

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
THE CONSOLIDATED BELL MOUNTAIN RANCH
METROPOLITAN DISTRICT
(THE "DISTRICT")

HELD
MARCH 5, 2024

A regular meeting of the Board of Directors ("Board") of the Consolidated Bell Mountain Ranch Metropolitan District ("Metro District") was convened on Tuesday, March 5, 2024 at 6:00 p.m. at Lowell Ranch, 2330 S. I-25, East Frontage Road, Castle Rock, CO 80104.

ATTENDANCE

Directors In Attendance Were:

Russell Grant, President
Steve Vrabel, Vice President
Jeanne Dassel, Treasurer
Jay Smith, Secretary
John Booth, Assistant Secretary/Treasurer

Also, In Attendance Were:

Nic Carlson and Korben Heim; CliftonLarsonAllen LLP
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC
John McKillip; APM
Gwen Kalvelage; 3983 Bell Mountain Drive
Larry Lomison; 501 Chandelle Road
Paul Dassel; 1267 Stardust Circle
Dennis Sykes; 4198 Old Gate Road
John Uzzell; 4625 High Spring Road

I. CALL TO ORDER Director Grant called the meeting to order at 6:00 p.m.

II. DECLARATION OF QUORUM/ DIRECTOR QUALIFICATIONS/ POTENTIAL CONFLICTS OF INTEREST **Disclosure of Conflicts:** Upon polling, no Conflict-of-Interest Disclosure was required from any of the Directors.

Quorum and Location of Meeting: A quorum and location of meeting was confirmed.

III. APPROVAL OF AGENDA Upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the Agenda, as amended to with the addition of Item VIII-H: Community park loop road relocation.

RECORD OF PROCEEDINGS

IV. COMMUNITY COMMENTS

Resident Paul Dassel commented on the possible gating of the community, noting that legal matters are at issue, since improvements/facilities were financed through public bond dollars. Mr. Dassel requested that a legal opinion be obtained addressing the question of whether or not BMR can be legally gated, and if so, under what conditions/requirements.

Mr. Foster inquired about how much interest there is in the gating community. Director Grant stated that this topic is on the meeting agenda and will be discussed later in the meeting.

Ms. Kalvelage stated that voles are active in the landscape rocks at the front gate, which could jeopardize plants that are planted there. She asked that an exterminator treat the front gate area for voles. Director Grant stated that the front gate area is treated twice a year by an exterminator for voles. The next treatment is scheduled for late March.

V. APM MONTHLY REPORT

Mr. McKillip provided his report to the Board noting that installation of the new steel posts for the caution signs and horse crossing signs has been completed. The need to repaint horse crossing stripes on the roadway at several locations was discussed, as was the need to repair the road shoulder washouts on Chandell Road. The repair of washouts at multiple locations is ongoing. Mr. McKillip stated that grass aeration/fertilization, irrigation work and landscape cleanup work is scheduled to begin at the BMR front gate area and Community Park. Repair of the water fountain and backfill of the irrigation piping near the Park irrigation backflow preventer are yet to be completed.

VI. MANAGERS REPORT/ADMINISTRATIVE MATTERS

A. Review and Consider Approval of the Minutes of February 6, 2024 Regular Meeting: Following review and discussion, upon a motion duly made by Director Booth, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the February 6, 2024 Regular Meeting Minutes, as amended for a minor name spelling correction.

VII. FINANCIAL MATTERS

A. Review and Consider Approval of Claims Report/Check Register for February 2024 Totaling \$58,530.43, Including Water Fund Costs: Director Grant reviewed the claims with the Board. Following review and discussion, upon a motion duly made by Director Vrabel, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the claims report/check register dated February 2024 totaling \$58,530.43, as presented.

B. Review and Accept Cash Position Schedule as of March 2024: Director Grant reviewed the March 2024 Cash Position Schedule with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board accepted the Cash Position Schedule as of March 2024, as presented.

RECORD OF PROCEEDINGS

VIII. DIRECTOR DISCUSSION- ACTION

A. Update on School Bus Parking on Autumn Sun Circle – Director Dassel:

Director Dassel reported that she had collaborated with the Douglas County School District Transportation Department to choose a new location for the bus stop. Effective on 20 Feb 2024, the school bus stop was moved from the entrance of Autumn Sun Circle to the entrance of the BMR Community Park. This new location provides safe parking for students' parents and alleviates safety concerns regarding the pickup/ drop off for students. School buses will now make a turn around on Rusty Dawn Circle without stopping before proceeding to the entrance of the BMR Park for student drop off/ pickup. This location provides a hard stopping surface, a sufficient distance for the bus safety lights to be engaged before the bus stops and easy access to the existing BMR walking paths for students who walk home.

B. Update on Fire Mitigation Project-Director Grant: Director Grant stated that the last item remaining in execution of the project is collection of the reimbursements from the State and Douglas County. Only the final reimbursement request for \$48,075 is yet to be received.

Director Booth pointed out that an item posted on the Metro District website regarding this project is outdated. Director Grant will forward a current update to CLA to post on the website.

During discussion regarding fire mitigation, the topic of homeowner-initiated fire mitigation projects was brought up. The residents at 4622 High Spring Rd, Chris & Sandra Sheets, submitted a project to the HOA for fire mitigation in their "C" zone. The HOA does not have authority to approve projects in the "C" zone. The Board appointed Director Booth to be the point of contact to deal with the submitted request. Director Booth will contact the residents to let them know that the Metro District will consider their submittal for approval at the April Metro Board meeting. Furthermore, it was agreed that the Metro District needs to issue a formal policy regarding homeowner-initiated fire mitigation projects. Such a policy will require coordination with the HOA, since fire mitigation can include work in all three building zones.

C. Update on BMR-TCR Water Main Connector – Director Grant: Director Grant reported that there has been no major progress. He stated that the Intergovernmental Agreement (IGA) between the Metro District and the Town of Castle Rock (TCR) includes an easement through Glade Gulch from the TCR well near the Community Park to the BMR Water Treatment Plant (WTP). A new water line is being planned to connect the TCR well to the WTP. The survey work for the new water line will be done soon, with construction planned in 2025.

D. Update on COMCAST Fiber Installation – Director Booth: Director Booth reported that the COMCAST subcontractor is repairing shoulders and ruts, but they have not yet done reseeding, which will be done this spring. The marker flags will be picked up soon. The Board discussed seed mix and application.

RECORD OF PROCEEDINGS

E. Acquisition of the Electronic BMR Trail Application – Director Booth:

Director Booth reported that Sean Molloy is continuing to work on getting the Metro District registered as the owner of the Trail App and figuring out how modifications to the App can be made. There was a question raised regarding whether or not the “A”, “B” and “C” zones could be added to the Trail App, which will need to be researched.

F. Update on HOA Study to Gate BMR – Director Grant:

Director Grant reported that a joint Metro District-HOA Study Session meeting has been planned for 13 March 2024 to discuss the legal issues regarding possibly restricting access of the general Public to BMR by gating the entrance/exit roads to BMR. The respective legal representatives of the Metro District and the HOA will be present.

G. Update on Equestrian Center Trails and Equestrian Center Items –

Director Dassel: Director Dassel reported that a proposed licensing agreement has been sent to the Equestrian Center (EC) for their review and comment. The EC owners have forwarded the agreement to their attorney for review. Director Vrabel expressed concern that some information may have been left out of the agreement provided to the EC. Director Dassel assured the Board that she believed the essential elements of items approved for inclusion were contained in the draft agreement.

H. Relocation of Loop Road next to Community Park:

Director Grant reported that the property owner adjacent to the south boundary of the Community Park has complained that the equestrian trail markers along the loop road are still in place and that since a portion of the loop road encroaches on her property that this presents an increased insurance liability for the homeowner. Director Grant stated that the errant trail markers would be removed and that the Metro District would plan on relocating the loop road entry a maximum of 5’ to the north to eliminate the encroachment on the homeowner’s property. In addition, the current plan to move the Metro District storage shed to the loop road will be revisited.

I. Update on Planning for Drainage Ditch and Homeowner Slope Restorations-

Director Smith: Director Smith reported that letters to residents are being prepared. He stated that surveying and estimating costs for ongoing work are beginning on Enchantra Circle. Directors Booth and Smith discussed possibly working in coordination with a Comcast subcontractor to repair areas. Director Smith also reported that there has been no further progress regarding the claim the District filed with Douglas County regarding the damages caused by drainage from the County owned property at the end of Riva Rose Circle.

J. Discussion on Mowing “C” Zones: Directors Booth and Smith brought up questions regarding the Metro District’s policy pertaining to mowing “C” zones, especially as it relates to last year’s extraordinarily high grass growth. The Board

RECORD OF PROCEEDINGS

agreed that the Metro District needs to issue a policy regarding mowing “C” zones and fire mitigation in “C” zones.

IX. ATTORNEY MATTERS

A. Executive Session Pursuant to Section 24-6-402(4) (b) C.R.S. for purpose of obtaining legal advice from counsel regarding the potential gating of Bell Mountain Ranch: Upon a motion duly made by Director Booth, seconded by Director Dassel and, upon vote, unanimously carried, the Board entered into Executive Session at 7:32 p.m.

Upon a motion duly made by Director Booth, seconded by Director Dassel and, upon vote, unanimously carried, the Board adjourned out of Executive Session at 8:24 p.m.

There was no action taken.

X. OTHER

A. Confirm Quorum for April 2, 2024 Board Meeting: The Board confirmed that a quorum should be available for the April 2, 2024 Board meeting; however, this is subject to change as three Directors may not be available.

XI. ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Booth, seconded by Director Dassel and, upon vote, unanimously carried, the Board adjourned the meeting at 8:25 p.m.

Respectfully submitted,

DocuSigned by:

Jay Smith

Secretary for the Meeting

XII. ATTORNEY'S STATEMENT

Pursuant to Section 24-6-402(2)(d.5) II (B), C.R.S., I, Timothy J. Flynn, attest that I am the attorney for the Consolidated Bell Mountain Ranch Metropolitan District and that I was present at the time the Board convened an Executive Session on Tuesday, March 5, 2024 at approximately 7:32 p.m. for the purpose of obtaining legal advice from counsel regarding the legal ramifications of possibly limiting access to BMR of the general public by constructing access gates on the entry and exit roads to BMR. The Board did not adopt any policy, rule, regulation, or take any formal action during the Executive Session.

Timothy Flynn, Attorney
Collins, Cole, Flynn, Winn, Ulmer, PLLC

Certificate Of Completion

Envelope Id: 8B59F6BF90A64671B4703557F75F98E1	Status: Completed
Subject: Complete with DocuSign: 6a. Minutes 03.05.24 final.pdf	
Client Name: CBMRMD	
Client Number: A516983	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Sandy Brandenburger
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Sandy.Brandenburger@claconnect.com
	IP Address: 67.173.233.59

Record Tracking

Status: Original	Holder: Sandy Brandenburger	Location: DocuSign
4/14/2024 4:35:23 PM	Sandy.Brandenburger@claconnect.com	

Signer Events

Jay Smith
 Jayparker85@gmail.com
 President
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 13BC6DC77028456...
 Signature Adoption: Pre-selected Style
 Using IP Address: 185.45.14.77

Timestamp

Sent: 4/14/2024 4:37:39 PM
 Viewed: 4/15/2024 2:18:54 PM
 Signed: 4/15/2024 2:20:03 PM

Electronic Record and Signature Disclosure:
 Accepted: 4/15/2024 2:18:54 PM
 ID: 53b17b82-6d5c-4ec8-928e-82922c658d01

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/14/2024 4:37:39 PM
Certified Delivered	Security Checked	4/15/2024 2:18:54 PM
Signing Complete	Security Checked	4/15/2024 2:20:03 PM
Completed	Security Checked	4/15/2024 2:20:03 PM

Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, CliftonLarsonAllen LLP (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact CliftonLarsonAllen LLP:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: BusinessTechnology@CLAconnect.com

To advise CliftonLarsonAllen LLP of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at BusinessTechnology@CLAconnect.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from CliftonLarsonAllen LLP

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with CliftonLarsonAllen LLP

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify CliftonLarsonAllen LLP as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by CliftonLarsonAllen LLP during the course of your relationship with CliftonLarsonAllen LLP.