

MINUTES OF SPECIAL MEETING BLUE VALLEY METROPOLITAN DISTRICT

Zoom virtual meeting called to order at 6:17 pm on Tuesday, May 12, 2026. Board Secretary Andrea Buller present. Board members present: Buck McNichols, Mark Nelson, Tim Vermeer and Jeff Powles. Board absent: Brenda Kellen. Guests present: Anna Zagone, Dan Dubrow, Debbie Gish, Diana Armstrong, Wayne Sczgal, Austin Haynes, Sara Johnson, Kim Riddle, Kristina Nickens, Tammy Hanohano, Ron Poulin, Patti Gagnon, Mary Jo Roal, Vince Stuber, Sue Hobrock, Jeremy Hufford, Kathy Walton, Steve Martin, Matt Kallman, Todd Nelson, and Alan Russell.

Water Restrictions

Meeting called to order at 6:17 pm. Purpose of the meeting is to address upcoming restrictions that will be put into place at next public hearing to be held Monday, June 8, 2026. The water situation is dire this season due to lack of snowpack. The regulatory bodies are working diligently to address the issue while trading water around to meet contract needs. However, when the water runs out, it is gone. At 2pm today, Buck received a call from the water attorneys regarding a recently announced project by the River District that could potentially benefit the District. Buck requested that the District be enrolled in the project for consideration. There is currently not enough water in Green Mountain Reservoir to provide water for even domestic use let alone outdoor use. The Board is taking every step possible to ensure BVMD is covered by “paper water” and a step toward ensuring that is putting mandatory restrictions in place.

BVMD is looking to implement similar restrictions to communities surrounding us. Below is a list of changes the Board expects to implement:

- Outdoor watering- no sprinkler irrigation whatsoever. All lawns will go dry but grass should recover. The hope is to have enough allotment to accommodate drip system or similar for trees, shrubs, and gardens.
- Quarterly allocation - will be decreased and monitored on a monthly basis rather than quarterly.
- Overage Fees – will likely be increased from current rate.
- Fines will be instituted. For example,
 - \$250 fine for first violation
 - \$500 fine for second violation
 - \$1000 fine for third violation AND immediate water shut-off with an additional \$1000 fine for water to be turned back on.

Buck hopes everyone will understand and voluntarily begin complying now. The reality of the situation is very extreme. Buck is proactively advocating for water to ensure trees and shrubs can receive some care. Everyone being waterwise now will help the District be in a good position come June. The District has no desire to fine anyone or shut off water but the District needs to be

responsible and understand that the water usage is being scrutinized as reports are sent directly to the regulatory agencies.

Tim Vermeer asked which attorney Buck has been communicating with. Buck stated he has communicated with multiple associates at both agencies representing the District, BBA and Balcomb & Green. Buck stated the phone call he received today was unscheduled.

Jeff Powles stated he would like to see if one of the attorneys could be involved in a phone call with the Board during an upcoming work session. Buck stated he agrees it would be beneficial and will get ahold of them to have to determine their availability.

Tim stated he spoke with Water Commissioner Troy at 5:30. He stated they are working to juggle the water to prevent everyone from having their water shut off but people downstream may just simply run out of water. Tim said Troy stated he would ask that everyone reduce their watering to one day a week. Tim asked if the Water Commissioner or Attorneys would be better resource for the District.

Jeff stated the water attorneys' goal is to fight to protect the rights of the District but believes both entities have valuable information.

Tim reiterated that it is a very dire situation and Tim is welcome to give out Troy's number to anyone who wants to call Troy directly.

Buck opened the line to any public questions or comments.

Kathy Walton – asked what the monthly allotment will be. Buck stated we are unsure and this was a main topic discussed with legal counsel today. Buck stated that during the irrigation season historically, there are multiple homes that go over while there are multiple homes that come in under. The next couple weeks the District is going to work to determine what a fair number is. Kathy admitted she is very pleasantly surprised and expressed her gratitude that the District hopes to allow some outdoor watering for trees and shrubs. She stated that they are only a family of two so they will do their part and hope that will help larger families average out. Buck stated that we don't know what augmentation limitations will come down the line and that may need to change but will do the best we can to protect outdoor allotment for trees, shrubs, and gardens.

Diana Armstrong – curious when the next meter reading will be and if it will change when invoicing is completed and if it will change the overall water bill. Buck stated he does not foresee any changes to the quarterly billing schedule for base water fee. The only foreseeable change will be to the calculation of overages and billing of fines issued for violations. Jeff stated that the board needs to discuss as it may make sense to increase the overage charges but doesn't foresee a change to the base water fee.

Steve Martin – asked for the District email to request his historical usage.

Sara Johnson – asked if she will have access to monthly meter readings. Buck stated the dial reader is accessible for each home to read whenever they want. Buck stated there is also an electronic option for the new meter readers and a request can be emailed to the District to get a user setup.

Kim Riddle – complimented Buck and the board on great work and acknowledged it is an ever-changing situation and is unprecedented. Kim asked if any ideas have been explored for next year if shortage of water issue continues. Buck stated we have considered additional augmentation plans from other sources, however that is a very expensive option and has been advised by the Water Commissioner to hold off on that for now till we get a better understanding of what is coming. Buck stated that the District will do everything possible to legally have water for homes in the District.

Chat questions – Rainwater Barrel Restrictions

- Buck encouraged them to look to County for restrictions as he is unsure of the exact regulation.
- Wayne Sczgiel shared he believes the state of CO allows 110 gallons of collection at one time.
- Mark did a quick search online and found information that confirmed two 55 gallons totaling 110 gallons with other collection restrictions. Mark will send to Andrea to be shared through mass email distribution.

Chat comment - Kim Riddle – encouraged everyone to attend meeting on 5/18. Andrea will send link through bulk email.

Buck reiterated that the attorney did notify the River District of the intentions of the District but Buck does not know the deadline for the program and if we will be approved or any future program dates.

Buck will follow up with Ron to see if he has noticed any change in usage but is hopeful everyone understands the situation and there will be no issue with water usage in the District.

Jeff suggested the board have a work sessions prior to the June 8 meeting and an executive session with legal counsel. Buck agreed. Jeff reiterated that work session would not be for any decisions to be made but for the board to work together to make some plans with legal guidance.

Buck stated he will update everyone as he can but it a very fluid situation. Residents are encouraged to keep an eye on the website for updates.

Mark thanked Buck for fielding all the phone calls with legal counsel and conveying the information to everyone. Mark stated that any official written communication from legal counsel in regard to this issue, if any is received, can be shared with everyone but none has been received at this time.

Buck reminded everyone that the board are unpaid volunteers who all work and give their time to serve the District. He is trying to do what is best for the District and provide as much information as possible. Buck has been proactive as he could see this problem coming since he is up on the mountain behind the District daily and knew there was a significant decrease in the snowpack. The estimation is that more then 10,000 cattle will be removed from grazing the area and 30% less hay production is expected. The situation is much more severe than anyone realizes. The District is trying to be as proactive as possible as a District and community to protect legal rights to have water in District's homes for now and the foreseeable future.

Tim stated he is happy to help however possible and acknowledges he needs to be educated on this issue. He stated educating himself is his motivation to be involved in the legal calls. Tim stated the possibility of losing water in the District is a very real and alarming possibility.

Buck shared one example from a nearby community. An ag producer decided to relinquish their senior water rights for irrigation so a town could have drinking water. They gave up their legal rights to water their hay meadows to allow the town to have water. Sacrifices are going to be needed.

Tim stated his understanding is that the Water Districts chose not to sell water they legally could have sold to protect the neighboring communities. He doesn't know how you can emphasize enough that it is a dire situation. The District is fortunate enough to be closer to the source.

Buck expressed gratitude for everyone attending and hopes to see all the water usage slowing down before the June 8 meeting.

As this is a special meeting, no other business was discussed. Buck moved to adjourn the meeting at 7:04 pm. Tim seconded. All in favor. Meeting adjourned.

BLUE VALLEY METROPOLITAN DISTRICT

Andrea Buller

_____, Secretary