

September 21, 2018

To: Blue Valley Metropolitan District Board of Directors
From: Janet Poyser, 280 CR 1014

RE: Follow-up to Culvert Installation

Dear BVMD Board Members:

I am writing again regarding the Culvert Project, specifically, the \$696.00 line item on my July water bill for "Culvert Compliance: cost of Culvert installed to ensure compliance...2@ \$348.00."

I have several concerns that the BVMD Board failed to address in the July 9, 2018 Board Meeting:

1. Per Colorado Revised Statute Title 32: Special Districts, Notice must be provided to the customers receiving the domestic water or sanitary sewer services of the district. Proper notice regarding the installation and cost of the culverts was not given.
2. Per the Service Plan, Road **and drainage** improvements are the responsibility of the BVMD. Paying for culverts that will "prevent potholes" in the shared roadways benefits the entire Blue Valley community, and should not be the financial burden of 8 homeowners.
3. The culverts were placed within the 10-foot easements that are property of the BVMD. The BVMD is responsible - financial and otherwise - for all maintenance projects in those properties.

Following the July 9 meeting and the publication of its Minutes, I have additional concerns that I am asking the BMVD Board address at the October 8 meeting:

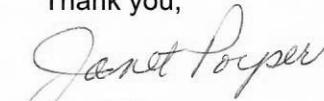
1. Comments, questions and concerns raised by Guests about the Culvert project were left off the meeting Minutes. Specifically: I said that, per Title 32, homeowners are to be given 30 day notice prior to the meeting where the assessment was put up to a vote. Given that Title 32 is the crux of my argument and why I believe, as a homeowner, I should not be asked to bear the expense of culverts, I am disappointed to see those details not included in the Minutes. Further, I ask that the July 9 meeting Minutes be revised and updated to include my full comments.
2. While I appreciate the time and energy **all** of the Board members volunteer, the volunteerism done by Mark Nelson on behalf of the community is irrelevant to the project and my concerns about payment. Additionally, I requested - and have not yet received - a copy of the RFP that was sent out for the culvert project. (The RFP I was given was regarding general road maintenance and did not mention the culverts.) I would like the Board members to share that RFP at the October meeting.

3. Including the culvert expense as a line item in my water bill appears to be coercion. The culvert project has been described and positioned as a **road and drainage** project - not a Water System project. Two points about this:
 - a. I perceived the inclusion of the expense on my water bill as a strong-arm attempt by the Board to pay the expense, lest my water be turned off for an unpaid bill.
 - b. Incorporating the line item with water bills implies it's a Water System project, in which case BVMD Resolution No. 2017-02 applies: "the District incurs certain direct and indirect costs associated with the acquisition, construction, installation, repair, replacement, improvement, reconstruction, operation and maintenance of the Water System...inclusive of the costs of utilities and capital replacement costs..."

In the July 9 meeting (but not reflected in the Minutes), Buck McNichols stated that this topic was to be tabled until the October meeting. It is my expectation that, at this meeting, the Board thoroughly reviews, discusses, and addresses all of my concerns.

I am also asking that this letter, and the ^{June} July 15 letter I sent to the BMVD board, be included in October 8 Meeting Agenda and on the BVMD website.

Thank you,


Janet Poyser

Janet Poyser
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Kremmling,
CO 80445

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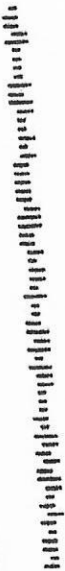


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Blue Valley Metropolitan District

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