

MINUTES OF REGULAR MEETING BLUE VALLEY METROPOLITAN DISTRICT

Regular meeting called to order at 7:00 pm on Monday, April 11, 2022 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, Jack Norton, Tom Kellen, Mark Nelson, and Mike Stoveken via Zoom. Board absent: None. Guests present in person; Ron Mentch (left at 7:48pm), Matt Willits, Ann Findley (left at 7:39pm), Kathy Walton (left at 7:40pm), Dennis Cunningham, Flip Brumm, Bob Heid, and Todd Nelson. Present via Zoom; Susie Bergmann and Brenda Kellen (joined at 7:08)

Review and Approval of Minutes of Previous Meeting(s) – Buck moved to approve the January minutes. Mark seconded. All in favor. Motion carried.

Water Operator –

Agenda and minutes as provided by Matt Willits - Water Solutions (Andrea minutes noted in parenthesis):

- CDPHE released their draft of the Annual Consumer Confidence Report, for calendar year 2021. WSI has reviewed the draft and made minor changes to include adding specific language regarding the failure to monitor for disinfection byproducts. The CCR will be posted on the district's website as well as on the community bulletin board. WSI will be working with the district administrator to include specific language on the second quarter billing to also meet public notification requirements.
- The district's water quality monitoring equipment is manufactured by the Hach Company. The district has an annual calibration and maintenance program with them and their annual contract for \$3,204.00 is up for renewal. This should be budgeted for 2022 as it is an annual expense.
- WSI was contacted by the district's fishing committee asking for guidance as it pertains to spraying herbicide for noxious weeds along the districts owned property along the river and infiltration gallery. Further discussion at the meeting is warranted regarding any type of setback requirements the district may want implement.
(The Board discussed and Buck stated he believes it is worth exploring the cost and the impact on the water. Buck reiterated that the fishing in the district is a valuable amenity so the board must be cognizant of monetary consequences of choices while acknowledging that it is definitely a bonus to maintain the fishing access and amenity. Mark stated that if necessary, items could be considered for the next budget year.)
- There was one main break on GCR 101 last month. After a couple of weeks of the leak not surfacing a leak detection company was contracted to locate the leak. Maximum Services made the repair utilizing solid sleeves on the 6" DIP main.
- The district experienced a frozen water main and water services lines on GCR 1012 last quarter. These lines were thawed by Maximum Services using ground hit, excavation, and jetting.
(The Board discussed the break. Buck stated the district was very fortunate to have Maximum Services with their equipment and men close to get it resolved very quickly.)

ARC – Todd Nelson gave a summary of ARC activities and discussions. Minutes as provided by Todd:

- 1 garage approved for construction
- 2 residence inquired about building garage
- 1 land owner inquired about building house

Grand county planning and zoning will accept covenant as a reason to ban STR permits.

ARC will need BVMD to email out rough draft of ballot of covenant change. ARC will take emailed comments on draft on covenant change for 30 days. Rough draft will be sent to legal for review. Final draft ready for July meeting and ballots mailed out after that.

Todd will be leaving ARC sometime between July and October time frame.

- Short-Term Rentals – Discussion below.
- Covenant Vote – He would like to send out an email blast and snail mail to anyone without email with a rough draft of covenant changes and then proceed after a certain amount of time. Buck asked when the ARC plans to have something for the board to review and discuss. Todd and Ann stated they have it ready. Buck stated that the short-term rentals advise from legal counsel has been received and should be considered for inclusion. Todd

stated that it already is. Todd stated that he confirmed with the county that a change in the covenants would be sufficient for the county to stop issuing permits for short-term rentals. The ARC would like to have the ballots out by July. There was also discussion regarding the enforcement of covenants via fees and/or water shut-off. Buck stated that as far as the amendment to the covenants, the board should look into including a fee structure in the amendment rather than in the service plan. Buck asked the ARC to discuss the fee structure. Ann stated they were hoping to get guidance from legal counsel on what fee structure is enforceable. Buck stated he believes we could pull a baseline from other districts. Buck stated he would do a little research and get back to the ARC. Buck thanked the ARC for all the work and time they have put in.

- Andrea explained the current website situation and the struggle getting the domain transferred from Ken Novak's personal ipage to BVMD's justhost. The board agreed it is best at this point to just move the ARC information onto the BVMD website and not spend more time trying to complete the transfer. Andrea asked for the ARC and board to look at the information she posted today and let her know if anything is missing.

River Committee – Minutes as presented by Ron Mentch –

The Blue Valley River Committee held a meeting at the BVMD river access parking area. Present were Ann Findley, Mike Oros, Todd Nelson, Jack Norton and Ron Mentch.

The following were items of discussion among the attendees:

- Signs- The locations and design were approved by attendees.
- Weed Mitigation- Contact sprayer contractors. Contact Matt Willitts regarding safe zone for infiltration gallery and chemical use. Contact BVR manager regarding irrigation ditch easement area. Contact BLM regarding adjacent meadow that has high density of thistles.
- Boat launch improvement- A few bank stabilization/restoration ideas were discussed some of which may or may not require permitting. Basically, more investigation is required.
- Cutting volunteer trees on the access road.
- The benefits and disadvantages of trout shocking and stocking.

Buck thanked Ron Mentch for the work and time given to the River Committee as well as the minutes. Buck stated he is seeing good things with the district's neighbors and a common goal of keeping the fishing amenity a benefit for the owners in the district. Jack stated that he believes the boat launch improvement is worth consideration and at this time they have just started some preliminary discussions about what is feasible to be done.

Engineering Project Update – Buck stated that we have all the necessary paperwork to the attorneys and they are working on it.

Spring Road Work / RFP published with deadline of May 1 – Andrea has yet to see any submissions. Buck stated that considering the amount of snow and the excellent work done by Maximum Services, he is pleased with the condition of the roads. Buck asked Andrea to let them know if nothing received in next week or so and the board can try to solicit some bids.

Public Address –

- Kathy Walton - thanked Maximum Services for the good and considerate work with plowing.
- Susie Bergman – asked if there will be some spring road work. Buck stated there will be the annual spring road work assuming someone submits a bid.
- Dennis Cunningham – asked if there is a plan or idea to help prevent the freezing issue. Buck stated that one issue found was that one of the valves was partially closed which prevented the proper amount of water to flow as needed to help prevent the freezing. Buck stated that the line was also insulated this time, before backfill upon repair completion, which will help in the future. Buck and Mark stated that continuation of the main line repair is something that will have to happen. Mark stated it was a long winter with 80 days of negative temperatures. Buck stated that the district was not the only place with issues as the Town of Kremmling also had freezing they haven't dealt with in years. Buck noted that putting welders on water lines is dangerous and should not be done.

Secretary's Report – Andrea notified the board that she had submitted a request for renewal of the water contract with the US Bureau of Reclamation via email to William Ross on Feb 28. He replied, "We can use this email you just sent as a request for renewal. No it will not be a problem that you requested renewal less than 2 years prior to expiration. We are extremely short staffed so we will not be getting to drafting new contracts for these until the last several months prior to expiration. Please check in with me in January of 2023 if you haven't heard anything from us yet." Andrea has entered a calendar reminder to check back in January of 2023.

Andrea has been in contact with David Green and the audit is set to start any day.


- Election Canceled – Andrea filed the forms necessary to cancel the election. Andrea suggested the seating of the board and vacancy appointments be done at May special meeting along with road work RFP award. The board discussed and set the date for the Special Meeting as May 9 @ 7 pm @ the mailboxes.
 - One Self-Nomination form – Brenda Kellen to be seated in May
 - Two vacancies to be appointed after May 3, 2022
- Current Balance(s) as of 3/31/22 – Stand for Audit
 - GMB Checking = \$159,885.76
 - GMB Savings = \$81,036.32
 - COLO Trust = \$179,771.79
- Paid Bills to Approve = \$23,976.99 Buck moved to approve the paid bills as presented. Mike seconded. Mark abstained. Remaining board in favor. Motion carried.
- Maximum Services invoices to be Approved & paid in April – Buck moved to approve payment of the Maximum Services bills. Tom seconded. Mark abstained. Remaining board in favor. Motion carried.
 - Maximum Services – Frozen Main Line = \$30,129.11
 - Maximum Services – Water Line Leak = \$11,833.63
 - Maximum Services – Additional Snow Plows = \$6765.00
- ARC Funds
 - Nonrefundable Funds to be used by ARC = \$13,291.46
 - Deposits held (could be refunded) = \$23,108.00

Buck moved to adjourn meeting at 8:03pm. seconded. All in favor. Motion carried. Next regular meeting is scheduled for Monday, July 11.

BLUE VALLEY METROPOLITAN DISTRICT



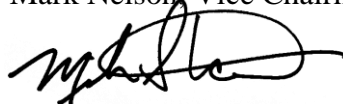
_____, Secretary



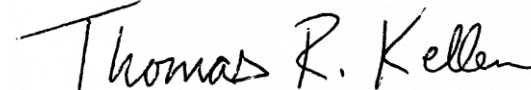
Buck McNichols, Chairman



Mark Nelson, Vice Chairman



Mike Stoveken, Treasurer



Tom Kellen



Jack Norton