

# MINUTES OF REGULAR MEETING

## BLUE VALLEY METROPOLITAN DISTRICT

Zoom virtual meeting called to order at 7:03 pm, following the 30 minute work session, on Monday, December 14, 2020. (Meeting was rescheduled from December 7 due to county delays in property value certification due to issues created by East Troublesome fire.) Board members present: Buck McNichols, Mark Nelson, Mike Stoveken, Jack Norton, and Tom Kellen. Board absent: None. Secretary Andrea Buller present. Guests present: Todd Nelson, Ken Novak, and Matthew Willits.

### Public Address-

Mike Stoveken – speaking as resident not board member. Mike raised a flagpole this summer. Approximately 10 days ago, Mike had a vandal place an item on his property in response to his flag. He knows who it was as the act was caught on his security camera. He chooses not to escalate anything at this point but wants to be clear he will contact the sheriff's office if any further trespassing occurs. He would appreciate an apology but does not expect one. He respects everyone's opinion and would appreciate his neighbors being respectful of his. Mark and Buck stated gratitude for Mike handling the situation respectfully and expressed their disappointment that he was treated poorly by a member of the neighborhood.

Todd Nelson – Todd lost connection and submitted his public comment via email.

- Todd suggests adding "common element " to wording of fishing passes regulation.
- Todd suggests considering a non-motorized area north of kink gulch to solve motorcycle issue.
- Todd states that the road is infringing on the lot he owns at intersection CR 1013 and CR 1018. He stated that this spring he will be reclaiming his property there and that the road is 2-3 feet on his property.
- Todd also stated that the 5 acres has been having the same issue with river abuse due to COVID. He stated that the 5 acres is looking to move to fingerprint tech for gate access and suggest that it could be an option for gate access to the river.

### Water Operator-

- WSI has not completed the annual fire hydrant maintenance and valve turning program. WSI will complete this project this spring.
- The SCADA system upgrade has been completed. A new computer is located at the water plant which allows the operator to access the SCADA site and manipulate the water treatment plant. Currently, we are backing up the SCADA system locally by utilizing the old SCADA software as recommended by the board. This will work until required upgrades to the software phase it out.
- WSI will be reading District meters this week. Once read, WSI will identify necessary rereads or repairs. As previously discussed, it is recommended the District evaluate their meter system before WSI continues to spend resources repairing an outdated system.
- WSI contacted the two owners that are required to have backflow devices. As part of the District's Backflow Prevention and Cross Connection Control (BPCCC) Program both backflow devices need to be tested and certified annual. We have received one of the test reports and the second device we are told will be tested on December 23rd. WSI will complete the Annual BPCCC Report by the May 1st deadline.

### Engineering Project Update-

Mark said he does not have any updates at this point. JVA has design discussed at last meeting and approval to proceed. Buck stated that in addition, one of the next steps is the rate study.

**Review and Approval of Minutes of Previous Meeting(s)** – Andrea presented the board with the unapproved minutes from the October 15 meeting. The Board reviewed and discussed the minutes. Tom moved to approve minutes from October meeting. Jack seconded. All in favor. Motion carried.

**ARC** –

Todd stated they are discussing putting out a vote to get the setbacks consistent with the county. They have one building waiting on the revised septic engineering as the plan with the septic in the setback is not approved. Hugo Gonzalez will be applying for his deposit to be refunded as his construction property has sold.

Buck asked if Todd is looking at an amendment on the setbacks. Buck stated it would be nice to see what all changes the ARC is looking at and to ensure any future vote of the membership pans out as a lot of the changes they are looking at are great and the District should be proactive on educating the owners on changes being considered for a vote. Todd stated they are looking at doing very basic stuff for now and more in a couple years. The changes would allow the ARC to accommodate the owners for building on the lots that are remaining to be developed. Mark asked if it correlates with established policies within the county if they might be able to be accomplished with an amendment. Buck stated that we should consider looking at what variances are allowed to save the District money. Buck stated that it is reasonable to ask if allowing the committee and board to consider variances for the few properties remaining. Tom stated that he thinks the variance approach is logical as that is what they are for. Buck will look into.

Due to loss connection, Todd sent email with following additional comment; ARC is seeing more bandit rental units in BVMD adding a second family water usage to our system- Basically 2 households doubling water usage on our system.

**Fishing Access – Updated Rules and enforcement options** – Andrea rewrote the policies to include all District common property and to clear up vague language and to clarify the difference between Designated Member for property owned by individual vs. entity or corporation. Andrea submitted it to Collins Cockrel & Cole for review prior to submitting to the board. The board reviewed in the work session. They would like to finalize some items and will present for approval at the January meeting. Andrea will not issue any 2021 passes till after the January meeting.

**Certification of 2021 Tax Levy** – Andrea filed the 2021 Tax Levy with the County Commissioners, County Treasurer, and County Assessor via email on December 14, 2020.

**2020 Budget Amendment – not necessary** – Andrea presented conservative estimate of year-end figures which would not require an amendment. No amendment to be filed.

**2021 Budget Approval & Resolution** –

The board reviewed the budget as presented by Andrea. Buck moved to approve the 2021 budget. Tom seconded. All in favor. Motion carried. Mark moved to approve the Resolution as amended to reflect approved budget. Mike seconded. All in favor. Motion carried.

**2021 Meeting Schedule to be approved** – Tom moved to approve following dates and continue as Zoom meetings till further notice. Mark approved. All in favor. Motion carried.

January 11, 2021

April 12, 2021

July 12, 2021

October 11, 2021

December 13, 2021

**Work Comp Board Coverage Resolution** –

The board reviewed the resolution. Buck moved to approve. Mike seconded. All in favor. Motion carried.

**Boundary Map – any changes needed if applicable**

No changes needed. Andrea will submit letter to county as drafted.

**Secretary's Report** – Per board request at prior meeting, Andrea sent a certified letter to Peter Gallup regarding abuse of river access. Per USPS records, he received the letter on 11/12/2020 at 3:12 pm.

Andrea received a phone call from Mike Roal stating the road sign by his property has been knocked down. Andrea emailed all board members requesting someone volunteer to fix it. Buck stated he will look at it tomorrow and determine what is needed to get it fixed.

Andrea asked each board member to either schedule a time to meet her at her office to sign prior approved minutes from this year or email her a digital signature with approval for use.

Meter reading to be done by the 16<sup>th</sup> so Andrea can complete invoicing and send prior to her leave for the holidays.

Current Balance(s) as of 11/30/20 – Stand for Audit

GMB Checking = \$63,162.79

GMB Savings = \$70,787.06

COLO Trust = \$179,603.79

a. Paid Bills to Approve = \$28,886.56

Buck moved to approve paid bills as presented. Tom seconded. Mark abstained. Remaining board in favor. Motion carried.

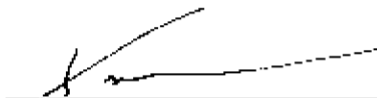
b. Audit Exemption – The board reviewed and authorized Andrea to sign and return to David Green.

Buck moved to adjourn the meeting at 7:58 pm.

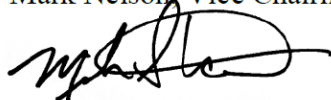
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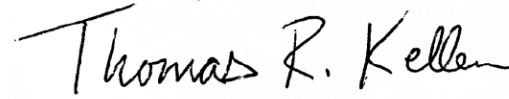


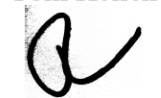
\_\_\_\_\_, Secretary

  
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Buck McNichols, Chairman

  
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Mark Nelson, Vice Chairman

  
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Mike Stoveken, Treasurer

  
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Tom Kellen

  
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Jack Norton