

# NOTICE OF SPECIAL MEETING BLUE VALLEY METROPOLITAN DISTRICT

Zoom virtual meeting called to order at 7:04 pm on Wednesday, May 27, 2020. Board members present: Buck McNichols, Mark Nelson, Mike Stoveken, and Tom Kellen. Board absent: None. Guests present: Bob Heid, Todd Nelson, Ken Novak, and 970-389-0610. Tim Vermeer joined at 7:20pm.

## AGENDA FOR SPECIAL MEETING

**Newly elected board Oaths** – Board Secretary, Andrea administered Oath of Office to Kenneth McNichols and John Norton. Each read their Oath aloud and signed their Oaths.

### **Election of Officers**

President – Mike moved to nominate Kenneth McNichols as chairman. Mark seconded. All in favor. Motion carried.

Vice President – Buck moved to nominate Mark Nelson as vice chairman. Tom seconded. All in favor. Motion carried.

Treasurer – Buck moved to nominate Mike Stoveken as treasurer. Mark Nelson seconded. All in favor. Motion carried.

Board Secretary – Buck moved to have Andrea Buller continue to serve as Board Secretary. Mark Nelson seconded. All in favor. Motion carried.

### **Edge Internet Proposal**

Buck asked the board members if they were able to review the proposal submitted. Mike asked if we currently pay for internet. Buck explained we currently only pay for internet at the administrative office in Kremmling and Edge would not be able to provide internet for the administrative office at this time. Buck stated Edge would provide faster and more reliable service than existing and would extend the same courtesy offer to the Blue Valley Sportsmans Club for meeting internet. The board discussed the speeds that would be available, the equipment needed, and the price comparisons to current services offered to the residents in the neighborhood.

Mike moved to accept the proposal from Edge Internet Services. Jack seconded. Buck and Mark abstained. Mike, Jack, and Tom voted in favor. Motion carried. Buck stated he has already started discussions with Matt Willits and that they will get the process started ASAP.

### **ARC transition**

Todd stated they have 14 construction deposits currently on file. He is unsure of the totals for 2 but has

- Nelson, Todd ..... \$1502.00
- Lenssen, James ..... \$1750.50
- Cuillo, Brandon ..... \$800.00
- Brown, Chris ..... \$585.00
  - (NO CO for deck from 2011 so cannot be refunded)
- Oros, Mike ..... \$692.50
- Gonzalez, Hugo -Lot 4/Block 5 ..... \$1474.00
- Walsh, Ron ..... \$1326.00
- Schroeder, Evan ..... \$940.00
- Nudell, Blake ..... \$665.00
- Altmann, Tiffany ..... \$1522.50
- Cirks, Robert ..... \$2375.00
- Brassanini, Mike ..... \$176.00
- Maas, Anthony ..... \$ ?.00
- Gonzalez, Hugo – Lot 12/Block 01 ..... \$1403.00

Andrea will issue a notice on the June invoice stating that anyone who believes they are do a refund needs to notify the board via email within 30 days or the above list will be considered complete.

Buck stated that he believes we can at this time welcome the ARC as a committee under the umbrella of the BVMD Board. Buck stated he hopes that the current members will continue to be on the ARC. Buck asked Todd Nelson if he would continue chairing the committee. Todd stated yes. Bob Heid, Tim Vermeer, and Ken Novak both agreed to remain on the committee. Buck asked Todd to speak with Henry Broadhurst to determine if he is still wanting to serve on the committee. Buck thanked everyone for their willingness to serve.

Bob Heid will write a check to BVMD to close out the account for \$21,854.82 and will call Andrea.

Andrea will also add a statement on the June invoice encouraging any residents interested in serving as committee members on the ARC.

Buck stated he believes we need to have a BVMD board member as a representative to communicate with the ARC. Jack Norton volunteered to. Todd stated he will copy Jack on any emails. Andrea requested to also receive a copy on emails. Buck requested Jack and Andrea both be copied on all emails regarding ARC. Andrea will look into setting up a new ARC email. Buck stated at a future meeting, we will need to address the website and other administrative items for the ARC.

In regards to the application for the solar project. Todd stated he sent them info regarding deposits and hasn't heard anything further. Ken stated he spoke with Jeremy Hufford and stated Jeremy applied for a variance and is under the impression he does not need any further approval. Todd and Bob stated the only thing they submitted was their engineering plans but has not received an ARC application. They stated Jeremy gave them an unapproved variance request but no formal plans. Todd stated he believed the project had to be completed by June 10 and as far as he is concerned, nothing is happening at this time. Buck apologized as he was under the assumption that the ARC had received an application but since they have not, he would agree. Todd stated that he suspects that once they received the list of fees, it may have derailed the project. Ken Novak stated that Jeremy did dig a trench. Ken stated the plan he saw stated it had 3 arrays but Jeremy stated they had to revamp it to 2 arrays. Todd stated he did receive revised plans with 2 arrays and believes he sent them out to the ARC members. Todd stated the county has the permit ready to approve but will not move forward with approving until they have authorization from ARC. Since the ARC forms and paperwork have not been submitted, there is nothing further to do at this time.

Mike asked if this is a residential project or an energy farm for profit. Buck stated that those questions would be the next discussion if ARC forms and paperwork are submitted. Buck stated he did stop by as a neighbor to discuss with Jeremy what he was doing. Each array would be approximately 60 ft long, 7 ft tall, and 4 ft wide which would be connected directly to the grid and not his home. Jeremy stated his goal was to reduce his carbon footprint but financially would not end up being a revenue stream due to the cost and length of time to recover costs. Buck stated he reached out to the attorney to discuss and the result of the conversation was that the primary concern would be aesthetic and would impact the entire neighborhood due to the extreme size. Also, an HOA is not permitted to prevent a homeowner from installing solar panels on their residents per state statute. However, HOA and ARC can limit the size of the solar panels and/or the appearance and aesthetics of the solar panels on a property, no different than fencing or other items governed by the ARC. Buck stated the priority is to enforce covenants and to protect the neighborhood. Bob stated we need to update our regulations with specifics and file with the county. Buck agreed yet it is still within the domain for the ARC to govern this even without specifics in writing. However, it would behoove the ARC to have specifications in writing for future. Bob and Buck agreed that running the specifications past our legal counsel would be smart. Buck stated it would be easy to research other HOAs to see what rules they have in place regarding solar panels.

Todd stated he sent out a general survey regarding restrictions to approximately 25 residents. Most people replied they would prefer to see them on roofs rather than the ground and for personal use. Todd would like to see a survey sent out to all residents. Buck stated utilizing options from other HOAs would be a great way to do that and provide 3 or 4 options and see what BVMD residents prefer.

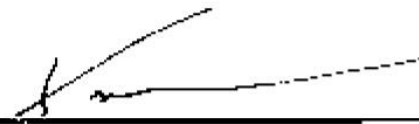
Todd stated that in Summit County, there is something in the works requiring all new residents to be wired for solar power. Todd contacted Grand County and they stated it would be up to the state and believes we should keep an eye on the state if they pass any new regulations.

Mike stated that in Summit County, there was a house 250 yards away from an array that had sun reflection problems. Buck stated it definitely will impact neighbors and recommends the ARC members dig in and find info regarding regulations and speak with people. Mike stated he will speak with his friends that has a company in the industry and ask if he would be open to ARC members calling him to discuss. Buck asked the ARC to keep Jack informed as to what is going on and Jack will keep the BVMD board up to date.

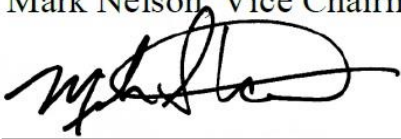
As this is a special meeting, no other business will be addressed. Buck moved to adjourn at 8:12. Tom seconded. All in favor.


## BLUE VALLEY METROPOLITAN DISTRICT


Andrea Buller, Secretary

  
Buck McNichols, Chairman

  
Mark Nelson, Vice Chairman

  
Mike Stoveken, Treasurer

  
Tom Kellen

  
Jack Norton