

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
BMR METROPOLITAN DISTRICT
HELD JANUARY 5, 2021

A special meeting of the Board of Directors of the BMR Metropolitan District was held on Tuesday, January 5, 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 Luthy
Frank Strand

Also in attendance:

Josh Miller & Nic Carlson; CliftonLarsonAllen LLP
Tim Flynn; Collins Cockrell & Cole
Tom Schubert & Bob Clodfelter; ORC
Ann Molner; 4219 Serenade Road
Rich Oppman; Resident
Pat Moore; 3373 Medallion Road
Danny Foster; Resident
Jennifer Kolb; Resident, Member of the Firewise Committee

Call to Order

Director Grant called the meeting to order at 6:00 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.

Upon a motion duly made by Director Grant, seconded by Director Luthy, and upon a vote, unanimously carried, the Board excused the absence of Director Vrabel.

Approval of
Agenda

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

Community
Comments

None.

Water
Operator

A. Monthly System Report

Mr. Schubert presented the monthly report as follows:

- All sampling was complete for the month.
- Water Technology Group installed the #1 booster pump, is now available for service. Mt Peaks Controls modified the booster pump controls to allow any of the four booster pumps to be programmed as the lead pump.
- Mt. Peaks Controls worked on the power source for the Denver Well's flow meter. The meter was previously powered through the Arapahoe Well VFD. With the Arapahoe Well turned off and the well out of service, the well flow from the Denver Well was not being shown on the plant SCADA (computer control) system.
- A micro switch malfunctioned on one of the flow control valves on the booster pumps. A new micro switch is on order.
- Two previously Board approved spare pressure reducing valves (PRV) have been ordered. We have not received a shipping date yet. These valves will be stored at the treatment facility to be used for emergency repairs.
- Changing the filter media (resin) by Evoqua is still pending. We have contacted them, but still waiting on a start date.

Engineer

No report.

Manager's
Report/Admin
Matters

- A. Review and Consider Approval of the Minutes of December 1, 2020 Special Meeting

Upon a motion duly made by Director Bills, seconded by Director Luthy, and upon a vote, unanimously carried, the Board approved the December 1, 2020 regular meeting minutes.

B. Review and Consider Approval of CRR (Cash Requirements Report) for November Totaling \$27,354.77

Director Grant reviewed with the Board. Upon a motion duly made by Director Bills, seconded by Director Luthy, and upon a vote, unanimously carried, the Board approved the CRR for November totaling \$27,354.77.

C. Review and Accept Cash Position Report as of January 2021

Director Grant reviewed with the Board. Upon a motion duly made by Director Bills, seconded by Director Luthy, and upon a vote, unanimously carried, the Board accepted the January 2021 Cash Position Report.

D. 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. He noted that all no reads occurred in Steven's Ranch and CLA and ORC will work to ensure that the new water meters installed in Steven's Ranch are properly communicating with the Badger systems.

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

Director Discussion
Action

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

Director Grant reported he is continuing to communicate with the Town of Castle Rock (TRC). Since design/ construction of the Ridge Estates development is moving forward, TCR is considering combining the construction of the BMR-TCR water system connection with the construction of the Ridge Estates water system. This would include construction of a new 400,000 gallon concrete water storage tank adjacent to the existing water storage tanks on Bell Mountain. WSB, the design firm for Ridge Estates, has

provided preliminary cost estimates to TCR. Initial indications are that combining the construction would reduce the BMR share of the construction costs to less than the originally forecast \$2.3M. The TCR attorney is continuing to work on an Intergovernmental Agreement (IGA). Director Grant will continue to update the Board with more information as it becomes available.

B. Update on Backflow Prevention Inspections – Director Luthy/ Mr. Carlson (CLA)

Mr. Carlson updated the Board stating that CLA had received 188 backflow preventer inspections in 2020 representing 59.12% of the taps in the District. Two failed tests are still forthcoming. CLA will continue to monitor.

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

Director Grant reported that he is working with Colorado Pump and a well expert (geologist) at the City of Castle Rock to determine the best path forward. Although Colorado Pump has already conducted a video inspection of the well, the debris in the well prevented the inspection from being seen below 1550'. Director Grant requested \$6,000 to hire Colorado Pump to clear the debris from the well and conduct another video camera inspection to a depth of about 1600'.

Upon a motion duly made by Director Bills, seconded by Director Luthy, and upon a vote, unanimously carried, the Board approved \$6,000 to hire Colorado Pump to clear debris from the well and conduct another video camera inspection.

The Board also discussed delegating authority to Director Grant to authorize additional funds for repair of the well as needed so that no time would be lost if an acceptable repair plan is developed before the February Board meeting.

Upon a motion duly made by Director Strand, seconded by Director Bills, and upon a vote, unanimously carried, the Board delegated authority to Director Grant to approve a contract for a sum not to exceed \$100,000 with Colorado Pump for repair of the Arapahoe Well as needed at Director Grant's discretion in developing the scope of the needed repairs.

Attorney Items

- A. Consider Approval of Resolution 2021-1-1 Establishing the Date, Time and Location for the Regular Meetings of the Board of Directors of the BMR Metropolitan District and Authorizing Posting Public Notice of District Meetings Online in Compliance with the Open Meetings Law

Mr. Flynn reviewed with the Board. Upon a motion duly made by Director Grant seconded by Director Bills, and upon a vote, unanimously carried, the

Board approved Resolution 2021-1-1, Establishing the Date, Time and Location for the Regular Meetings of the Board of Directors of the BMR Metropolitan District and Authorizing Posting Public Notice of District Meetings Online in Compliance with the Open Meetings Law.

B. Other

None.

Other Business

None.

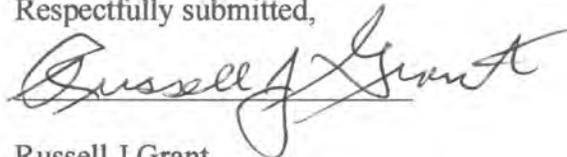
Adjournment

Director Grant adjourned the meeting at 7:06 p.m.

The foregoing minutes were approved by the Board of Directors on the 2nd day of February, 2021.

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

Respectfully submitted,



Russell J Grant
Secretary for the Meeting