

RECORD OF PROCEEDINGS

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

November 18, 2020, 5:30 p.m.

Held via conference/Zoom call.

ATTENDEES Directors present: Gary Carson, Michael Oakley, Mike Swartzlander, Craig Weinberg, and Yvett Green.
Others present: Ronda Zivalich (MAPs, Inc.), Jordan Herzing and Gabby Begeman (ORC Water Professionals), Nickie Holder (NMHolder Financial, Inc.) and Nick Marcotte (Element Engineering).
Residents present: Brenda Shuler, Anne and Winston Nutt, Tony Creech and Steve Iskalis
Guests: None

QUORUM The meeting was called to order by Chairperson Carson at 5:30 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE

Jordan Herzing, Gabby Begeman and Nick Marcotte left at 7:15 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: No changes necessary.
- B. Minutes: No changes necessary.

2. REPORTS

- A. Operator's Report: The Operator's Report was submitted in the BOD packet for review. Jordan Herzing informed the Board that a new ISI Alert System should be installed at the WTP as there currently is not one. Total cost estimate for the system will be \$2,595.00, plus an antenna for an additional \$295. An annual monitoring subscription would be \$585/yr.

This year's videoing of the sewer lines indicates there are repairs needed in some areas. ORC obtained a bid of \$9,800 to effect the most urgent repairs and recommends this project be included in the 2021 budget.

Chairperson Carson and Ms. Zivalich have discussed an idea to have a "preferred plumber," who can read WaterScope data, be a resource for homeowners who have potential leaks. The District would recommend said plumber to homeowners and they would hire them at their expense, but fees would be at a reduced cost and the plumber would be able to review WaterScope until no more leaks are detected, saving owners money on return visits by plumbers.

The Board stressed that ORC should never go into individual homes to try to find leaks in their system.

Jordan also noted that Genesee Water asked about getting a gate clicker for entrance to the community and he will send contact information to Ms. Zivalich/Ms. Holder.

- B. Engineer's Report (Element Engineering {EE}): The Engineer's Report was submitted in the BOD packet for review. Upon **motion** by Chairperson Carson, duly seconded by Director Green, the Board approved moving forward with the advertisement for the booster pump station solicitation.
- C. Manager's Report: The Manager's Report was submitted in the BOD packet for review.

3. FINANCIAL MATTERS

- A. Claims: Through October 2020. Submitted in the BOD Packet for review.
- B. Financial Statements: Through October 2020. Submitted in the BOD packet for review.
- C. ACH: The process for paying vendors via ACH, starting in 2021, was discussed, and the Board agreed with moving forward.

Upon **motion** by Chairperson Carson, duly seconded by Director Swartzlander, and upon vote, unanimously carried, the Board approved the Consent Agenda items.

REGULAR AGENDA ITEMS

4. PUBLIC COMMENT (if any)

None

5. OLD BUSINESS

- A. Crack Sealing Road Schedule: A quote for \$15k had been received to perform the crack seal of the roads, and the District had added this work to the Elite Surface Infrastructure (ESI) contract for 2020 road repairs. ESI will do the work during the first week of December 2020. Director Oakley and Brenda Shuler will work to ensure the work is performed to the specifications of the District.
- B. 2021 Proposed Budget Public Hearing: Prior to the public hearing the Board discussed questions regarding each fund. Chairperson Carson called to order the public hearing on the 2021 Budget. There being no comments, the public hearing was closed.

Upon **motion** by Director Oakley, duly seconded by Chairperson Carson, the Board voted 3 to 2 to defer the \$17,000 line item for cleaning and videoing of the sewer pipes to the 2022 Budget.

Upon **motion** by Director Oakley, duly seconded by Chairperson Carson, the Board voted 4 to 1 to approve the 2021 proposed budget. The Board noted that an amendment to the 2021 budget will likely be made in January or February of 2021.

- C. 2021 Water & Sewer Rate Hearing: Chairperson Carson called to order a public hearing on the water and wastewater rates. There being no comments, the public hearing was closed.

After discussion and upon **motion** by Chairperson Carson, duly seconded by Director Oakley, the Board voted 3 to 0. Three directors voted for not increasing the water/sewer rates and two abstained.

- D. Current Water Billing, Abatements, and Approval Process: After discussion, this item will be tabled until a Special Board meeting is held the week of November 23, 2020.

- E. Reimbursement Request for Water Damage at 22148 Red Hawk Lane: Chairperson Carson provided the Board with the background of events leading to the water damage at 22148 Red Hawk Lane. Mr. Creech commented that he did not ask for a reimbursement from the Board for his water damage costs.

Upon **motion** by Chairperson Carson, duly seconded by Director Swartzlander, and upon vote, unanimously carried, the Board voted not to reimburse Mr. Creech for any expenses relating to the water damage.

- F. Revised District Bylaws: Director Oakley revised the current District Bylaws, updating them to align with current Colorado statutes and recommendations from the Colorado Special District Association's (SDA) Manual for Board Members, with the only deviation from the recommendations being that the District's Chairperson rotates every six months. Updated Bylaws were sent to all Board members for review prior to the board meeting. Upon **motion** by Chairperson Carson, duly seconded by Director Oakley, and upon vote, unanimously carried, the Board approved the updates to the District Bylaws.

- G. Homeowner Communication: As discussed at prior board meetings, homeowner communication is a priority of the District. The website is one of the main forms of communication between the Board and FHMD residents. After discussion and upon **motion** by Chairperson Carson, duly seconded by Director Oakley, and upon vote, unanimously carried, the Board approved \$3,500 for design and implementation of a new website. Payments are to be made as milestones are met and not in a lump sum.

- H. Haynie and Company Engagement Letter – Audit 2020: Upon **motion** by Director Green, duly seconded by Director Oakley, and upon vote, unanimously carried, the Board approved the 2020 Audit engagement letter with Haynie & Company.

6. NEW BUSINESS

- A. Assign Assistant Secretary from Board membership: After discussion and upon **motion** by Director Oakley, duly seconded by Director Green, and upon vote, unanimously carried, the Board approved District Manager Zivalich to serve as the Board Secretary. Upon **motion** by Chairperson Carson, duly seconded by Director Green, and upon vote, unanimously carried, the Board approved Director Swartzlander as the Board Secretary in the event District Manager Zivalich is not available to sign documents.
- B. District Manager Authority and Reporting: After discussion, the Board reaffirmed that the District Manager will adhere to the current District Procurement Procedures Policy, which can be found on the District's website.
- C. Ballot Issue Next Steps:
 - a. Road Repair Design & Construction – Upon **motion** by Director Oakley, duly seconded by Director Swartzlander, and upon vote, unanimously carried, the Board appointed District Manager Zivalich and Director Oakley to take the lead on the 2021 Road Projects.
 - b. D.A. Davidson & Co. Engagement Letter – Upon **motion** by Director Oakley, duly second by Director Green, and upon vote, the Board approved the engagement letter as presented by a vote of 4 to 1, Director Swartzlander abstained.

7. ADJOURNMENT

Upon **motion** by Chairperson Carson, duly seconded by Director Swartzlander, and upon vote, unanimously carried, 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 8:27 p.m. The next regular meeting is scheduled for December 16, 2020, via conference call beginning at 5:30 p.m.

THESE MINUTES APPROVED AS THE OFFICIAL NOVEMBER 18, 2020 MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE BOARD OF DIRECTORS SIGNING BELOW:

ATTEST:

Nickie M Holder
Recording Secretary

APPROVED:

[Signature]
Chairperson