

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
CONSOLIDATED BELL MOUNTAIN RANCH METROPOLITAN DISTRICT
(THE "DISTRICT")
HELD
JULY 5, 2023

A special meeting of the Board of Directors ("Board") of the Consolidated Bell Mountain Ranch Metropolitan District ("Metro District") was convened on Wednesday, July 5, 2023 at 6:00 p.m. at Lowell Ranch, 2330 S. I-25, East Frontage Road, Castle Rock, CO 80104 and MS TEAMS.

ATTENDANCE

Directors In Attendance Were:

Russell Grant, President
Steve Vrabel, Vice President
Frank Strand, Secretary/Treasurer
Jay Smith, Assistant Secretary/Treasurer

Also, In Attendance Were:

Korben Heim; CliftonLarsonAllen LLP
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC
John McKillip, Jr. APM
Larry Lomison; 501 Chandelle Road
Gwen Kalvelage; 3983 Bell Mountain Drive
Pat Pattebon; 3946 Serenade Road
Mike Mysliwicz; 4275 Bell Mountain Drive

I. CALL TO ORDER Director Grant called the meeting to order at 6:00 p.m.

II. DECLARATION OF QUORUM/ **Disclosure of Conflicts:** No Conflict-of-Interest Disclosures were necessary.

DIRECTOR QUALIFICATIONS/ **Quorum and Location of Meeting:** A quorum and location of meeting was confirmed.
POTENTIAL CONFLICTS OF INTEREST

III. APPROVAL OF AGENDA Director Grant requested that the Agenda be modified to add Item VIII G – Discussion of Appointment of Vacancy. Upon a motion duly made by Director Strand, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the Agenda as amended.

IV. COMMUNITY COMMENTS **Public Comments:** Gwen Kalvelage inquired if community members can maintain flower beds by the Park. She stated the HOA is not addressing this issue. Ms.

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Kalvelage was given permission to weed the flowerbed and add plants to the existing perennial flowers now planted there.

Pat Pattebon asked about the horse trail maintenance and the mowing/weeding concerns. The Board noted these topics are being discussed later in the meeting.

V. APM PROJECT STATUS REPORT

Mr. McKillip, Jr. provided his update report to the Board. Discussion ensued regarding the horse trails, ditch and hillside maintenance, erosion mitigation, mowing, the need for adding rubber mulch in the Community Park playground area and the inoperative water fountain in the park. The Board entertained comment from Larry Lomison regarding a drainage ditch issue and concerns in the community regarding noxious weeds.

VI. MANAGER'S REPORT/ ADMINISTRATIVE MATTERS

A. Review and Consider Approval of the Minutes of June 6, 2023 Regular Meeting: Director Grant reviewed the June 6, 2023 Regular Meeting Minutes with the Board. Following review, upon a motion duly made by Director Strand, seconded by Director Vrabel and, upon vote, unanimously carried, the Board approved the June 6, 2023 Regular Meeting Minutes as presented.

VII. FINANCIAL MATTERS

A. Review and Consider Acceptance of June 2023 Bill.com claims report totaling \$80,092.59 including Water Fund costs: Director Grant reviewed the June 2023 Bill.com claims report with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Smith and, upon vote, unanimously carried, the Board accepted the June 2023 Bill.com claims report totaling \$80,092.59 including Water Fund costs, as presented.

B. Review and Accept Cash Position Schedule as of July 2023: This item was not available for the meeting and was tabled. The Board discussed a rough estimate of current standing.

C. Review and Consider Acceptance of 2022 Audit Extension: The 2022 Final Audit is not ready to be filed with State Auditor's Office. Upon a motion duly made by Director Vrabel, seconded by Director Smith and, upon vote, unanimously carried, the Board approved sending a letter to the State Auditor's Office requesting an extension to 30 Sept 2023 to file the CBMRMD 2022 Final Audit.

VIII. DIRECTOR ITEMS

A. Update on Fire Mitigation Project – Michael Mysliwicz: Mr. Mysliwicz provided an update to the Board. Spencer Weston (State Forest Service) is finalizing the Request for Proposal (RFP) for the fire mitigation project and is scheduling a site visit for prospective bidders. Since this contract will exceed \$120,000, there is a State requirement to publicly advertise the RFP in the newspaper. The work will primarily be done along two horse trails, the Sunset Ridge and Ed Young Trails.

B. Update on Replacement of the BMR Entrance Logs – Director Vrabel: Director Vrabel provided an update to the Board. Other than an informal agreement

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with the former HOA leadership, the HOA has not formally agreed on any funding level for this project. Since the July HOA meeting has been cancelled, the first opportunity for the HOA to vote on this issue will be at the August HOA meeting.

C. Update on Proposal to Repair and Overlay Portion of Bell Mountain Drive-Director Grant: Director Grant informed the Board that at a pavements seminar he recently attended at the A-1 Chipseal Company offices, the pavements experts there (who also do mill and overlay work) suggested that we consider repairing a portion of roadway with mastic repairs on the cold joints followed by a chipseal overlay to see if the resulting surface is acceptable to us. The cost of this alternative solution would be about one third the cost of a mill and overlay project. Hence, it would be worth trying this solution on a portion of roadway.

D. Update on BMR-TCR Water Main Connector – Director Grant: Director Grant provided an update to the Board noting that all the required construction easements have finally been obtained and that the final legal paperwork is being completed by the Castle Rock Water lawyer. The Contractor should be notified shortly to proceed with the pipeline work. If all goes well, the pipeline and booster pump station should be completed by the end of October.

E. Update on Roadside Drainage Ditch and Road Shoulder Damage Repairs – Director Smith: Director Smith updated the Board. Work on the McCormick property is underway. Work on the DeWitt and Files properties will begin shortly.

F. Horse Trail Maintenance and Trail Location Cell Phone Application- Director Grant: Director Grant provided an update to the Board. The Board acknowledged closure of the Equestrian Center and discussed trail maintenance and ownership of the cell phone application that provides location information to riders and hikers using the BMR horse trails. After discussion, the Board authorized negotiations with the Equestrian Center to acquire ownership of the trail application in exchange for release of the Equestrian Center for their responsibility to maintain the horse trails.

G. Discussion of Appointment to Fill Board Vacancy: Director Grant discussed applications currently received from community members. The Board discussed the applicants who have already submitted applications for the vacant Directors' positions. Two additional residents may also be interested in applying for the vacant positions.

H. Other Director Matters: None.

IX. ATTORNEY MATTERS

A. Update on Steven's Ranch Conveyance Conversation with the County: It was noted that the developer's company, L2, LLC, has been dissolved and finished from the District's perspective. The work is ongoing with the County to be completed.

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B. Language Update and Assessed Valuation of Operations Budget Cap Spending on Ballot Issue: Attorney Flynn reviewed the ballot question options with the Board. After review and discussion, the consensus was for Attorney Flynn to prepare a resolution based on Option A to extend the current mill levy and remove the spending limit for CBMRMD Operations & Maintenance.

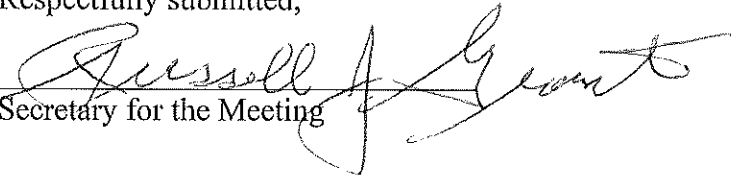
X. OTHER
BUSINESS

A. Quorum confirmed for August 1, 2023 Board Meeting Date: The Board anticipates that a quorum will be available for the August 1, 2023 Board meeting.

XI. ADJOURNMENT

There being no further business to come before the Board at this time, Director Grant adjourned the meeting at 8:02 p.m.

Respectfully submitted,


Secretary for the Meeting