

# RECORD OF PROCEEDINGS

---

MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CONSOLIDATED BELL MOUNTAIN RANCH METROPOLITAN  
DISTRICT (THE "DISTRICT")  
HELD  
SEPTEMBER 6, 2022

A regular meeting of the Board of Directors of the Consolidated Bell Mountain Ranch Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, September 6, 2022, at 6:30 p.m. at Lowell Ranch, 2330 S. I-25, East Frontage Road, Castle Rock, CO 80104.

## ATTENDANCE

### Directors In Attendance Were:

Russell Grant, President  
Frank Strand, Secretary/Treasurer  
Steve Vrabel, Assistant Secretary/Treasurer  
Ed Ammon, Assistant Secretary/Treasurer

Director Bills was absent and excused.

### Also, In Attendance Were:

Nic Carlson; CliftonLarsonAllen LLP  
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC  
Eric Sztanko; 1756 Wildfire Circle  
Mike Mysliwicz; 4275 Bell Mountain Drive  
Joanne Carr; 3195 Glade Gulch

## I. CALL TO ORDER

Director Grant called the meeting to order at 6:51 p.m.

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

**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 BMR Metropolitan District ("BMRMD"); 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.

Upon a motion duly made by Director Strand, seconded by Director Vrabel and, upon vote, unanimously carried, the Board excused the

## RECORD OF PROCEEDINGS

---

absence of Director Bills.

### III. APPROVAL OF AGENDA

Upon a motion duly made by Director Strand, seconded by Director Vrabel and, upon vote, unanimously carried, the Board approved the Agenda as amended to add Items 7G and H8A.

### IV. COMMUNITY COMMENTS

**Public Comment:** Ms. Carr inquired about the sale of the Equestrian Center and asked about potential use. The Board explained that the County manages the zoning regulations.

Mr. Mysliwicz inquired about the walking trails and upcoming construction from the Town of Castle Rock. He also asked about the dirt road access to Crystal Valley and the access control.

Mr. Sztanko inquired about the potential gate at the community entrance. The Board discussed the legal and geographic challenges.

### V. APM PROJECT STATUS REPORT

Mr. McKillip was not present and there was no report provided.

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

**A. Review and Consider Approval of the Minutes of August 2, 2022 Regular Meeting:** Following review, upon a motion duly made by Director Vrabel seconded by Director Strand and, upon vote, unanimously carried, the Board approved the August 2, 2022 Regular Meeting Minutes as presented.

**B. Review and Consider Acceptance of August 2022 Bill.com claims report totaling \$166,068.42 including BMR Water Usage Totaling \$2,495.00:** Director Grant reviewed the Bill.com claims with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Strand and, upon vote, unanimously carried, the Board accepted the August 2022 Bill.com claims report totaling \$166,068.42 including the BMR water usage totaling \$2,495.00 as presented.

**C. Review and Accept Cash Position Schedule as of September 2022:** Director Grant reviewed the September 2022 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 September 2022, Cash Position Schedule as presented.

### VII. DIRECTOR ITEMS

**A. Update on Comcast Cable Install – Director Strand:** Director Strand reported there was no substantial update. He is still awaiting a response from Comcast.

## RECORD OF PROCEEDINGS

---

**B. Metro District Materials Management/Laydown Yard Location Updates – Directors Bills, Strand & Vrabel:** This item was deferred to the October meeting.

**C. Status of Chip Seal Paving Project – Director Grant:** Director Grant updated the Board stating that the project is finished. Some pavement striping is yet to be completed.

**D. Equestrian Trails Update - Director Bills:** Director Grant informed the Board that APM has conducted substantial work on the Ed Young Trail. Further discussion was deferred to the October meeting.

**E. Update on “C” Zone Fire Mitigation – Director Ammon:** Director Ammon updated the Board, noting that the Forest Service has released its call for grant applications. He stated that Spencer Weston from the Forest Service will assist with writing the grant application for the Metro District, which is due for submission to the state by October 19, 2022. Grant awards will be announced in early 2023.

**F. Discussion on Mountain Bikes on the Trails – Director Ammon:** Director Ammon informed the Board that a prospective trail has been identified to be shared by equestrians and bikers. He will be working with Director Bills to modify the Metro District Rules and Regulations to address using the designated shared trail(s).

**G. Logs at Entrance:** The Board discussed replacing the logs at the BMR entrance. Following discussion, upon a motion duly made by Director Vrabel, seconded by Director Strand and, upon vote, unanimously carried, the Board approved an amount not to exceed \$1,200 to have a follow-up condition assessment done by a certified arborist. The assessment will help the Board determine a necessary replacement date for the logs.

**H. 2023 Budget Discussion:** Director Grant noted he will work with the Metro District accountant to draft the 2023 Budget, which will include potential additional funds if the November Ballot Issue for a \$200k property tax increase passes. The 2023 Budget will be discussed at the next Board meeting.

### VIII. ATTORNEY MATTERS

**A. Ballot Measure Update:** Mr Flynn explained that the deadline submission to submit pro-language for ballot measure is September 23, 2022. Director Grant will draft the language to provide to Mr. Flynn.

### IX. OTHER BUSINESS

**A. Confirm Quorum for October 4, 2022 Board Meeting Date:** The Board confirmed that a quorum should be available for the October 4, 2022 Board meeting.

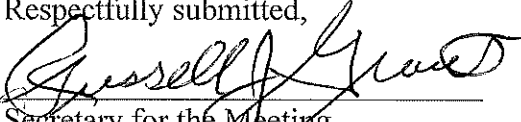
## RECORD OF PROCEEDINGS

---

### X. ADJOURNMENT

There being no further business to come before the Board at this time, Director Grant adjourned the meeting at 8:07 p.m.

Respectfully submitted,

  
Secretary for the Meeting