

MINUTES OF REGULAR MEETING BLUE VALLEY METROPOLITAN DISTRICT

Regular meeting called to order at 7:00 pm on Monday, December 11, 2023 following a work session that began at 6:30pm. The meeting was held at Blue Valley Sportsman Club with a live Zoom meeting feed. Board secretary Andrea Buller present via Zoom. Board members present: Buck McNichols, Mark Nelson, Brenda Kellen, and Tim Vermeer. Board present via Zoom: Jeff Powles. Board absent: None. Guests present in person; Matt Willits, Flipp Brumm, Mary Jo Roal, and Mike Roal. Present via Zoom; Tom Kellen.

Review and Approval of Minutes of Previous Meeting(s) – Tim moved to approve the minutes from the October regular meeting. Mark seconded. All in favor. Motion carried.

Water Operator – Minutes as presented by Matt Willits with Water Solutions.

BLUE VALLEY METRO DISTRICT WSI OPERATIONS AND MAINTENANCE REPORT

- WSI staff will be reading the district water meters for the 4th quarter, on December 15, 2023. WSI staff responded to a water leak from a broken freeze plate on a water meter. The meter is a Sensus and will need to be replaced with a Badger meter which is currently the district standard. Water is being provided to the residence but currently not metered. WSI will be ordering 3 to 5 Badger meters and remote readers to stock for the district and to replace the meter that froze.
- WSI sampled for multiple contaminants in calendar year 2023 per the district's CDPHE monitoring schedule. All sampling is completed and results were all within CDPHE limits. Any contaminant detected will be in the Annual Consumer Confidence Report.
- The Lead and Copper Rule has been revised and will require an inventory of distribution materials among other revisions. With multiple Rule revisions CDPHE has contracted with a firm that will assist with the distribution survey, free of charge to the district. WSI will continue to implement the Primary Drinking Water Regulations and revisions for district compliance.
- WSI will be preemptively contacting the owner on GCR 1012, as previously discussed at the last meeting, to request that they run an outside bleeder to prevent the service line and water main from freezing.
- WSI was contacted by CDPHE to schedule a Sanitary Survey in January. A date has not been determined.
- WSI has completed the district's annual backflow survey. We also contacted the two property owners who are required to have their device tested annually by a Certified Backflow Technician. The Annual Backflow and Cross Connection report will be completed by the CDPHE requirement date.

ARC – No committee member present. Buck will reach out to Jack to get clarification on status of metal sided building question from previous meeting.

River Committee

- Fishing Access – Any Updates
 - After the October meeting, Jay Turner spoke with an attorney regarding access. After that conversation, Jay contacted Buck and stated the prior mentioned attorney affirmed the District's plan based on the District's legal advice and the River Committee was now in full support of the Board's action plans in regards to public access.
 - Jeff will contact Ben and see where the river committee stands on implementing the plan.

Approval of Quarterly Water 6% Rate Increase per water rate study completed in 2021 – Buck moved to approve the rate increase as delineated below. Brenda seconded. All in favor. Motion carried.

- Base quarterly rate \$239– effective immediately and reflected on December 2023 invoice for January through March 2024
- Overage rate \$17.86 per 1000 gallons (in excess of 30,000 gallons per quarter) beginning after December 2023 meter reading and will be reflected on March 2024 invoice

Augmentation Plan & Engineering Update – Buck read the email received on October 11, 2023 from Scott Grosscup with Balcomb & Green.

“Yesterday I received revisions to the Ruling we proposed by the Division of Water Resources. I have confirmed with Wendy Ryan at CRE that none of these changes are onerous and are really small clarifications. The Division is willing to incorporate these new diversions into the existing water rights accounting so the deficit between when the diversions and depletions hit the river are replaced.

This is good news because it allows you to operate the plan once decreed and no need for additional contract water. You will need to keep CRE apprised when you get new taps to the system so they can update the monthly accounting.

We are putting the clean-up touches on our proposed decree and hope to get that filed with the water court later today.”

Jeff suggests the board pass a resolution after augmentation plan amendment finalized to guide the future board and protect the District in the future.

Resolution 2023-02 - 2024 Work Comp Board Coverage Resolution – Buck moved to approve Resolution 2023-02. Tim seconded. All in favor. Motion carried.

2023 Budget Amendment – not necessary – Andrea stated she does not see a need to amend the 2023 budget and will not be doing such unless something drastic changes by year end.

CORA Resolution – The board discussed and determined to set the deposit at 50% if expected to exceed \$100.00. Jeff moved to approve Resolution 2023-03 Resolution Designating the Official Custodian of Records and Adopting a Policy on Responding to Open Records Requests. Mark seconded. All in favor. Motion carried.

Public Address

Mike Roal – would like information on short-term rentals. Buck summarized the discussions and information as reflected in minutes from multiple prior public meetings and noted that this will be an issue the River Committee will need to address as river access is one area the District can regulate with such rentals. Jeff stated that the District defaults to Grand County regulations so that would be a great place for information. The board discussed that there are regulations and policies being discussed by governing bodies and that Grand County does monitor and regulate short-term rentals.

Mike Roal – asked what the rules and regulations are for snow plowing. Buck discussed the need for a snowpack to protect the roads and he understands the concern regarding roads being slick with current snow fall and weather. Mike is concerned about emergency situations and is asking for special attention to their road as they have a unique situation.

Secretary’s Report as presented by Andrea Buller.

- Current Balance(s) as of 11/30/23 – Stand for Audit
 - UBB Checking = \$115,042.20
 - UBB Savings = \$88,487.82
 - COLO Trust = \$191,716.11
- Paid Bills to Approve = \$38,655.94 – Buck moved to approve. Jeff seconded. Mark abstained. Remaining board in favor. Motion carried.
- ARC Funds
 - Nonrefundable Funds to be used by ARC = \$9,104.46
 - Consider Adjustment for 2023 Administrative costs
 - Deposits held (could be refunded) = \$18,440.50
- Temporary deadline changes from the special session for the 2024 budget process;
 - January 3, 2024 – Assessor final valuation due to BVMD
 - January 10, 2024 - Certification of 2024 Tax Levy
 - January 10, 2024 - 2024 Budget Approval & Resolution
- Transparency Notice to be filed by Jan 15
- 2024 Boundary Map Letter – to be filed saying no changes
- 2024 Meeting Schedule to be approved – Buck moved to approve the below schedule for regular meetings. Brenda seconded. All in favor. Motion carried.
 - January 8, 2024
 - April 8, 2024
 - July 15, 2024

October 7, 2024
December 9, 2024

Buck moved to adjourn the meeting at 8:15 pm. Brenda seconded. All in favor. Motion carried. The next regular meeting is scheduled for January 8, 2024 which will also be a Public Hearing for the budget.

BLUE VALLEY METROPOLITAN DISTRICT

Andrea Buller, Secretary



Buck McNichols, Chairman



Mark Nelson, Vice Chairman



Brenda Kellen, Treasurer



Jeffrey Powles



Tim Vermeer