

RECORD OF PROCEEDINGS

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

HELD
NOVEMBER 7, 2023

A regular meeting of the Board of Directors ("Board") of the Consolidated Bell Mountain Ranch Metropolitan District ("Metro District") was convened on Tuesday, November 7, 2023 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, Assistant Secretary/Treasurer
John Booth, Assistant Secretary/Treasurer
Jay Smith, Secretary/Treasurer

Also, In Attendance Were:

Nic Carlson Korben Heim; CliftonLarsonAllen LLP
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC
Georgia Harland, Simmons & Wheeler, P.C.
Gwen Kalvelage, 3983 Bell Mountain Drive
Mike Mysliwec; 4275 Bell Mountain Drive
Larry Lomison; 501 Chandelle Road
Paul Dassel, 1267 Stardust Circle

I. CALL TO ORDER Director Grant called the meeting to order at 6:02 p.m.

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

Disclosure of Conflicts: No Conflict-of-Interest Disclosures were necessary.

Quorum and Location of Meeting: A quorum and location of meeting was confirmed. Upon a motion duly made by Director Dassel, seconded by Director Vrabel and, upon vote, unanimously carried, the Board excused the absence of Director Booth.

III. APPROVAL OF AGENDA

Upon a motion duly made by Director Vrabel, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the Agenda as amended to comment on HOA design guidelines VIII F.

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IV. COMMUNITY COMMENTS

None.

V. APM MONTHLY REPORT

Director Vrabel provided an update for Mr. McKillip regarding clearing trails of debris, erosion control on road shoulders and hillside restorations.

VI. MANAGERS REPORT/ADMINISTRATIVE MATTERS

A. Review and Consider Approval of the Minutes of October 3, 2023 Regular Meeting: Following review and discussion, upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board approved the October 3, 2023 Regular Meeting Minutes, as amended.

B. Discuss and consider approval of 2024 Insurance Renewal. Special District Association Membership: Following review and discussion, upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board approved the 2024 insurance renewal and Special District Association membership for 2024.

C. Consider Approval of CliftonLarsonAllen LLP Master Service Agreement and related Statements of Work: Mr. Carlson reviewed the agreement with the Board. Following review and discussion, upon a motion duly made by Director Dassel, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Master Service Agreement and related Statements of Work, as amended to change to flat-fee billing.

VII. FINANCIAL MATTERS

A. Review and Consider Approval of Claims Report/Check Register for October 31, 2023 Totaling \$90,912.41, Including Water Fund Costs: The Board discussed the payment process. Following review and discussion, upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board approved the claims report/check register dated October 31, 2023 totaling \$90,912.41, as amended.

B. Review and Accept Cash Position Schedule as of November 2023: Following review and discussion, 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 November 7, 2023, as presented.

C. Conduct Public Hearing to Consider Amendment of the 2023 Budget: The District accountant noted that an amendment to the 2023 Budget is not necessary.

D. Conduct Public Hearing on the Proposed 2024 Budget: The Board and consultants discussed the proposed 2024 Budget. Upon a motion duly made, and, upon vote, unanimously carried the Board opened the public hearing at 6:58 p.m. to consider the adoption of the 2024 Budget.

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It was noted that publication of Notice stating that the Board would consider the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

The Board received a comment from a member of the public, Ms. Kalvelage regarding the budgeting of a horse trail mowing in 2024.

Upon a motion duly made, and, upon vote, unanimously carried the Board closed the public hearing at 7:00 p.m.

Since the total property value for BMR properties has not yet been finalized by Douglas County and since the results of the November Douglas County Coordinated Election concerning Ballot Issue 6A are not yet known, the Board tabled the approval of the proposed 2024 Budget for consideration at the December 2023 Board meeting.

E. Consider Appointment of District's Accountant to Prepare 2025 Budget: It was noted that there was no cost change for accounting services. Following review and discussion, upon a motion duly made by Director Dassel, seconded by Director Smith and, upon vote, unanimously carried, the Board authorized the District's accountant to prepare the 2025 Budget.

F. Consider Approval of the V Engagement Letter with Wipfli to Prepare the 2023 Audit: Following review and discussion, upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board tabled the approval of the engagement with Wipfli to prepare the 2023 Audit to a future Board meeting.

VIII. DIRECTOR DISCUSSION- ACTION

A. Update on Fire Mitigation Project- Michael Mysliwicz: Mr. Mysliwicz updated the Board, noting that Dove Creek is staging equipment and will start work on ~~for~~ east side of Ed Young Trail. The work on the trail is scheduled to start on Thursday, November 9, 2023, and Mr. Mysliwicz is to meet with the vendor & Forestry Department on Thursday, November 9, 2023.

B. Update on BMR-TCR Water Main Connector – Director Grant: Director Grant provided an update on the water main connector. He stated that the pipeline is completed, except for the final connection to the loop water main in The Ridge. Reclamation of the disturbed earth over the buried pipeline is underway. The packaged pump station is scheduled to arrive shortly. Leak testing for the storage tank is being scheduled.

C. Update on Comcast Fiber Installation – Director Booth: Director Booth provided an update to the Board regarding the Comcast fiber installation, noting that the vendor work is ongoing, the traffic is being routed and there are no complaints

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with flaggers present.

D. Acquisition of the Electronic BMR Trail Application – Director Dassel: It was noted that the Board received signed documents transferring the Electronic BMR Trail Application to the District. Director Dassel informed the Board of the next steps for hosting/maintenance of the trail application, noting that the minimal annual cost should not exceed \$2,500.00 and the expense should be added to the trail maintenance budget. Discussion regarding private property language ensued. It was noted that a free of charge trail application would provide ease of use and maintenance and Director Dassel requested the Board’s input or consensus/consideration for the free of charge trail application. The Board presented a request for licensing agreement to begin discussions for content and items.

E. Update on Roadside Drainage and Road Shoulder Repairs – Director Smith: Director Smith updated the Board stating that the road shoulder at 480 Young Circle should be fixed. He provided updates on Riva Rose Circle ditch and shoulder repairs, as well as work through channels with Douglas County regarding what work needs to be done on the County owned parcel adjacent to the cul-de-sac to prevent soil from washing onto Riva Rose Circle. It was noted that the County intends to address the issue as soon as possible.

The Board was updated on the additional hillside maintenance on Enchantra Circle and other areas and the concern for coordination between residential contractors and Advanced Property Maintenance (“APM”). Discussion regarding the residents’ use of APM ensued. The Board further discussed the control of bid form and the scope to ensure work that needs to be included.

F. Proposed HOA Revision of Design Review Committee Design Standards: Director Grant stated that he had submitted review comments from the Metro District to the HOA and that almost all of them have been incorporated into the revised draft version of the HOA Design Standards dated 11-7-2023. Discussion ensued on the topic. It was noted that the HOA has no authority to allow temporary storage of construction materials in the Metro District road right-of-way (ROW). In addition, resident landscaping may encroach into the Metro District ROW at the owner’s risk only if formally approved by the Metro District. Furthermore, breaching drainage ditches for any reason requires approval by both the Metro District and Douglas County.

IX. ATTORNEY MATTERS

Attorney Flynn discussed early results of the Douglas County November 7th election, noting that Ballot Issue 6A is predicted to pass and Proposition HH is failing. Attorney Flynn also discussed the new requirement for Metro Districts to conduct an annual Town Hall meeting; however, this requirement does not apply to the Consolidated BMR Metro District.

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X. OTHER

A. Confirm Quorum for December 5, 2023 Board Meeting: The Board confirmed that a quorum should be available for the December Board meeting.

XI. ADJOURNMENT

There being no further business to come before the Board at this time, Director Grant adjourned the meeting at 7:54 p.m.

Respectfully submitted,


Secretary for the Meeting