ponds with CTF monies. ORC will begin filling the pond on Friday, July 22, 2022.
- E. PFAs and Phosphorus Testing Grant Update: CDPHE and ORC will meet on Friday, July 22, 2022 to discuss next steps for the testing program.
- F. Roadway Project Update: On July 23, 2022, the last bit of patch work will be completed. The contractor has recommended that crack seal work be completed in the fall for more ideal temperatures. The Board agreed but wanted a guarantee that prices will not increase for product if we wait. Ms. Zivalich will work with WesTest to ensure this is not an issue. Striping and cross walks will be done after the crack seal work. It was agreed that rumble strips will not be installed and will be removed from the contract.

Upon **motion** by Chairperson Weinberg, seconded by Director Blue, and upon a unanimous vote, the Board approved to have temporary striping completed on Eastwood and Forest Hills, add crosswalks on Forest Hills near Nakota and remove rumble strips from the contract. In addition, the Board agreed to have the contract extended through October 31, 2022 in order to complete the crack seal work.

- G. Irrigation Start Up – Entrance /Park: Mike Byrne has gotten irrigation started at the entrance and is working with ORC to start the park irrigation.
- H. Rules and Regulations Update: After discussion and upon **motion** by Director Blue, seconded by Director Patrick, and upon a unanimous vote, the Board approved the updated Rules and Regulations and the Resolution Repealing and Re-Adopting Rules and Regulations of the District.
- I. Fire Mitigation 2023 – Update (Review/Grants): Ms. Zivalich has talked with Bjorn Dahl about providing a bid for a fire mitigation assessment in 2023 for both District property and private property. He will send this in time for the August meeting for the Board’s discussion. Mr. Dahl noted that he provided assistance with grant writing in 2017 and would be happy to do the same in 2023.

6. NEW BUSINESS

- A. Pond 5 Cleaning Bid: Refer to notes under the Operators’ report under the consent agenda.
- B. Eastwood Back Gate Expansion/Rocks (Permissions to Access Private Property): It has been brought to the District’s attention that people are still illegally entering the Eastwood back gate by moving boulders and driving on homeowner’s private property. Ms. Zivalich has contacted both affected homeowners who have agreed to allow the District to install things on their property to stop this activity. Ms. Zivalich will obtain bids for options.
- C. Fire Mitigation on Empty Lot: The lot at Nakota and Forest Hills has been reported by a homeowner to Ms. Zivalich as having dead trees and brush on it and is asking for the Board’s guidance on how to handle this issue with the homeowner. The Board directed Ms. Zivalich to ask the attorney what our options are.

7. **ADJOURNMENT**

Upon **motion** by Chairperson Weinberg, 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 7:47 p.m. The next regular meeting is scheduled for August 17, 2022, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, JULY 20, 2022, MEETING MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:



Recording Secretary

APPROVED:


Board Chairperson