



**BOARD OF TRUSTEES SPECIAL MEETING
MINUTES OF FEBRUARY 12, 2024**

Trustees Present: Carolyn Heldman Rovira, Sharon Caulfield, Tony Rizzo, Griff Foxley, John Ott

Manager(s) Present: Roy Saba

Homeowners present for some or all of the meeting: None

1. **Quorum and Minutes**

Minutes were not presented as this was a special meeting.

No Trustee objected to the notice of the special meeting.

2. **Public Comment** and General Trustee Comments if any.

The purpose of this meeting is to consider whether to change to a different professional services firm for the engineering response to the CDPHE notices about copper exceedance, in light of a deadline to respond to CDPHE as of 2/16/2024.

3. **Consent Agenda Written Reports. N/A**

4. **Consideration of Items removed from Consent Agenda. N/A**

5. **Comments from Roy Saba, Water Operations manager**

First copper exceedance notices were received in 2012. The CDPHE has required monitoring since that time. Since 2021 the CDPHE has required a change in conditioning agent from polyphosphate to phosphoric acid. This change will precipitate certain chemicals that will stain clothing, although health impacts have not been identified as a reason to make this change.

In January 2024 reached out to CDPHE to ask for additional time in light of high potential cost of project. Bryan Pilson at CDPHE says that August 16, 2024 is the end of the two year period of remediation so no extension on the deadline will be allowed. The LECVHOA will be referred into the State Water Quality Control Enforcement Group for further monitoring and enforcement. Likely there will be a conference call or meeting with this group in the next several weeks.

6. **Discussion**

Discussion of whether alternatives are available to the green sand proposal made by SGM.

Some discussion of a system-wide RO system or an opportunity to switch out copper pipes in homes. But green sand seems to be the typical response to this problem.

The issue on the table is that SGM was delayed in reporting 1) the green sand proposal; 2) the design proposal; 3) the overall costs estimate. This has compromised the reputation of LECVHOA with the CDPHE which can impact their enforcement activity. The JVA group has been responsive and seems to have more experience with green sand programs.



Tony Rizzo has done some thinking about how a program of this likely expense could be financed. He recommends that LECVHOA take out a loan if the costs come in as SGM projected. This would enable us to pay a monthly loan fee rather than a large up-front charge, thus keeping assessments relatively lower (recognizing that some in the neighborhood are on fixed incomes).

Carolyne Rovira noted that we should ask JVA to provide a wide range of options, because "if we must fix it, let's fix it for good." She noted that we will need to develop clear communications with the homeowners to explain the issues and the proposed solutions.

Sharon Caulfield offered to draft a letter to CDPHE to meet the February 16, 2024 deadline, and another letter to terminate the SGM agreement.

7. **Motion**

Sharon Caulfield moved to terminate the professional services agreement with SGM and to enter into a professional services agreement with JVA. John Ott seconded the motion, and all voted in favor.