

MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BMR METROPOLITAN DISTRICT  
HELD FEBRUARY 2, 2021

A special meeting of the Board of Directors of the BMR Metropolitan District was held on Tuesday, February 2, 2021 at 6:30 p.m. Due to COVID-19 pandemic, this meeting was held by audio/video conference call only and was accessible for the public to attend and listen via phone conference by using the information posted on the website as well as at the BMR Bulletin boards at the BMR front gate, the Community Park and the Water Treatment Plant.

Attendance

In attendance were Directors:

Russell Grant  
Calvin Bills  
Steve Vrabel  
Frank Strand

Also in attendance:

Josh Miller & Nic Carlson; CliftonLarsonAllen LLP  
Tim Flynn; Collins Cockrell & Cole  
Tom Schubert; ORC  
Ann Molner; Resident, 4219 Serenade Road  
Rich Oppman; Resident  
Dorry & Mike Brewer; Joe Castillo, Edward Ammon and Shane Forbes;  
Residents

Call to Order

Director Grant called the meeting to order at 6:04 p.m.

Declaration of  
Quorum/Director  
Qualification/  
Disclosure of  
Conflicts

All of the Directors had previously filed Disclosure of Potential Conflict of Interest Statements with the Board and with the Secretary of State in accordance with statutory requirements. Such conflicts arise because each Director is also a Director on the Bell Mountain Ranch Metropolitan District. The Consolidated Bell Mountain Ranch Metropolitan District has entered into and may from time to time enter into additional agreements with the BMR Metropolitan District.

All Disclosures of Potential Conflict of Interest Statements whether filed for this meeting or previously filed are deemed continuing in nature and are incorporated into the record of this meeting. All Directors stated that the participation of at least three of them in the meeting was necessary to obtain a quorum of the Board or otherwise enable the Board to act.

After each Director had summarily stated for the record the fact and nature of

his or her respective private interest and stated that the determination to participate in voting or take any other action on any contract or other matter in which he or she may have a private interest would be made in compliance with Section 24-18-109(3)(a) and (b), C.R.S., on an *ad hoc* basis, the Board turned its attention to the remaining agenda items.

Approval of  
Agenda

Upon a motion duly made by Director Bills, seconded by Director Strand and upon a vote, unanimously carried, the Board approved the agenda as submitted.

Community  
Comments

None.

Accept  
Resignation

Upon a motion duly made by Director Grant, seconded by Director Bills, and upon a vote, unanimously carried, the Board accepted the resignation of Steve Luthy.

Water  
Operator

A. Monthly System Report

Mr. Schubert presented the monthly report as follows:

- All water test sampling was complete for the month.
- Isolated portion of Medallion Road for service line repair at 334 Medallion Road.
- Assisted Pipe Stone Equipment with the installation of a rebuild kit in the 2" PRV valve on Chandelle Road at Old Gate.
- Assisted Mt. Peaks controls with replacing the limit switch of the flow control valve on Booster Pump #1. Identified a problem with the motor starter and have ordered a replacement.
- Assisted Excel Pump with replacing and adjusting the pilot system on Booster Pump #4 control valve.
- Due to water pressure complaint, the strainer and orifice on 2" PRV valve on Old Gate at Chandelle Road was inspected and cleaned.
- The radiator on one of the back-up generators is in need of repair. A maintenance contract is needed for the generators.

Engineer

Manager's  
Report/Admin  
Matters

No report.

A. Review and Consider Approval of the Minutes of January 5, 2021  
Special Meeting

Upon a motion duly made by Director Strand, seconded by Director Bills, and upon a vote, unanimously carried, the Board approved the January 5, 2021 special meeting minutes.

B. Review and Consider Approval of CRR (Cash Requirements Report) for

December Totaling \$53,489.41

Director Grant reviewed the CRR with the Board. Upon a motion duly made by Director Strand, seconded by Director Bills, and upon a vote, unanimously carried, the Board approved the CRR for December totaling \$53,489.41.

C. Review and Accept December 31, 2020 Financial Statements

Director Grant reviewed with the Board.

- a. Balance Sheet. Assets totaling \$3,272,999
- b. Revenues, Expenditures and Changes in Fund Balance.  
Fund Balance totaling \$1,006,742.

Upon a motion duly made by Director Strand, seconded by Director Bills, and upon a vote, unanimously carried, the Board accepted the December 31, 2020 financial Statements.

D. Review and Accept Cash Position Report as of February 2021

Director Grant reviewed with the Board. Funds available for operations as of 2 Feb 2021: \$879,098.76

Upon a motion duly made by Director Strand, seconded by Director Bills, and upon a vote, unanimously carried, the Board accepted the February 2021 Cash Position Report.

E. Monthly Water Reports Summary

- a. Approve Consumption and Charges Report
- b. High Consumption Water Usage Report
- c. Leak and Landscaping Credit Approval Reports
- d. Zero and No Read Meter Reports
- e. Watch List
- f. Tap Fee Tracking

Mr. Carlson reviewed with the Board.

Upon a motion duly made by Director Strand seconded by Director Bills, and upon a vote, unanimously carried, the Board accepted the monthly water reports summary.

F. Update on Backflow Preventer Inspections

Mr. Carlson reviewed with the Board and stated 12 new passing inspection reports have been received by the District for a total of 200 received to date. Mr. Flynn will work with Mr. Miller and ORC to craft updated rules and regulations regarding backflow preventer inspections.

Director Discussion  
Action

A. Discuss Status of Proposed City of Castle Rock Water Supply for BMR –  
Directors Vrabel and Grant

Director Grant reported that the Town of Castle Rock (TCR) attorney, Mike Hyman, is continuing to work on the draft governmental agreement.

Director Grant stated that he has filed a Modification Application for an extension of the current BMR Water Treatment Plant Discharge Permit CO 0048995 with the Colorado Dept of Health & Environment. The request is to extend the current permit expiration date from 30 April 2021 until 31 Oct 2022, based upon the construction schedule for the BMR-TCR water connection submitted by WSB (Ridge Estates engineering firm) to TCR.

B. Update on Needed Repairs to the Arapahoe Well – Director Grant

Director Grant stated that Colorado Pump will install a temporary pump in the Arapahoe well at a depth of about 1560' to test the well capacity. Based upon the results of the pumping test, a final decision will be made regarding the final repair of the well.

Attorney Items

A. Consider Approval of Resolution 2021-2-1, Revised Policy on Responding to Open Records Requests (Colorado Open Records Act)

Mr. Flynn reviewed with the Board. Upon a motion duly made by Director Strand, seconded by Director Bills, and upon a vote, unanimously carried, the Board approved Resolution 2021-2-1, Revising the District's CORA policy to allow the District to increase its research and retrieval fee from \$30 to \$33.58 per hour after the first hour of research work. This increased fee is allowed by statute, but it had to be incorporated into a new resolution.

B. Other

None.

Other Business

None.

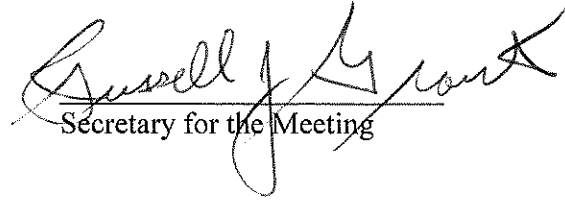
Adjournment

Director Grant adjourned the meeting at 6:44 p.m.

The foregoing minutes were approved by the Board of Directors on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

The foregoing record constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

  
Secretary for the Meeting