

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
BMR METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
FEBRUARY 1, 2022

A special meeting of the Board of Directors of the BMR Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, February 1, 2022, at 6:00 p.m. via Microsoft TEAMS.

ATTENDANCE

Directors In Attendance Were:

Russell Grant; President
Calvin Bills; Vice President
Frank Strand; Secretary/Treasurer
Steve Vrabel; Assistant Secretary/Treasurer
Edward Ammon; Assistant Secretary/Treasurer

Also, In Attendance Were:

Josh Miller & Nic Carlson, CliftonLarsonAllen LLP ("CLA")
Tim Flynn; Collins, Cockrel & Cole PC
Tom Schubert; ORC Water Professionals Inc.
Georgia Harland; Simmons & Wheeler, P.C.
Ann Molner; 4219 Serenade Road
Cathy Mysliwicz; 4275 Bell Mountain Drive
Dan Decker; 529 Summer Mist Circle
Chris & Sandra Sheets; 4622 High Spring Road
Jay Smith; 3191 Glade Gulch Circle
Joe Castillo; 674 Summer Mist Circle
Ms. Katrina; member of the public

I. CALL TO ORDER

The meeting was called to order at 6:08 p.m. by Director Grant.

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

Disclosures of 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 Consolidated Bell Mountain Ranch Metropolitan District; 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.

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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.

Instructions for video conference – Nic Carlson: Mr. Carlson reviewed instructions to the Board and public for the video conference.

III. APPROVAL OF AGENDA

Director Grant reviewed with the Board. Following review, upon a motion duly made by Director Ammon, seconded by Director Vrabel and, upon vote, unanimously carried, the Board approved the Agenda as presented.

IV. COMMUNITY COMMENTS

Public Comment: None.

V. WATER OPERATOR

A. Monthly System Report: Mr. Schubert provided his report to the Board as follows:

- All sampling was completed for the month.
- The repair of the shutoff valve replacement at the lower end of Glade Gulch where it meets Bell Mountain Drive still needs to be done. It appears as if five homes will be out of water when this repair is made. CBS has yet to work into their schedule.
- McDonald Farms hauled backwash wastewater four times in the month of January with a total of 24,000 gallons.
- The formula for the backwash waste meter totalizer reflected on the computer screen will be checked by Mountain Peaks. Wastewater hauled to date: Nov – 24,000 gal; Dec – 27,000 gal; Jan – 24,000 gal. The total from November 2021 – January 2022 is 75,000 gallons.
- The printed circuit board for the flow meter and a new HMI screen have not arrived, and Mountain Peaks does not have an estimated arrival date.
- Until the 24-volt power supply is replaced in the control, the total gallons of finished water sent to the distribution system cannot be collected by the flow meter.

Regarding the water outage that will be needed to repair the shutoff valve on Glade Gulch Road, CLA will work with ORC to alert the effected residents on Glad Gulch of the needed water outage on Glade Gulch once ORC provides the list addresses that will be affected.

VI. MANAGER'S REPORT/ ADMINISTRATIVE MATTERS

A. Review and Consider Approval of the January 4, 2022 Regular Meeting Minutes: Following review, upon a motion duly made by Vrabel, seconded by Director Ammon and, upon vote, unanimously carried, the Board approved the January 4, 2022 Regular Meeting Minutes as presented.

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B. Review and Consider Acceptance of the 2021 year end Bill.com Claims Totaling \$29,694.86 for December 2021 and \$12,481.79 for January 2022: Ms. Harland reviewed the Bill.com claims with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Ammon and, upon vote, unanimously carried, the Board accepted the 2021 year end Bill.com claims totaling \$29,694.86 for December 2021 and the Bill.com claims totaling \$12,481.79 for January 2022.

C. Review and Accept December 31, 2021 Financial Statements: Ms. Harland reviewed the December 31, 2021 Financial Statements with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Ammon and, upon vote, unanimously carried, the Board accepted the December 31, 2021 Financial Statements.

D. Review and Accept Cash Position Schedule as of February 1, 2022: Ms. Harland reviewed the Cash Position Report with the Board. Following review, upon a motion duly made by Director Strand, seconded by Director Vrabel and, upon vote, unanimously carried, the Board accepted the February 1, 2022 Cash Position Schedule as presented.

E. Monthly Water Reports Summary:

- **Consumption & Charges Report:**
- **High Consumption Water Usage Report:**
- **Leak and Landscaping Credit Approval Reports:**
- **Zero and No Read Meter Reports:**
- **Watch List:**
- **Tap Fee Tracking:**

Mr. Carlson reviewed the reports with the Board. The Board accepted the reports.

F. Update on Residential Fire Protection System Backflow Preventer Inspections: Mr. Carlson provided an update to the Board noting that four test reports have been received in 2022.

VII. DIRECTOR ITEMS- ACTION

A. Update on Status of the Intergovernmental Agreement (IGA) with Town of Castle Rock for Water Service and Improvements for BMR – Water main connector design status - Director Grant: Director Grant updated the Board stating that WSB Engineering (the firm doing the design for the new water main, pump station and water storage tank) will be providing a project update on Thursday, February 3rd via a Zoom virtual meeting. WEB is contracted by Crystal Valley Ranch to accomplish the

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design work. In turn, Crystal Valley Ranch is obligated to the Town of Castle Rock to design and construct the water system improvements. Director Grant will forward the WSB meeting invitation to the other Board members.

VIII. ATTORNEY MATTERS

A Update on Status of BMR Metro District Dissolution Agreement – Mr. Flynn: Mr. Flynn provided an update to the Board informing them he has filed a petition along with a motion for a Hearing. He noted he continues to work with the Court Clerk on details and will communicate the Hearing information to the Board once it becomes available.

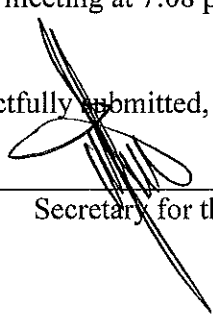
IX. OTHER BUSINESS

None.

X. ADJOURNMENT

Director Grant adjourned the meeting at 7:08 p.m.

Respectfully submitted,



Secretary for the Meeting