

**CONSOLIDATED BELL MOUNTAIN RANCH METROPOLITAN
DISTRICT 8390 E. CRESCENT PKWY., STE. 300
GREENWOOD VILLAGE, CO
80111 Phone: 303-779-5710 Fax:
303-779-0348
www.BMRmetro.org**

NOTICE OF REGULAR MEETING AND AGENDA

DATE: Tuesday, March 5, 2024
TIME: 6:00 p.m.
PLACE: Lowell Ranch
2330 S. I-25, East Frontage Road
Castle Rock, CO 80104

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Russell Grant	President	May 2025
Steve Vrabel	Vice President	May 2025
Jay Smith	Secretary	May 2027
Jeanne Dassel	Treasurer	May 2025
John Booth	Assistant Secretary/Treasurer	May 2025

- I. CALL TO ORDER**
- II. DECLARATION OF QUORUM / DIRECTOR QUALIFICATIONS / DISCLOSURE OF CONFLICTS**
 - A. Present disclosures of potential conflicts of interest.
 - B. Confirm quorum and location of meeting.
- III. APPROVAL OF AGENDA**
- IV. COMMUNITY COMMENTS**
 - A. Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.
- V. APM MONTHLY REPORT – John McKillip, Jr.**
- VI. MANAGER’S REPORT / ADMINISTRATIVE MATTERS**

- A. Review and Consider Approval of the Minutes of February 6, 2024 Regular Meeting (enclosure).

VII. FINANCIAL MATTERS

- A. Review and Consider acceptance of the Bill.com claims report for February 2024 Totaling \$58,530.43 including water fund costs (enclosure).
- B. Review and Accept Cash Position Schedule as of March 2024 (to be distributed).

VIII. DIRECTOR DISCUSSION – ACTION

- A. Update on School Bus Parking on Autumn Sun Circle – Director Dassel
- B. Update on Fire Mitigation Project - Director Grant
- C. Update on BMR-TCR Water Main Connector (enclosure) - Director Grant
- D. Update on COMCAST Fiber Installation – Director Booth
- E. Acquisition of the Electronic BMR Trail Application – Director Booth
- F. Update on HOA Study to Gate BMR – Director Grant
- G. Update on Equestrian Center Trails and Equestrian Center Items – Director Dassel
- H. Other Director Matters.

IX. ATTORNEY MATTERS

- A. Executive Session Pursuant to Section 24-6-402(4) (b) C.R.S. for purpose of obtaining legal advice from counsel regarding the potential gating of Bell Mountain Ranch.

X. OTHER BUSINESS

- A. Confirm Quorum for April 2, 2024 Board Meeting.

XI. ADJOURNMENT

The next regular meeting is scheduled for April 2, 2024

RECORD OF PROCEEDINGS

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

HELD
FEBRUARY 6, 2024

A regular meeting of the Board of Directors (“Board”) of the Consolidated Bell Mountain Ranch Metropolitan District (“Metro District”) was convened on Tuesday, February 6, 2024 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, Treasurer
John Booth, Assistant Secretary/Treasurer

Jay Smith, Secretary was absent and excused.

Also, In Attendance Were:

Nic Carlson and Korben Heim; CliftonLarsonAllen LLP
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC
John McKillip; APM
Gwen Kalvelage; 3983 Bell Mountain Drive
Jeff Wedgwood; 1520 King Mick Court
Jay Humphreys & Carin Carr; 3231 Autumn Sun Circle
Gay Goddard; 3221 Autumn Sun Circle
Todd & Cindy Sheldon; 3212 Autumn Sun Circle
Steve & Jackie Williams; 3232 Autumn Sun Circle
Dave & Becky Martin; 3211 Autumn Sun 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: Upon polling, no Conflict-of-Interest Disclosure was required from any of the Directors.

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 Smith.

RECORD OF PROCEEDINGS

III. APPROVAL OF AGENDA

Upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the Agenda, as amended to correct Item 8-J to be handled under 8-H and the addition of Item 8-J: update on planning for drainage ditch and homeowner slope restorations.

IV. COMMUNITY COMMENTS

Ms. Kalvelage inquired regarding the status of installing micro sprayers for flower beds to support planting annual flowers in the spring. Director Vrabel provided John McKillip (APM) a map that shows the location of where the new sprinkler heads need to be installed. The work will be done in the spring as weather permits.

V. APM MONTHLY REPORT

Mr. McKillip reposted that their efforts during January were primarily devoted to street shoulder maintenance and snow removal. He stated that replacement of the traffic caution signposts is about 40% complete, two no parking signs have been installed on Glade Gulch Rd and that bus stop related signs have been installed on Autumn Sun Circle.

VI. MANAGERS REPORT/ADMINISTRATIVE MATTERS

A. Review and Consider Approval of the Minutes of January 2, 2024 Regular Meeting: Following review and discussion, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the January 2, 2024 Regular Meeting Minutes, as presented.

VII. FINANCIAL MATTERS

A. Review and Consider Approval of Claims Report/Check Register for January 2024 Totaling \$95,551.96, Including Water Fund Costs: Director Grant reviewed the claims with the Board. Following review and discussion, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the claims report/check register dated January 2024 totaling \$95,551.96, as presented.

B. Acceptance of December 31, 2023 Unaudited Financial Statements: Director Grant reviewed the December 31, 2023 Unaudited Financial Statements with the Board noting the outstanding debt amount is \$9,950,000 and payoff expected will be in 2039. There was \$118,340 expended in the Capital Projects Fund. Regarding the Debt Service Fund, the actual fund balance ended up about \$50,000 over the estimated budget amount. This has allowed us to reduce the debt service fund balance in 2024, which will result in a reduction of an average of \$156 per property of the BMR property tax to be paid in 2024. Upon a motion duly made by Director Vrabel, seconded by Director Booth and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Unaudited Financial Statements, as presented.

C. Review and Accept Cash Position Schedule as of February 5, 2024: Director Grant reviewed the February 5, 2024 Cash Position Schedule with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Booth and, upon vote, unanimously carried, the Board accepted the Cash Position Schedule as of February 5, 2024, as presented.

RECORD OF PROCEEDINGS

VIII. DIRECTOR DISCUSSION- ACTION

A. Update on School Bus Parking on Autumn Sun Circle – Director Vrabel:

Director Grant provided background regarding the loop road on the south side of the Community Park and how it was originally used for a bus turn around and bus stop. Subsequently, when the Douglas County School District changed their requirements for a bus stop location, they moved the bus stop to the end of Autumn Sun Circle without coordination with the Metro District.

Director Vrabel reviewed his actions of about two years ago in working with the school district regarding the bus stop location on Autumn Sun Circle. He stated that the Douglas County School District has the final say regarding the location of the bus stop.

Based upon parent concerns regarding the safety of students using the bus stop, the Metro District had APM install signage on Autumn Sun Circle to reserve a location for the bus to stop and identify locations for parents to park while waiting for the bus. Residents in attendance were concerned that the multiple signs installed would devalue their property. Attorney Flynn pointed out that the Metro District has an obligation address possible traffic hazards and ensure the safety of students at a bus stop location. After further discussion with the concerned residents, the Metro District agreed to remove several of the signs that had been installed on Autumn Sun Circle. In addition, Director Dassel volunteered to contact the School District Transportation Department again regarding the possibility of moving the bus stop to an alternate location.

B. Certification of Tax Levies and 2024 Budget for CBMRMD – Director Grant:

Director Grant reviewed the Certification of Tax Levies for the CBMRMD that was submitted to the County Commissioners of Douglas County and pointed out that the mill levy for the CBMRMD was reduced from a total of 58.278 mills in 2023 to 45.591 for 2024, a reduction of 12.687 mills.

C. Update on Fire Mitigation Project-Director Grant: Director Grant provided an update to the Board. The project is complete, and all reimbursement requests have been submitted to the State and Douglas County. A total of \$126,000 in reimbursements is due.

D. Update on BMR-TCR Water Main Connector – Director Grant: Director Grant provided an update noting that piping is complete, and the new water storage tank has been tested. He stated that final approval from the State may take up to six months before water from the Castle Rock water system can be distributed into the BMR water system.

E. Update on Comcast Fiber Installation – Director Booth: Director Booth provided an update to the Board stating the cut over from the coax cable to the fiber optic cable was successfully completed. The marker flags will be removed after the snow melts and reseeding will be left to complete in the spring.

RECORD OF PROCEEDINGS

F. Acquisition of the Electronic BMR Trail Application – Director Booth:

Director Booth reported that the final steps required for continuing maintenance of the App are underway, and email accounts have been created. Director Booth will continue working with Sean Molloy, the new App developer and report back at future meetings.

G. Update on HOA Study to Gate BMR – Director Vrabel: Director Vrabel reported that the HOA is deciding on what further actions are needed.

H. Equestrian Trails and Equestrian Center Items: This item was addressed in Executive Session.

I. Approval of Wipfli 2023 Audit Letter of Engagement - Director Grant:

Director Grant reviewed the engagement letter with the Board. 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 Wipfli 2023 Audit Letter of Engagement, as presented. A total of \$6,500 was approved for this purpose.

J. Update on Planning for Drainage Ditch and Homeowner Slope Restorations-Director Smith:

In Director Smith's excused absence, Director Grant reported that Director Smith is about halfway through identification of necessary ditches and trenches that need repair/retrenching. Ten locations have been identified where homeowner participation will be needed to stabilize slopes adjacent to drainage ditches to prevent further erosion. A claim has been filed with Douglas County for the damage caused to Metro District property due to water runoff from the County owned property at the end of Riva Rose Circle. No response has yet been received.

K. Other Director Matters: None.

IX. ATTORNEY MATTERS

A. Executive Session Pursuant to Section 24-6-402(4) (b) C.R.S. for purpose of obtaining legal advice from counsel regarding a proposed agreement with the Bell Mountain Ranch Equestrian Center and with respect to communications to and from the Bell Mountain Ranch Homeowners Association:

Upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board entered into Executive Session at 7:11 p.m.

Upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board adjourned out of Executive Session at 8:41 p.m.

There was no action taken.

X. OTHER

A. Confirm Quorum for March 5, 2024 Board Meeting: The Board confirmed that a quorum should be available for the March Board meeting.

RECORD OF PROCEEDINGS

XI. ADJOURNMENT There being no further business to come before the Board at this time, Director Grant adjourned the meeting at 8:42 p.m.

Respectfully submitted,

Secretary for the Meeting

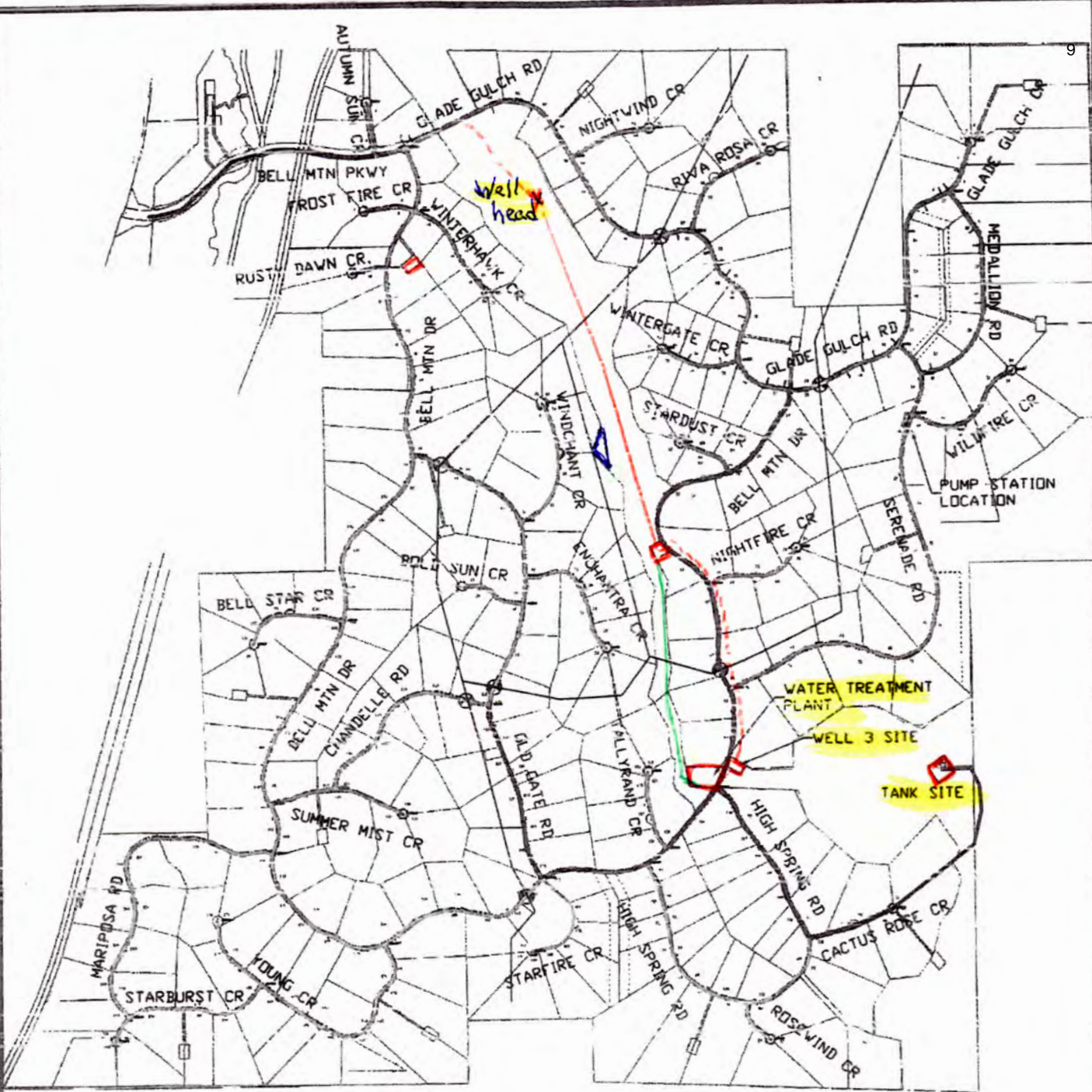
XII. ATTORNEY'S
STATEMENT

Pursuant to Section 24-6-402(2)(d.5) II (B), C.R.S., I, Timothy J. Flynn, attest that I am the attorney for the Consolidated Bell Mountain Ranch Metropolitan District and that I was present at the time the Board convened an Executive Session on Tuesday, February 6, 2024 at approximately 7:11 p.m. for the purpose of obtaining legal advice from counsel regarding a proposed agreement with the Bell Mountain Ranch Equestrian Center. I further attest the Executive Session was not recorded because it constituted a privileged attorney/client communication. The Board did not adopt any policy, rule, regulation, or take any formal action during the Executive Session.

Water Fund \$451 General Fund \$58,079.43

Account	PO/Cont	Check #	Invoice	Date	Date Paid	Description	Amount
10-000-06350	0	5849	24PL-60320	10/21/2023	02/29/2024	2024 General Liability	10,911.00
10-000-06350	0	5849	24WC-60320	08/14/2023	02/29/2024	2024 Workers Comp	450.00
		**** TOTAL ****	CO Special District Prop & Liabilit				11,361.00
10-000-06355	0	5850	2024	02/07/2024	02/29/2024	2024 SDA Membership	777.32
		**** TOTAL ****	Special District Association				777.32
10-000-02000	0	5851	2409559	01/29/2024	02/29/2024	2022 Audit	4,800.00
		**** TOTAL ****	WIPFLI				4,800.00
10-000-06565	0	5852	331199889	02/05/2024	02/29/2024	2024 Roadway Rent	105.00
		**** TOTAL ****	Union Pacific Railroad Co.				105.00
10-000-06551	0	5853	40683	02/15/2024	02/29/2024	01 Monthly inspection	510.00
10-000-06550	0	5853	40705	02/15/2024	02/29/2024	01/18-2/07 Street/Shoulde	7,215.31
10-000-06550	0	5853	40706	02/15/2024	02/29/2024	01/23-2/15 Street/Shoulde	12,350.00
10-000-06600	0	5853	40707	02/15/2024	02/29/2024	01 & 02 Snow removal	12,444.46
10-000-06570	0	5853	40708	02/15/2024	02/29/2024	01 /02 Restroom services	520.00
		**** TOTAL ****	Advanced Property Maintenance				33,039.77
10-000-06100	0	5854	37420	01/31/2024	02/29/2024	01 Accounting	2,470.49
		**** TOTAL ****	Simmons & Wheeler				2,470.49
40-000-06450	0	5855	5831	02/06/2024	02/29/2024	01 Legal (Water)	451.00
10-000-06450	0	5855	5831	02/06/2024	02/29/2024	01 Legal	4,822.00
		**** TOTAL ****	Collins Cole Flynn Winn & Ulmer, PL				5,273.00
10-000-06576	0	5856	02 06 2024	02/06/2024	02/29/2024	01 Water (Common Area)	359.00
10-000-06576	0	5856	02 06 24	02/06/2024	02/29/2024	01 Water (Park)	344.85
		**** TOTAL ****	Castle Rock Water				703.85
		*** GRAND TOTAL ***					58,530.43

FILE PATH: \\RTW\PROJECTS\1-CONC\FIGS\DWG\BASE\MARCEL.DWG PLOTTED: 5/21/2008 4:42:55 PM (MICKEY O. KAVANAUGH)



LEGEND

- PROPERTY BOUNDARY
- 8-INCH DIAMETER
- 12-INCH DIAMETER
- PRESSURE REDUCING VALVE

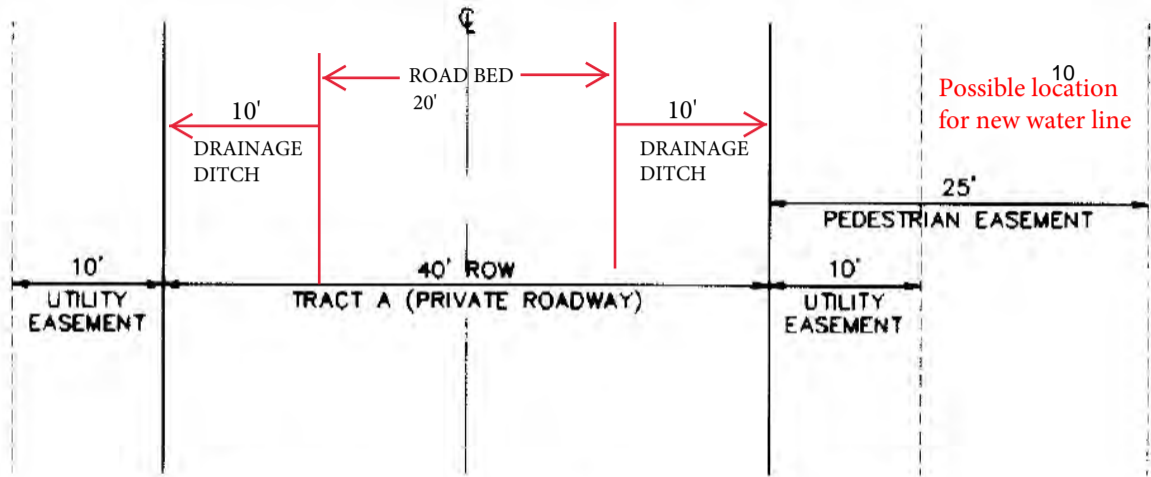


SCALE: 1"=1,500'

FIGURE 1 Consolidated Bell Mountain Ranch
Water System Evaluation

**Prospective Water
Line Routing**





TRACT A PRIVATE ROADWAY DETAIL
(EXCEPT ENTRY ROAD)