

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

May 29, 2024 - 5:30 p.m.

Held via conference/Zoom call

ATTENDEES Directors present: Craig Weinberg, Michael Oakley, Victor Robert, David Blue and Mike Zinniker
Others present: Dave Lewis and Mike Menke (Direct Discharge), Nicholas Marcotte (Element Engineering), Ronda Zivalich (MAPS, Inc.) and Nickie Holder (NMHolder Financial, Inc.)
Residents present: Dave and Melanie Clappisi, Steve Iskalis and Bernie Garvey

QUORUM The meeting was called to order by Craig Weinberg, at 5:33 p.m. and a quorum was noted.

CHANGE IN ATTENDANCE

Steve Iskalis left at 6:00 p.m.

Bernie Garvey arrived at 6:06 p.m. and left at 6:35 p.m.

Nick Marcotte, Dave Lewis and Mike Menke left at 6:18 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

A. Agenda: May 29, 2024 – No changes.

B. Minutes: April 17, 2024 – No changes.

C. Minutes: May 6, 2024 – No changes.

2. REPORTS

A. Operator's Report: The Operator's report was submitted in the board packet for review. Director Oakley asked that the graph that showed water produced vs. total usage be included again with the Operator's report. There is concern about the reported discrepancy of 33.91% between water produced vs. water used. Mr. Lewis and Mr. Menke noted that a flow meter in Well #5 was discovered leaking and accounted for much of the discrepancy which has since been repaired. May's readings should be back down around a 10% discrepancy.

i. Wastewater Treatment Facility Operations – Mr. Lewis informed the Board that based on several weeks of process control changes in order to reduce Total Inorganic Nitrogen (TIN), it has become apparent that the system is likely carbon limited which does not allow for complete denitrification, or reduction of nitrate. DDC requested approval for purchase of one drum of a carbon supplement (MicroC) to assess the effectiveness of the carbon addition to enhance denitrification. The cost is approximately \$465 plus freight. The amount is within Ms. Zivalich's approval limit who will provide written approval in the next day.

- ii. Feed Pump - Mr. Lewis provided a quote for the WWTP backup feed pump in the amount of \$26,422.32. The amount budgeted for replacement of the feed pump is \$40,000. Upon **motion** by Chairperson Weinberg, duly seconded by Director Blue, and upon unanimous vote, the Board approved the purchase of a feed pump from Falcon Environmental.
 - iii. Emergency Overflow Tank at the WWTP – Mr. Lewis recommends that the 20,000 gallon overflow tank be pumped out so that DDC staff can determine functionality of equipment within the tank. DD will ask McDonald for a quote in time for the June meeting.
 - iv. Homeowners Disposing of Inappropriate Items – Mr. Lewis reported that homeowners and/or their contractors are disposing of drywall plaster and/or paint through their sewer systems which is flowing through the WWTP. Mr. Lewis recommends that an eblast be sent to remind homeowners of proper disposal practices and allowable substances through the system.
- B. Engineer’s Report (Element Engineering {EE}): The Engineer’s report was submitted in the board packet for review.
- i. PFAS Draft Report – The final PFAS report was submitted to CDPHE on May 14, 2024. The report was accepted and noted that it was very thorough. Ms. Zivalich will call CDPHE to ask for guidance on next steps which will include suggestions for funding options.
 - ii. Pond 5 Culvert Design/Bid Solicitation – The Pond 5 culvert design plans have been updated and the bid package is currently being reviewed by the District’s legal counsel. Director Oakley asked to include work site/OSHA procedures, to which Ms. Zivalich asked the attorney’s opinion. It is recommended that the language be included in the bidder’s instructions and the contract the District signs with the awarded bidder.
- C. Manager’s Report: The Manager’s report was submitted in the board packet for review.
- I. 2024 Summer Water Restrictions – Director Oakley inquired if the 2024 Summer Water Restrictions had been emailed to owners and posted on the website. Ms. Zivalich noted that they had not but would go out and be posted within the next few days following the meeting.
 - II. DRC Video/Jetting Quote – DRC submitted a quote for video jetting of the lower half of the community sewer lines and recommends approval. Upon **motion** by Chairperson Weinberg, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the DRC’s quote. Notice will be sent to the community when the work will occur.

3. FINANCIAL MATTERS

- A. Claims: Through April 2024. Submitted in the board packet for review. No discussion. The invoices from Bok Financial for debt service payments totaling \$18,774.98, due June 1, 2024 were not included in the Board packet. Ms. Holder provided the invoices to the Board prior to the meeting for review and recommends approval. Upon **motion** by Director Oakley, duly seconded by Chairperson Weinberg, and upon unanimous vote, the Board approved payment of debt service payments.
- B. Financial Statements: Through April 2024. Submitted in the board packet for review. No discussion.
- C. 2024 Audit: Ms. Holder informed the Board that she has not received the 2023 audit engagement letter from the CPA firm who was approved by the Board and the firm is not responsive to emails or phone calls. It was agreed that another firm who provided a bid would be contacted and asked for an engagement letter.

4. HOA MATTERS

- A. HOA Matters: No updates.

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

REGULAR AGENDA ITEMS

5. PUBLIC COMMENT – NON-AGENDA ITEMS

No comments.

6. OLD BUSINESS

- A. Surveillance Cameras - Update: Ms. Zivalich informed the Board that the cameras have been installed at the gatehouse, the Eastwood main gate and the Eastwood emergency gate. A fourth camera had to be replaced as the one sent was not working. The gatehouse camera will record for 30 days and begin recording over previous data each day and continue to hold 30 days of video.
- B. Park Upgrades – Update: Chairperson Weinberg and Director Blue met at the park and reviewed the documents from the Master Planning committee that contained design ideas from an architectural contractor. Their recommendation is that the Board consider a three-year project at a cost of approximately \$300k. The first phase would include upgrading the play area, new swing set and making the play area larger. The second phase would focus on possibly resurfacing the basketball court and adding adult exercise equipment. The third phase would be an overhaul of the field and irrigation system. The next step would be to meet with the playground consultant and discuss the new concept and explore options for equipment and pricing. An update will be provided to the Board at the June board meeting.

- C. Fire Mitigation Grant – Update: Ms. Zivalich informed the Board that the trees had been marked in Zone 1. A walk through is scheduled on June 4 with the forester and Elk Mountain to ensure all are onboard with the markings. A notice will be sent to the homeowners advising them of this work.
- D. Emergency Gate Lock Codes – Update: Ms. Zivalich provided an opinion from the attorney for what steps could be taken if an individual were caught on the surveillance cameras damaging or tampering with District property. At a minimum, the Rules and Regulations would need to be updated to include actions that the District could seek. After discussion it was agreed that no action would be taken at this time.
- E. Billing Company Replacement: Ms. Zivalich noted that the HydroRead contract was reviewed and updated by the District’s legal counsel and has been returned to HydroRead’s attorneys. They indicated they would get back to us by May 24, 2024. It was noted that HydroRead would have to register to do business in the State of Colorado. An update will be provided at the June board meeting.
- F. WWTP Roof Repairs: Ms. Zivalich reported that she and Directors Robert and Zinniker are meeting with WJE and steel vendors onsite on May 30, 2024. The vendors will provide a rough estimate for replacement of the support structure and underlayment before the June board meeting. WJE is working on a rough estimate for the steel roof (skin).

7. NEW BUSINESS

- A. Funding Options for Upcoming Projects: The approximate cost for Pond 5 culvert project will be between \$150k-\$200k. The WWTP roof repair costs are still being fleshed out. Ms. Zivalich noted that the water/sewer fund has a very tight budget and outside funding may be needed to pay for the costs of these projects. The Board discussed possible loans from the general fund or from a local bank. The board asked Ms. Holder to provide an updated budget vs. actuals report for the period ending May 31, 2024 and deliver it to the Board by June 10, 2024. The Board committed to reviewing the report in preparation for discussion at the June board meeting.

8. 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 6:58 p.m. The next regular meeting is scheduled for June 19, 2024, via conference call, beginning at 5:30 p.m.

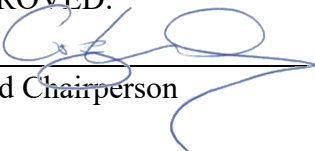
THESE MINUTES ARE APPROVED AS THE OFFICIAL, MAY 29, 2024, MEETING MINUTES OF THE FOREST HILLS METROPOLITAN DISTRICT AND ITS WATER ACTIVITY ENTERPRISE BY THE RESPONSIBLE PARTIES SIGNING BELOW:

ATTEST:

Nickie Holder

Recording Secretary

APPROVED:



Board Chairperson