



RECORD OF PROCEEDINGS

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

June 22, 2022, 5:30 p.m.

Held via conference/Zoom call.

**ATTENDEES** Directors present: Craig Weinberg, Michael Oakley, Victor Robert, 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: Woody Maphis (WesTest)  
Residents present: Melanie Clappisi and Brenda Schuler

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

**CHANGE IN ATTENDANCE**

Woody Maphis left at 6:05 p.m.  
Gabby Begeman and Nick Marcotte left at 6:29 p.m.  
Melanie Clappisi left at 7:00 p.m.  
Brenda Schuler left at 7:14 p.m.

**CONSENT AGENDA ITEMS**

**1. ADMINISTRATIVE MATTERS**

- A. Agenda: Old Business item E. Roadway Project Update will be moved up in the agenda before the Operator's Report.
- B. Minutes: May 18, 2022 (Regular Meeting) and Jun 1, 2022 (Special Meeting) No changes.

**2. REPORTS**

OLD BUSINESS – Item E

Roadway Project Update: A-1 Chipseal submitted a change order to WesTest for the Board's consideration, which was included in the Board Packet. Mr. Maphis explained the cost changes to the original contracted price for both product and traffic control. The increased price of oil has driven up the price of asphalt products; and labor shortages have increased the prices for traffic control services (TCS). A-1's original TCS contractor walked off the project; and they had to engage a new contractor, resulting in a \$37,000 price increase. It was noted that some work would not need to be completed under both Schedules A and B. Therefore, the total change order requested is now for \$50,226.32. The Board will further discuss the change order in executive session.

The roadway patch work will be completed by mid-July, pending weather. Director Oakley proposed that the work should include repairing some of the larger shrinkage cracks (wider than one ince) on some of the side streets. After discussion and upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved an additional \$10,000 for crack repairs on identified side streets. Director Oakley will do a drive-through with WesTest to identify the 10 to 12 additional cracks that should be included in the work.

- A. Operator's Report: The Operator's report was submitted in the Board Packet for review. Ms. Begeman informed the Board that Dakota Pump replaced the SIM card for the alarm system at the Booster Pump Station. She also informed the Board that ORC loaned the District a pump from their inventory and was able to begin filling Ponds 4, 5 and 6. Ms. Zivalich is obtaining bids for cleaning of Pond 5.
- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the Board Packet for review. The updated proposal from Fluidyne was also provided in the packet. The Board agreed that it would be more cost-effective to procure the equipment directly and would speed up the project timing by receiving it early. After discussion and upon **motion** by Director Oakley, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved the Fluidyne proposal. Ms. Zivalich will execute the proposal, create a PO and have the equipment ordered by the end of June; and ORC will assume responsibility for receiving items as they arrive. Mr. Marcotte will finalize the installation bid package for District review after the 4<sup>th</sup> of July holiday. He anticipated that the project will be advertised by mid-July.
- C. Manager's Report: The Manager's Report was submitted in the Board Packet for review. Ms. Zivalich informed the Board that the District received a check for \$2,477.14 in State safety grant funds for the 2020 playground installation.
- D. Master Planning Committee Report/Minutes: Chairperson Weinberg noted that he has requested an update from the MPC, regarding the painting project, and hoped they would participate on the July Board meeting.

### 3. FINANCIAL MATTERS

- A. Claims: Through May 2022. Submitted in the Board Packet for review. Director Oakley asked if it was time to transfer the General Fund grant to the Water/Sewer Fund. The Board agreed that the grant should be executed first before the approved loan, in case that option did not need to be utilized. Upon **motion** by Director Oakley, duly seconded by

- B. Director Robert, and upon unanimous vote, the Board approved transferring \$35,000 from the General Fund to the Water/Sewer Fund per the 2022 budget. Ms. Holder will work with Fluidyne Corporation to obtain ACH information for payment of the 25% upfront upon order of the new wastewater plant equipment.
- C. Financial Statements: Through May 2022. Submitted in the Board Packet for review.

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

Ms. Schuler was seeking approval to have a cottonwood tree on District property removed at her cost, as it is affecting the health of a pine tree on her property. The Board approved her request. In addition, Ms. Schuler noted that she continues to have issues with her gate clicker and access through the main Forest Hills gate. Finally, she provided feedback on adding signs at the Forest Hills emergency gate stating that it is not an approved entry gate for the neighborhood, and she also noted that a sign already exists. After discussion, it was agreed that no additional signs will be posted.

Dave and Melanie Clappisi noted that they also still have issues with clickers at the FH entrance.

### 5. OLD BUSINESS

- A. Booster Pump Station Update (Weekly Check in by EE): This project will be complete once the main pump arrives and is installed, and a walk-through inspection has been performed. Mr. Marcotte noted that he did receive notice from RN Civil that the pump had shipped and he was awaiting the tracking number.
- B. Gates/Antennas Update: At the May Board meeting the Board discussed moving the antennas to the end of the island, if more complaints were received about gate clickers not functioning properly. Ms. Zivalich had been unable to reach Noble to obtain a bid for installing conduit for the cables to support moving of the antennas, due to his travel schedule. Ms. Zivalich will connect with Mr. Noble by the end of this month.
- C. Pond 4 Leak Sealant Application & Funding Update: At the May Board meeting the board approved spending up to \$5,000 from the Conservation Trust Fund to pay for the sealant application at Pond 4. Director Oakley informed the Board that the price has increased to \$5,500 due to more accurate measurements by the designated contractor and requested the Board approve the new bid. Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote,

the Board approved the increased bid for the sealant application at Pond 4. Director Oakley will revise the PO and Ms. Zivalich will send it to Boulder Ponds.

- D. PFAs and Phosphorus Testing Grant – Work Update: The statement of work has been executed. CDPHE’s sampling vendor will be contacting ORC to begin testing.
- F. Irrigation Start Up – Entrance /Park: Mike Byrne continues to work with ORC on irrigation startup to coordinate with filling of the ponds.
- G. Rules and Regulations Update: Tabled until the July meeting.
  
- H. Video/Jetting of Sanitary Sewer Lines Update: Ms. Zivalich reported that DRC had completed the jetting/videoing of the sanitary sewer lines. There found no sewer line breaks or tree roots that had to be removed and determine very little cleaning was necessary. As a result, the project came in under budget.
- I. Pond 1 Cleaning and Sediment Pile Removal Update: Ms. Begeman reported that Pond 1 cleaning and sediment pile removal work had been completed.
- J. Homeowner Court Case Update: Ms. Zivalich informed that Board that this case had been dismissed.
- K. Fire Mitigation 2023: Ms. Zivalich will contact Bjorn Dahl in order to obtain a bid for an assessment, which would then be used for budgeting for a 2023 project. Fire mitigation grant options are still being explored through the State and the Forest Service.

## 6. NEW BUSINESS

- A. Upgrade of Smart Meters to 4G: ORC reported that Verizon took a 2G tower out of commission, which meant some of the older meters in the District were no longer sending data. Verizon has since repaired the tower, therefore the need for upgrades to those meters is no longer required. It is noted that this may be an issue in the future and the Board should keep this on the “on hold” agenda for future planning, budgeting and discussion.
- B. Delivery Drivers, Neighboring Communities, and Signage at Back Gates: No action taken. No additional signage to be installed at this time.
- C. Homeowner Request to Discuss Water Bill Rate Structure for Homes with Higher Occupancy: The homeowner requesting this did not attend the meeting, therefore, this request is denied at this time.
- D. Water Shutoff Authorization for Delinquent Owner: Ms. Zivalich requested the Board’s approval to instruct ORC to shut off water to a delinquent owner’s property, in accordance with the District’s

collection policy. Upon **motion** by Director Oakley, seconded by Director Robert, and upon a unanimous vote, the Board approved the shutoff request.

**7. EXECUTIVE SESSION**

Executive Session: Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board went into executive session at 7:15 p.m. pursuant to CRS SS24-6-402(4)(e) – Contract Negotiations. Upon motion by Director Robert, duly seconded by Director Patrick, the Board came out of executive session at 7:33 p.m.

Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved the change order from A-1 Chipseal in the amount of \$50,226.32 for the roadway project.

**7. ADJOURNMENT**

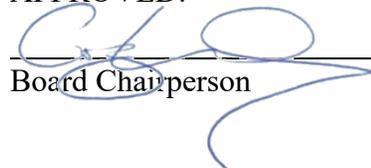
Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon a unanimous vote, the Board approved adjournment of the meeting. There being no further business to come before the Board at this time, the meeting was adjourned at 7:34 p.m. The next regular meeting is scheduled for July 20, 2022, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, JUNE 22, 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