

MINUTES OF REGULAR MEETING BLUE VALLEY METROPOLITAN DISTRICT

Zoom virtual meeting called to order at 7:00 pm on Monday, May 4, 2020. Board members present: Buck McNichols, Mark Nelson, Mike Stoveken, and Tom Kellen. Board absent: None. Guests present: Connor Tracy, Todd Nelson, Matt Willits, Jeremy Hufford, Jim Martin, Brenda Martin, Tim Vermeer, Kathy Walton, and Ken Novak.

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

Public Address

Todd Nelson – asked Jack Norton regarding landscaping on his property and if it is on district property. Jack asked what the set back was from the center of the road. Jack stated he planned to throw down grass seed to avoid it turning into a weed patch. Jack stated the rocks were approximately 10ft from the ditch and suggested Todd go check again. Buck stated he will follow up on it and ensure nothing is encroaching on district property other than minimal grass seed. Jack stated he is happy to move things if needed.

Jeremy Hufford – He is curious about ARC board issues. He is wanting to install solar panels in his back yard and is under the impression the ARC board will be brought under the board of directors. Buck stated that is correct but it is currently business as usual as that has not happened yet. Jeremy asked if there would be a vote in regards to that tonight. Buck stated there were legal steps that had to be completed prior to an official vote but regardless, there will still be an ARC committee that serves under the board. Jeremy confirmed he is to speak with current ARC board members regarding his current situation.

Water Operator

Buck asked how meter reading was going. Matt stated he believes things are going well on their end. Andrea agreed that Loren has been doing an excellent job. There are still 4 meters that are not reading and a few others that have small issues. Buck asked Matt to continue rectifying any issues and stated that if there are any issues to reach out to the board for support to possibly include letters being sent out as it is the responsibility of the owner to have accurate and functioning water meters.

Notes as presented by Matt Willits, water operator;

- WSI completed the 2019 Backflow Protection and Cross Connection Control (BPCCC) Annual Report. The BPCCC requires the District require backflow devices when necessary and annual tracking and testing of those devices. WSI will be starting on the 2020 BPCCC this summer.
- CDPHE received a grant to sample community water systems for polyfluoroalkyl substance (PFAS). Chemicals in this class of more than 1000's of substances can be found in food package, nonstick pans and fire retardants. The sampling was free and voluntary and WSI signed up their eligible clients and took the required samples. Results have not been received as of this meeting.
- WSI will be completing annual fire hydrant maintenance and valve turning. Valve turning will allow WSI staff to better understand the distribution system and update the District maps. Has the District decided to work with their engineers on updated the GIS maps produced by Henry or should we work with Henry's company to complete this project?
- What is the status of the infiltration gallery water resource study? The November main break again showed our operators the limitations of this resource.
- WSI recently completed a CDPHE requested survey regarding the District chemical supply and PPE needs. The District has enough chemicals and WSI will continue to keep supplies stocked.
- WSI has closed their office during the COVID-19 quarantine and will continue to practice social distancing among staff so assure operations of our client's facilities.

ARC - BVMD Agreement Buck asked Todd if he was ok with being considered as the chair of the ARC committee due to Bob Heid's current inability to serve as chair. Todd stated he would be and that everything

has been straightened away with Janet Poyser. Andrea stated that previously she was told by the ARC to not provide phone numbers and would like to know if he is fine with her giving out his phone number for ARC issues in the future. Todd stated he is fine with that.

There was general discussion between the board and the ARC representative present, Todd Nelson, regarding moving the ARC under the authority of the BVMD Board. It was general consensus that the current ARC committee should get the current deposits held and other accounting issues cleaned up prior to the merger. Once completed, Todd will notify the BVMD board that the finances are in order and Andrea will schedule a special meeting for the BVMD board to sign the agreement and seat new committee members.

Buck requested that Andrea do two things; (1) place a letter on the website encouraging any new committee members to join existing board members to sit on the ARC under the guidance of the BVMD Directors and (2) get together with Todd he has clean financial figures and status of existing deposits being held. All the other board members agreed that it is a reasonable process to move forward. Buck stressed that Andrea needs to be very careful in regards to how much time is spent on the ARC committee as the board does not have budget for that item. While Andrea will have knowledge of the ARC operations, the actual duties, excluding financial management, are to be conducted by the ARC.

Todd would like mailing addresses used for election to contact homeowners regarding the solar application. Andrea stated she is fine with that but needs to get approval from legal counsel to ensure it is information she is allowed to share with the ARC. Buck asked if it would be appropriate to delay the response for a week or two until we get the ARC situation under better control. Todd stated that the paperwork has not yet been completed by the owner. Mark asked if the solar is on the ground or on the roof. Buck asked what the rules and regulations state. Todd stated that Covenant 2 gives them guidance but is very vague so the ARC is not comfortable with moving forward until all owners in the district have been given the opportunity to weigh in on the issue. Buck stated that since the ARC has not received a complete application for such an installation, it would be reasonable to let it stay on hold until we get it properly communicated to all owners. Andrea stated that she has received multiple communications from the company hired for the project and believes they would state they have submitted their application. Todd stated the forms they received are not ARC forms. Buck stated that the decision has legal ramifications and needs to be seriously considered before moving forward. Buck stated there needs to be significant more research before moving forward since the application appears to be for beyond personal use for the residence.

- Cirks - request for return of construction compliance deposit
The current ARC committee is to review this request.
- Poyser – application for plan review
Buck stated he believes the Poyser application is taken care of after speaking with Janet, Christine, and Todd.

Engineering Project

Buck stated that the top priority is the yield test, utilizing Bishop-Brogden Associates, Inc (BBA) as indicated in JVA's Water System Master Plan from May 2019. BBA confirmed they would honor last year's estimate of \$10500 to complete. The next step following completion of that is to complete a rate study. Once the rate study is completed, we will be communicating with the water attorneys in regards to amending the water augmentation plan to accommodate additional taps.

Buck moved to approve \$10500 to contract Bishop-Brogden Associates, Inc. to complete the yield test. Mark second. All in favor. Motion carried.

Buck recommends the board hold a special meeting to move forward with the rate study following completion of the yield test. Mark stated that the mapping must be finished as well as a priority list for capital improvement projects over a future period of time. Buck confirmed Matt Willits will get with Henry Broadhurst regarding mapping. Matt requested Buck forward his contact information on to BBA.

Spring Road Work / RFP (deadline May 1)

Two bids were received. One from X Field Services, LLC for \$44,450.00 and one from Maximum Services, Inc. for \$32,020.00.

The board reviewed both bids. Buck stated that the RFP is a large project and a lot of work. Buck stated he met with X Field Services and can guarantee that they worked hard to sharpen their pencil and submitted a fair bid considering they are located in Craig and the amount of work being requested.

Buck stated that Maximum Services has done a lot of quality work over the years for the District.

Tom moved to approve Maximum Services bid for \$32,020.00. Mike seconded. Mark abstained. Buck, Jack, Tom, and Mike in favor. Motion carried.

Andrea is to send a letter to X Field Services extending the board's sincere gratitude for their bid and efforts.

Edge Internet Services tower on water plant building request

Buck explained this request is from a company in which he is an owner. Buck explained that Edge Internet Services is a new company moving into Heeney, Kremmling, and the Blue Valley Acres area. He stated it will be a significant improvement, specifically for the BVMD neighborhood. He acknowledged they will be competitors with Grand County Internet but believes they will be much faster and more reliable. They are requesting permission to provide a repeater tower on the water tower and will in exchange provide a dedicated IP address and internet access for the water operator. In addition, they will install security features to include security cameras monitored 24/7. They would also be willing to pay for any electrical expense and can calculate the amount used and would reimburse the district for such. The tower is approximately 2 ft tall by 15 inches wide.

Buck stated that he and Mark did report to a call of people on the water tank to find kids on the water tank which is a huge safety, security, and liability issue.

Mike asked if the board would receive a written proposal. Buck stated they would like the board to decide if there is interest in a proposal. Mike stated he would like to request a proposal. Tom, Jack, and Mark agreed. Buck will submit a proposal to the board for future consideration.

Fishing Access – Reminder of Rules and enforcement options

Buck stated he has received multiple phone calls regarding violations and concerns and he encourages people to enforce our own neighborhood. Buck stated you must have a new pass each year. Buck thanked Andrea for placing additional signage stating 2020 passes are required and to report trespassing to Grand County Sherriff. Andrea confirmed with the board that no vehicles, to include ATVs, are allowed to park past the gate. The gate point is for temporary access and all vehicles must leave immediately and park above the gated access point.

Secretary's Report

- Grand Mountain Bank sold to United Business Bank 3/13/20 – Andrea explained that cash deposits must be made with a deposit slip noting which account to be applied to. Andrea did reach out to other districts to research their different methods and concluded most of those are not feasible for a small district. Andrea will continue to look into any online payment options.
- Current Balance(s) as of 4/30/20 (before April interest posted) – Stand for Audit
 - GMB Checking = \$53,775.46
 - GMB Savings = \$70,669.22
 - COLO Trust = \$179,070.85
- Paid Bills to Approve = \$24,423.54 - Andrea presented paid bills to be approved. Tom moved to approve paid bills as presented. Buck seconded. Mark abstained on Maximum Services items but otherwise approved. All in favor. Motion carried.

- Audit – Andrea presented the draft financials from David Green. Mark moved to approve, Mike seconded. All in favor. Motion carried.
- Election – Andrea gave an update on the election to be held tomorrow.
 - Canvas Board to be completed virtually.
- Past Due Account to shut off 5/8/20 – Andrea gave an update on collection efforts and will continue to try to rectify this account without a shut off it at all possible.

Buck moved to adjourn the meeting at 8:46pm. Mike seconded. All in favor.

BLUE VALLEY METROPOLITAN DISTRICT

Andrea Buller

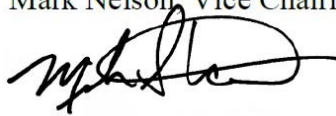
_____, Secretary



Buck McNichols, Chairman



Mark Nelson, Vice Chairman



Mike Stoveken, Treasurer

Thomas R. Kellen

Tom Kellen



Jack Norton