

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 7, 2021

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 7, 2021, at 6:30 p.m. at Lowell Ranch, 2330 S. I-25, Castle Rock CO.

ATTENDANCE

Directors In Attendance Were:

Russell Grant, President

Calvin Bills, Vice President

Frank Strand; Secretary/Treasurer

Edward Ammon; Assistant Secretary/Treasurer

Director Vrabel was absent and excused.

Also, In Attendance Were:

Josh Miller and Nic Carlson; CliftonLarsonAllen LLP

Tim Flynn; Collins, Cockrel & Cole PC

Mike Mysliwiec, 4275 Bell Mountain Drive

I. CALL TO ORDER Director Grant called the meeting to order at 6:53p.m.

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

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

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

Confirm Quorum and Location of 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. The Board confirmed a quorum and the location of the meeting. Upon a motion duly made by Director Strand, seconded by Director Grant and, upon vote, unanimously carried, the Board excused the absence of

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Director Vrabel.

III. APPROVAL OF AGENDA

Following discussion, upon a motion duly made by Director Ammon, seconded by Director Bills and, upon vote, unanimously carried, the Board approved the Agenda as presented.

IV. COMMUNITY COMMENTS

A. Public Comment: Mr. Mysliwicz noted concern about the C Zones on the southeast corner of Serenade and Bell Mountain containing dead trees. Director Bills stated that he inspect the area and address the District's responsibility for removal of the dead trees.

V. MANAGER'S REPORT/ ADMINISTRATIVE MATTERS

A. Review and Consider approval of the Minutes of August 3, 2021 Regular Meeting: Director Grant reviewed the Minutes with the Board. Following review, upon a motion duly made by Director Strand, seconded by Director Bills and, upon vote, unanimously carried, the Board approved the August 3, 2021 Regular Meeting Minutes.

B. Review and Consider Approval of the June Cash Requirements Report (CRR) Totaling \$178,504.65 Including BMR Water Usage Totaling \$3,690: Director Grant reviewed the CRR with the Board. Following review, upon a motion duly made by Director Strand, seconded by Director Bills and, upon vote, unanimously carried, the Board approved the June CRR totaling \$178,504.65 including the BMR water usage totaling \$3,690 as presented.

C. Review and Accept Cash Position Schedule as of September 7, 2021: Director Grant reviewed the September Cash Position Schedule with the Board, noting that a budget amendment will be needed for the 2021 Budget. Funds available for operations and capital as of September 7, 2021 are \$747,684.10. Following review, upon a motion duly made by Director Strand, seconded by Director Bills and, upon vote, unanimously carried, the Board accepted the September 2021 Cash Position Schedule as presented.

D. Update to the Accounts Payable (AP) Processing to Simmons & Wheeler P.C.: Mr. Flynn stated the transfer is in process but a transfer date has not yet been determined.

VI. DIRECTOR ITEMS

A. Equestrian Center/Trail Update - Director Bills: Director Bills noted that he has a meeting with the Equestrian Center this month. He stated he will have a plan with the Equestrian Center sometime in October for deferred maintenance.

B. APM Updates- Director Bills: Director Bills stated that the end of the season meeting will take place in October that will include turning off irrigation, ceasing mowing and general season end shut down.

C. BMR Fire Mitigation Proposal – Directors Bills & Ammon: Director Ammon reported that progress is continuing to be made on this initiative. We have solicited a proposal from the State Forest Service to provide a mapping plan that will initially identify the areas where fire mitigation is needed in various areas in BMR Open Space

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and private property “C” zones. Currently, we are working on accurately mapping the Metro District Open Space and the “C” zones. Unfortunately, despite our best efforts, we have yet to complete the mapping phase. Part of the challenge has been getting the needed computer files converted to compatible formats that will allow the mapping to be completed. We hope to have our compute file glitches resolved in the near future so that we can proceed to the next phase, which will be identification of what needs to be done in each mapped area.

D. BMR Entrance Logs – Director Vrabel: Due to Director Vrabel’s absence, this item was deferred until the October Board meeting.

E. Community Park Plan Update (Tot Playground Equipment) – Director Strand: Director Strand provided an update to the Board and noted that the equipment has been delayed again. He stated if the equipment is not available by the end of October, the project will be delayed until Spring 2022.

F. IREA Projects Update – Director Strand: Director Strand provided an update noting that vaulting and trenching work has commenced. He will follow up on any necessary landscape remediation.

G. Road Shoulder and Walking Path Repair and Upgrade – Director Bills and Strand: Directors Strand and Bills provided an update to the Board. It was noted that Phase 1 repair proposal from J&D Concrete is a total of \$19,028.00, including the roadway shoulder repair and concrete valley pans. Following discussion, upon a motion duly made by Director Strand, seconded by Director Ammon and, upon vote, unanimously carried, the Board approved the repair proposal with J&D Concrete in the amount of \$19,028.00.

H. Road Shoulder Damage – Director Bills: This item was previously discussed.(See Item G above).

I. Surface Storm Water Roadside Issues – Director Bills: Director Bills provided an update to the Board stating that he has met with homeowners to discuss the damage to drainage BMR ditches that has been caused by stormwater runoff from private properties. CliftonLarsonAllen (“CLA”) will draft a letter to homeowners as a follow up for stormwater damage mitigation.

J. Discussion & Ratify BMR Entry Proposal from Root Architecture and Development, LLC – Director Vrabel: This item was not discussed as it has previously been approved.

K. Discussion and Consider Approval of Partial Payment of \$2,000 to Root Architecture for the 3-D Concept Design Study: This item was not discussed, and was previously approved under the NTE amount of \$5,000 at the August Board meeting.

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L. Mastication of Gamble Oak and Shrubs at 3627 Serenade Road: A large section of vegetation was removed by the homeowner's contractor from the "A" and "C" zones at 3627 Serenade Road without coordination with the HOA and Metro District. This potentially could cause debris to drain into the BMR drainage ditches. A letter will be sent to the property owner requesting a plan for replanting the masticated area.

VII. ATTORNEY MATTERS

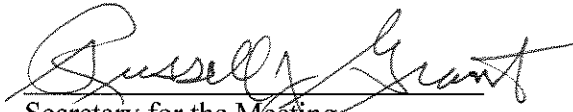
A. Executive Session, if needed, and called in accordance with 24-6-402 (4) (b) (c) or (g) CRS regarding matters that may be subject to negotiation, receiving legal advice or potential personal matters relating to water service from Castle Rock and internal Board governance matters: No Executive Session was necessary.

B. Other: Director Bills proposed a change in management of the APM contract going forward to actively involve CLA in direct management and oversight of the APM contract and landscape maintenance. Director Bills would like to schedule a Study Session to discuss relocation of the District storage shed, which is now located at the BMR well heads. Also in need of discussion is an alternate staging area for contractor equipment.

VIII. ADJOURNMENT

There being no further business to come before the Board at this time the meeting was adjourned at 7:35 p.m.

Respectfully submitted,


Secretary for the Meeting