

# MINUTES OF REGULAR MEETING

## BLUE VALLEY METROPOLITAN DISTRICT

Regular meeting called to order at 7:00 pm on Monday, October 10, 2022 following a work session that began at 6:30pm. Board secretary Andrea Buller present via Zoom. Board members present: Buck McNichols, Jack Norton, Brenda Kellen, Mark Nelson, and Mike Stoveken. Board absent: None. Guests present: Matt Willits(left at 7:32 pm) and Bob Heid. Guests present via Zoom; Ann Findley(left at 8:14pm) and Todd Nelson (left prior to 8:00pm).

**Review and Approval of Minutes of Previous Meeting(s)** – Mark moved to approve July minutes. Brenda seconded. All in favor. Motion carried.

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

- WSI staff distributed door to door notification of Failure to Monitor for Disinfection Byproducts, a CDPHE Tier 3 violation. The letter includes specific language required by CDPHE and door to door posting was also a notification requirement.
- WSI staff meet with the Tim Ritschard, local District Water Commissioner, and gave him a tour of the intake structure and filtration building. Tim requested the tour so he could become familiar with our facility.
- During an operational check of the facilities, staff discovered the intake vault had rodents nesting inside. Staff evicted the rodents and sealed the concrete barrel with mortar to prevent them from returning.
- WSI staff read 3rd quarter district water meters. There are 17 meters that cannot be read for assorted reasons. This is ~15% of the district water meters that cannot be read. I would like to discuss meter options at this meeting. (The board knows the district needs to switch meters but does not yet to know which they want to switch to so are unaware of the cost. Buck will contact the engineers and see if they have a suggestion on which direction to go. Buck stated the process will be lengthy and expensive so will need to be spread out over a period of time and the district will likely have a mix of meters and readers for a period of time. Meters that are inaccessible need to be moved and will have to be moved at the owner's expense. The board stated that is the responsibility of the home owner to make sure their meter is accessible to be read. Bob Heid and Ann Findley, both present at the meeting, agreed verbally at the meeting to the requirement to move their readers. Andrea will send notice to Chris Cotner.)

**Architectural Rules Committee** – Current committee members; Henry Broadhurst, Tim Vermeer, Ann Findley, and Bob Heid

- **Proposed Covenant Changes – Status** – ARC met on Sept 15. Ann sent an email with the summary on Sept 16. Ann stated one of the most common public comments was in regards to how covenants will be enforced. Ann stated that currently there is no enforcement, so she believes that needs to be addressed before putting time and expense into changing the covenants. Buck stated that the covenants would need to go through the attorneys to confirm they are enforceable. The ARC was brought under the board to enable enforcement. A fine schedule needs to be established with the ultimate penalty being loss of water. The board discussed the challenges and benefits of investing in covenant changes and enforcement in the district. The board emphasized the importance of speaking to every resident in the district to educate them on the covenants and the importance of voting. Buck stated that this is not a unique issue for BVMD and is something districts all over the state are dealing with. Buck asked Bob and Ann to do a little research and find a similar schedule that can be tailored to fit the district's needs. Ann has asked the board members to respond to her email dated 9/16/22.
- **Deposit refunds – any to process?** – Andrea received an email with a complaint regarding the deposit refund for 144 CR 101, Lot 2 / Block 9 and asked the ARC what the status was on this. Bob stated it has been resolved and is ready to be inspected. Bob will get information to Andrea for a refund to be issued.

**Engineering / Water Contract Augmentation Updates** – Buck has been in communication company handling and it is basically a paper shuffle at this point. All is going well, just a matter of time till finalized. Buck informed the board that the water contract has been renewed through June 30, 2062.

**Snow Plow bid(s) – review and award** – Two bids were received; Out of Bounds Plowing and Maximum Services Inc. The board reviewed both bids. The board reviewed. The amounts were significantly different. Jack moved to award the bid to Maximum Services. Brenda seconded. Mark abstained. Remaining board in favor. Motion carried. Andrea will send notice to Out of Bounds with gratitude for submittal of bid. Buck thanked Maximum Services for their work last year

snow plowing and also for stepping up to do some work on the roads this fall as no other company was willing and would not have gotten done otherwise.

### Public Address –

- Todd Nelson – exactly as submitted via email;
  1. apply for grant on water meter upgrade once an estimate is created on expense
  2. install stop sign that were slated to be done in road bid, cr 1014/1018, 1012/1018, 1014/1016
  3. are backflow devices still required?
  4. grading looked good on roads; however, a ditch needs to be created at henry broadhurst driveway to the north to Suzy house. One the land exchange is complete and bvmd acquires K tract we can install a dry well for run off.
  5. maximum services still needs to repair the riser at the fire hydraunt that got broke during push backs. cr 1013/1017. at no cost to the bvmd.
- Bob Heid – drainage ditch across the street from him was taken out and the road is caving in. He believes this needs to be fixed. Buck asked if it was graded out. Bob said yes but still a problem. Mark stated he can go look at it. The board discussed that the contractor did not give the district notice and it was not done correctly so it is on the property owner to fix it. Buck will call the contractor.
- Mike Stoveken – concerned that people have been driving on his yard to avoid potholes.

### Secretary's Report

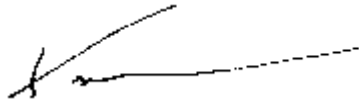
- **Current Balance(s) as of 9/30/22 – Stand for Audit**
  - **UBB Checking = \$138,276.19**
  - **UBB Savings = \$ 81,137.95**
  - **COLO Trust = \$180,929.21**
- **Paid Bills to Approve = \$ 27,595.10** – The paid bills were presented to the board. Buck moved to approve. Mike seconded. All in favor. Motion carried.
- **ARC Funds**
  - **Nonrefundable Funds to be used by ARC = \$ 15,811.46 (Andrea recommends allocation to cover costs at year-end. The board stated they want to make sure Andrea's time is also considered.)**
  - **Deposits held (could be refunded) = \$ 26,127.00**
- **2021 Completed Audit** – Andrea presented the audit to the board as completed and submitted to the state by David Green.
- **Draft Budget 2023** – The notice of the draft budget was submitted today and will be published Oct 14. The board discussed and worked with the draft budget. Andrea will post on the website before Oct. 15. Buck moved to approved the draft budget. Mike seconded. All in favor. Motion carried.
- **Grand County draft Assessed Valuation = \$4,464,850** – The draft certification from the county shows a slight decrease in the valuation for the district. This will result in a slight decrease in property tax revenue for 2023, assuming the final certification remains the same.
  - **Estimated property tax change = \$(796.84)**
- **2022 Budget Amendment – do not expect to need to amend** – Andrea pointed out that the funds designated for road by the mill levy need to be spent on roads by end of year (the spring road work was not completed due to a lack of willing and able contractors).
- **Certify Delinquent Accounts – None necessary**
- **Collins Engagement Letter** – Buck approved Andrea to use his digital signature to submit the engagement letter.
- **NIC distributions errors** – Andrea informed the board that NIC has had an error with the disbursements to BVMD a few times. The most recent, Andrea asked them if legal action was necessary to get it resolved. They discovered that they had inputed our bank account number incorrectly. United Business Bank had been catching the error and correcting it each time and apparently chose to stop doing such. NIC should now have the error corrected and should not have any further issues. This did not impact the residents or their accounts at all.

- **2023 Election** – Appointed positions (Mark & Mike) are only till the next election. Therefore, Buck, Jack, Mark, and Mike will all be up for election in May 2023. Brenda’s seat will be up for election in May of 2025. Self-Nomination date is key to not needing to appoint and fill board positions each year.


Buck moved to adjourn meeting at 8:57pm. seconded. All in favor. Motion carried. Next regular meeting is scheduled for Monday, December 12.


BLUE VALLEY METROPOLITAN DISTRICT


Andrea Buller, Secretary

  
Buck McNichols, Chairman

ABSENT  
Mark Nelson, Vice Chairman

  
Mike Stoveken, Treasurer

  
Brenda Kellen

  
Jack Norton