

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

July 17, 2024 - 5:30 p.m.

Held via conference/Zoom call

ATTENDEES Directors present: 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

QUORUM The meeting was called to order by Director Robert, at 5:32 p.m. and a quorum was noted. Upon **motion** by Director Rober, duly seconded by Director Oakley, and upon unanimous vote, the Board approved the absence of Chairperson Weinberg from the Board meeting.

CHANGE IN ATTENDANCE

Nick Marcotte, Dave Lewis and Mike Menke left at 6:20 p.m.

CONSENT AGENDA ITEMS

1. ADMINISTRATIVE MATTERS

- A. Agenda: July 17, 2024 – Add to Administrative Matters Item C. - DM Search.
- B. Minutes: June 19, 2024 – No changes.
- C. DM Search: Chairperson Weinberg and Ms. Zivalich are working on identifying candidates for the DM position. Chair Weinberg will continue calling those candidates identified through the SDA search when he returns from vacation. Ms. Zivalich noted that through the SDA Pool, the District has 10 hours of free search assistance and they could help prepare an ad to be placed on the SDA website and other sources if the Board desires.

2. REPORTS

- A. Operator’s Report: The Operator’s report was submitted in the board packet for review.
 - i. Wastewater Treatment Facility Operations – DDC has purchased Micro-C which should be delivered in late July.
 - ii. Ted Laves Request that FHMD Adjust the District’s PRV Output Pressure – The valves are scheduled to be tested by a state certified independent vendor. Once the testing is completed, the loop will be closed with Mr. Laves and CDPHE will be notified of the results in reference to the cease-and-desist letter.
 - iii. Feed Pump – Expected delivery is December 2024.
 - iv. Wastewater Treatment Facility Emergency Overflow Tank– Sludge hauling of the overflow tank will be scheduled for the first week in August. Biosolid tests will be completed at that time and submitted to Eurofins for analysis and reporting to the State.

- v. Collection System Jetting/CCTV – DRC completed the video/jetting of the lower section of the community. There was one break in a pipe and it was recommended that EE review the video in order to provide a recommendation on repairs. There were also three other areas that DRC recommended EE review that are not breaks but potential areas for issues. EE has obtained the video and will review and provide an update at the August board meeting.
 - vi. Sampling Site Alternative Location – Director Oakley asked for an update on the possible alternative location for the sampling site. Mr. Menke noted it was agreed with CDPHE that the sampling site where the testing is currently performed will not change. The testing needs to be performed at the end of the distribution system, but testing does not work on homes that have a water softener, therefore the homes at the very end of the distribution system will not be an alternative testing site.
- B. Engineer’s Report (Element Engineering {EE}): The Engineer’s report was submitted in the board packet for review.
- i. PFAS Report – Mr. Marcotte noted that grants will be available for PFAS funding for design of the system in 2025 and will look for those grant opportunities after the first of the year, likely in February or March.
 - ii. Pond 5 Culvert Design/Bid Solicitation – Two bids were received for the Pond 5 culvert project. The pricing on the two bids is listed below:
 - i. Jim Noble, Inc. - \$208,900.00
 - ii. Colorado Civil Infrastructure - \$300,000.00EE recommends approval of the bid from Jim Noble, Inc. After discussion and upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved the bid from Jim Noble, Inc. Mr. Marcotte will send the notice of award in the next several days.
- C. Manager’s Report: The Manager’s report was submitted in the board packet for review.
- i. DRC Construction Jetting/CCTV – Please see comments under 2.v.

3. FINANCIAL MATTERS

- A. Claims: Through June 2024. Submitted in the board packet for review. No discussion.
- B. Financial Statements: Through June 2024. Submitted in the board packet for review. No discussion.
- C. 2024 Audit: Ms. Holder was asked if an extension would be necessary since the auditor has not completed their review. Ms. Holder will provide Ms. Zivalich with an update by Friday, July 19 and decide if an extension is necessary based on discussions with the auditor.

Upon **motion** by Director Oakley, duly seconded by Director Robert, and upon unanimous vote, the Board approved filing an extension for the 2023 audit. Director Oakley asked that Ms. Holder engage an auditor for the 2024 audit in the next couple of months to ensure we are on their calendar early in the year to ensure the audit is completed on time.

4. HOA MATTERS

A. HOA Matters: No updates.

Upon **motion** by Director Robert, duly seconded by Director Blue, 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. Park Upgrades – Update: Chairperson Weinberg and Director Blue had a meeting with Alpine Landscaping to discuss the options and possibilities of getting some of the work completed in 2024. Alpine Landscaping provided a quote for the land work required to create the 50' x 50' footprint for the new playground area. The quote received from Alpine was for \$72,648.00. Upon **motion** by Director Blue, duly seconded by Director Robert, and upon unanimous vote, the Board approved the quote for the land work and for it to be completed by Spring 2025.
- B. Genesee Connect Tie-In – Update: Chairperson Weinberg and Director Robert met with the Genesee Water & Sanitation Board to begin discussions regarding a possible tie-in between the two districts. The group will meet again before the end of August. Chairperson Weinberg and Director Robert will provide an update at the August Board meeting if an update is available.
- C. Fire Mitigation Grant – Update: Ms. Zivalich noted that the cutting of trees will be completed by July 19 and removal of all slash should be completed by the end of July.
- D. Billing Company Replacement - Update: Ms. Zivalich noted that HydroRead asked for a phone call with her and she provided her phone number, however no one from the company called. In addition, it was agreed that searching for a replacement for AMCOBI at this time should be put on hold as the new DM or management company may have ideas or include billing as part of their services.
- E. WWTP Roof Repairs: Ms. Zivalich noted that since the scope of the project has changed, WJE, or any structural engineer, is not the appropriate individual to ask about temporary/short-term repairs to the roof. Because it is assumed that the WWTP will be replaced in the next 5 to 10 years, roofing experts should be consulted for ideas on repairs that would extend the life of the roof for our purposes.

Ms. Zivalich has contacted Arapahoe Roofing for a second evaluation based on repairs only. Director Robert said he would contact someone about potentially spraying on a sealant that might work short-term. An update will be provided at the August Board meeting.

- F. Shared Drives/Springflower Swale Road Work/Repairs/Walk Through Estimates - Update: Ms. Zivalich met onsite with Atlas and assessed each shared drive and the Springflower swale issue. Atlas is awaiting estimates from asphalt vendors and hopes to have the information by the August board meeting.
- G. Iskalis Retaining Wall Rebuild - Update: Ms. Zivalich met onsite with John Noble and Mr. Iskalis to discuss the approach for rebuilding his retaining wall. Noble provided a quote for \$1,500 to not only help with rebuilding the wall but to also repair the street sign that was damaged by snow being pushed against it. Mr. Noble and Mr. Iskalis will work together to find a convenient time to complete the work together.
- H. Funding Options for Upcoming Projects: This discussion continues to be tabled until larger projects can be assessed.

7. NEW BUSINESS

- A. PFAS Class Action Suit: Ms. Zivalich has talked with the Colorado Attorney General's Office regarding submitting a claim for a PFAS class action suit. Originally it was thought that the District would not qualify as we are too small, but the attorney general indicated that was not the case and that potential damages could be awarded of approximately \$150,000. Ms. Zivalich worked with DD and EE to complete the claims form online to be included in the suit, which was due by July 12, 2024.

8. ADJOURNMENT

Upon **motion** by Director Robert, 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 7:31 p.m. The next regular meeting is scheduled for August 21, 2024, via conference call, beginning at 5:30 p.m.

THESE MINUTES ARE APPROVED AS THE OFFICIAL, JULY 17, 2024, 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