

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
BMR METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
MAY 3, 2022

A regular meeting of the Board of Directors of the BMR Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, May 3, 2022, 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  
Calvin Bills; Vice President  
Frank Strand; Secretary/Treasurer  
Steve Vrabel; Assistant Secretary/Treasurer (virtual)  
Edward Ammon; Assistant Secretary/Treasurer

#### Also, In Attendance Were:

Josh Miller and Nic Carlson, CliftonLarsonAllen LLP ("CLA")  
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC  
Tom Schubert; ORC Water Professionals Inc.

### I. CALL TO ORDER

The meeting was called to order at 6:02 p.m. by Director Grant.

### II. DECLARATION OF QUORUM/ DIRECTOR QUALIFICATIONS/ POTENTIAL CONFLICTS OF INTEREST

**Disclosures of Potential Conflicts of Interest:** All Directors previously filed Potential Conflict of Interest Disclosure Statements with the Board and the Secretary of State. Such disclosures were filed because: (i) each Director is a Director of the Consolidated Bell Mountain Ranch Metropolitan District; and (ii) the functions of each District overlap at times, and there are now and may be in the future intergovernmental agreements between the two Districts. All Potential Conflict of Interest Disclosures whether filed for this meeting or previously filed are deemed continuing in nature and are incorporated into the record of this meeting.

**Confirm Quorum and Location of Meeting:** All Directors stated that the participation of at least three (3) Board members in the meeting was necessary to obtain a quorum of the Board or otherwise enable the Board to act. The Board confirmed a quorum and the location of the meeting.

### III. ADMINISTER OATHS OF OFFICE

Director Bills was authorized to administer Oaths of Office by acclamation to Directors Grant and Ammon.

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### IV. APPROVAL OF AGENDA

Director Grant reviewed the Agenda with the Board. Following review, upon a motion duly made by Director Ammon, seconded by Director Bills and, upon vote, unanimously carried, the Board approved the Agenda as presented.

### V. COMMUNITY COMMENTS

**Public Comment:** None.

### VI. WATER OPERATOR

**A. Monthly System Report:** Mr. Schubert provided his report to the Board as follows:

- All sampling was completed for the month.
- Flow tested the Arapahoe Well. It ran between 150-200 gpm. However, there was a failure alarm at the tank. Colorado Well have been notified.
- To increase the accuracy of the flow data collected by the SCADA, Mountain Peaks is going to change the signal from the flow meters from a pulse signal to a milliamp signal.
- Mountain Peaks have not received the printed circuit board for the flow meter and a new HMI screen and will schedule a repair data as soon as it is received.
- Contacted RME a few times to repair or replace the valve at the lower end of Glade Gulch where it meets with Bell Mountain Drive which still needs to be done. We have not heard a response as of today.

### VII. MANAGER'S REPORT/ ADMINISTRATIVE MATTERS

**A. Review and Consider Approval of the April 5, 2022, Regular Meeting Minutes:** Following review, upon a motion duly made by Ammon, seconded by Director Bills and, upon vote, unanimously carried, the Board approved the April 5, 2022, Regular Meeting Minutes as presented.

**B. Review and Consider Acceptance of the April 2022 Bill.com claims report totaling \$37,724.07** Director Grant reviewed the April 2022 Bill.com claims with the Board. Following review, upon a motion duly made by Director Bills, seconded by Director Ammon and, upon vote, unanimously carried, the Board accepted the April 2022 Bill.com claims report totaling \$37,724.07.

**C. Review and Accept Cash Position Schedule as of May 1, 2022:** Director Grant reviewed the Cash Position Schedule with the Board. Following review, upon a motion duly made by Director Strand, seconded by Director Ammon and, upon vote, unanimously carried, the Board accepted the May 1, 2022, Cash Position Schedule as presented.

#### **D. Monthly Water Reports Summary:**

- **Consumption & Charges Report:**
- **High Consumption Water Usage Report:**
- **Leak and Landscaping Credit Approval Reports:**

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- Zero and No Read Meter Reports:
- Watch List:
- Tap Fee Tracking:

Mr. Carlson reviewed the reports with the Board. Following review, upon a motion duly made by Director Ammon, seconded by Director Bills and, upon vote, unanimously carried, Board accepted the reports.

**E. Update on Residential Fire Protection System Backflow Preventer Inspections:** Mr. Carlson provided an update to the Board noting that one additional backflow preventer report has been received totaling eight (8) for 2022.

### VIII. DIRECTOR ITEMS- ACTION

**A. Update on Status of the BMR-TCR Water Main Connector Design Status – Director Grant:** Director Grant informed the Board that 90% of the design meeting has been held.

### IX. ATTORNEY MATTERS

**Update on Status of BMR Metro District Dissolution Agreement – Mr. Flynn:** Mr. Flynn reported that the election for dissolution of the Water District will be held on June 7<sup>th</sup>. Once the election has been completed, the District can petition the District Court for Dissolution. After the order for dissolution is entered by the Court, all assets of the Water District will be transferred to the CBMRMD and then pursuant to the Intergovernmental Agreement (IGA) CBMRMD has with the Town of Castle Rock, CBMRMD will transfer those assets to the Town of Castle Rock for future ownership, operation, and maintenance responsibility. Allowing time for each of the final steps to occur and implement the Transition Plan contained in the IGA, we now anticipate that Castle Rock Water assume operational responsibility for the BMR water system on or about 1 September 2022.

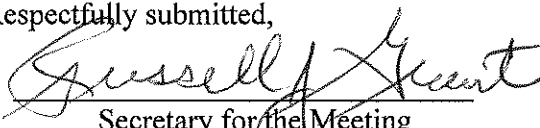
### X. OTHER BUSINESS

None.

### XI. ADJOURNMENT

Director Grant adjourned the meeting at 6:53 p.m.

Respectfully submitted,

  
Secretary for the Meeting