

**MINUTES OF SPECIAL MEETING
BLUE VALLEY METROPOLITAN DISTRICT
BOARD OF DIRECTORS**

A Special Meeting of the Board of Directors of the Blue Valley Metropolitan District was held March 26, 2019 at 6:30PM at Kremmling Area Chamber of Commerce. Board Members present: Buck McNichols, John Norton, Tom Kellen, Mike Stoveken, and Mark Nelson. Guests present: Rob Firth, Adam Poe, Todd Nelson, Flipp Brumm, Susie Bergman, Jan Poyser, Marian Shafer, Brenda Kellen, Pete Gallup, Megan Norton, and Bob Cirks. Buck called the meeting to order at 6:36 pm. Mike Stoveken arrived at 7:04 pm.

AGENDA FOR SPECIAL MEETING

Parcel K Land Exchange

Buck introduced Rob Firth and Adam Poe. Buck briefly explained the history of the exchange and the current status. Buck stated he would email the response from the District's legal counsel to Rob and Adam for items that need discussed and/or changed on the contract.

Buck read the response from the attorney and the talking points listed in such were discussed.

* Buck asked about the survey of the property. Adam stated he does not know if there are brass pins but as far as the BLM is concerned, they consider the 40 acres ready to go and doesn't believe it needs an additional survey. Cadastral Survey performed covers the legal description of the parcel.

* Buck discussed the possibility of a charitable donation value attached to the property. Rob stated that he would have to do additional research but does believe there is a value attached to the land. Adam stated that the approved value is \$40,000.00. Adam stated he would like to accommodate the Districts request and will look into it.

Rob stated that the intent on their part was for the family to tie up their boundaries which lead to them reaching out to BLM. In response, the BLM had land that was isolated and was placed into the conversation. Parcel K is part of the exchange from BLM to Blue Valley Ranch and Blue Valley Ranch is willing to then turnaround and give it to the District with no additional restrictions imposed by the BLM. It is a way for BLM and Blue Valley Ranch both to be free of the property. Rob would like for us to look further into the donation talking point as it may cause a challenge.

Buck stated that if the District does not accept it, the BLM would potentially be able to sell it outright or handle how they chose in the future. Therefore, it is in the best interest of the District to accept the property as common property of the District to prevent it from being used for any other purpose in the future.

Buck read from letter dated October 15, 2004 from Perry Handyside, Ranch Manager to Kent Hester, BVMD board president at the time. The portion of the letter regarding Parcel K is as follows;

“Upon conveyance of Parcel K from the United States to BVR, BVR will donate the parcel to BVAHOA subject to deed restriction limiting future use of the parcel to a fire station or another similar community facility necessary for the health and welfare of Blue Valley Acres. The conveyance will specifically prohibit future residential or commercial development of the parcel and/or conveyance from BVAHOA ownership.”

Andrea requested summaries for the minutes from Adam and Rob. Below is the responses:

* Adam Poe (March 27, 2019 via email)

Blue Valley Ranch (“BVR”) began working with BLM in 2001 to assemble the lands package for the proposed Blue Valley Land Exchange. During that process, BLM asked BVR to include a 40 acre of parcel of federal land under BLM’s jurisdiction (now known as Parcel K) that is totally within Blue Valley Acres Subdivision and is not accessible to either BLM or the general public. BVR informed BLM that it had no interest in acquiring Parcel K, but that it would work with Blue Valley Acres to transfer the parcel to the subdivision when the exchange closes.

In 2004 BVR sent a letter to the Blue Valley Acres Subdivision Board of Directors offering to donate the property to the subdivision provided Blue Valley Acres would agree to only use the property for “community purposes” and not sell all or a portion the property. The Board verbally accepted BVR’s offer. For a variety of reasons, the Blue Valley Land Exchange has moved slowly through BLM’s land exchange process. At this time, BLM is close to approving the exchange with a closing in 2019 or shortly thereafter. Thus, BVR and BLM have requested Blue Valley Metro District (“BVMD”) to formally approve the conveyance of Parcel K to BVMD immediately following

closing of the land exchange. BVR provided BVMD an "Agreement Regarding Real Property" for its consideration on December 28, 2018.

PUBLIC COMMENT

Megan Norton – Asked if it would be possible to move the mailboxes and bus stop to that area. Tom Kellen stated he is opposed to that. Buck stated it may be possible but would have to be discussed. Megan asked if the mailbox stop is District property and could be sold.

Pete Gallup - Asked if it would open access to Green Mountain. Rob stated there are some parcels that would go back to the BLM but he would have to look at a map to confirm if it would be. He believes enhancing the walking trails in a non-motorized format would be nice. Adam stated the parcel only touches BLM land in a corner. Todd Nelson stated there is not continuous access.

Flipp Brumm- Asked what the timeline was for the exchange to be completed. Rob stated they are hoping it gets completed this year but it has been in process for over 15 years so they do not have a firm completion date. Adam stated BLM is currently putting together a package that goes back to Washington for approval. At that point it goes back through public comment and any possible protest or appeals before being able to close the agreement.

Todd Nelson – Asked to extend gratitude to Paul as it benefits the community.

Marian Shafer – Asked if the decision goes to the entire community or if just the board decides. Buck stated it was essentially decided upon years ago but the board will eventually hold a vote for a final decision in the best interest of the community. Marian asked about the use of the property. Buck stated the board would place stipulations on the property in alignment with the stipulations in the agreement. Buck stated there would be a lot of conversations in the future as to the use of the property as this meeting is just in regards to the conveyance of the property.

Buck made a motion to approve and accept the conveyance of Parcel K as written with exception of the name being corrected. John seconded. All in favor. Motion carried.


Audit Exemption


Andrea presented the Application for Exemption from Audit as prepared by David Green, CPA for the District, along with the Resolution No. 2019-02 – A Resolution Approving an Exemption from Audit for Fiscal Year 2018. The board reviewed both. Mark moved to approve. Tom seconded. All in favor. Motion carried. All board members signed the Resolution and Exemption Application.


As this is a special meeting, no other business will be addressed. Meeting adjourned at 7:14.


BLUE VALLEY METROPOLITAN DISTRICT


Andrea Buller, Secretary


Kenneth McNichols, Chairman


Mark Nelson, Vice Chairman


Mike Stoveken, Treasurer


Tom Kellen


John Norton