

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 5, 2023

A regular meeting of the Board of Directors ("Board") of the Consolidated Bell Mountain Ranch Metropolitan District ("Metro District") was convened on Tuesday, September 5, 2023 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, Assistant Secretary/Treasurer
John Booth, Assistant Secretary/Treasurer

Director Jay Smith was absent and excused

Also, In Attendance Were:

Nic Carlson; CliftonLarsonAllen LLP
Tim Flynn; Collins Cole Flynn Winn & Ulmer, PLLC (MS Teams)
Mike Mysliwicz; 4275 Bell Mountain Drive

I. CALL TO ORDER Director Grant called the meeting to order at 6:05 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 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 include Items 9 E-G and Item 10 A.

IV. COMMUNITY COMMENTS **Public Comments:** There were no public comments.

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V. BOARD VACANCIES

Consider Slate of Officers: Upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the following slate of officers as follows:

President: Russell Grant
Vice President: Steve Vrabel
Jay Smith: Secretary/Treasurer
Jeanne Dassel: Assistant Secretary/Treasurer
John Booth: Assistant Secretary/Treasurer

VI. APM PROJECT STATUS REPORT

No report. APM representative was not present.

VII. MANAGER'S REPORT/ ADMINISTRATIVE MATTERS

A. Review and Consider Approval of the Minutes of August 1, 2023 Regular Meeting: Director Grant reviewed the August 1, 2023 Regular Meeting Minutes with the Board. Following review, upon a motion duly made by Director Dassel, seconded by Director Booth and, upon vote, unanimously carried, the Board approved the August 1, 2023 Regular Meeting Minutes, as presented.

VIII. FINANCIAL MATTERS

A. Review and Consider Acceptance of August 2023 Bill.com Claims Report Totaling \$86,626.57 including Water Fund Costs: Director Grant reviewed the August 2023 Bill.com claims report with the Board. Following review, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board accepted the August 2023 Bill.com claims report totaling \$86,626.57 including Water Fund costs, as presented.

B. Review and Accept Cash Position Schedule as of September 2023: Following review, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board accepted the Cash Position Schedule as of September 2023, as presented.

IX. DIRECTOR ITEMS

A. Update on Fire Mitigation Project– Michael Mysliwicz: Mr. Mysliwicz provided an update noting that the lowest bid came in at \$4,474 over budget. He stated that Douglas County could match half of the difference and that if some work cannot be completed due to rock outcroppings or steep terrain, the scope of work might be reduced, which would reduce the contract amount to be paid. The Board discussed and determined that an additional amount of \$2,237 would be acceptable, if necessary. He noted that work is scheduled to begin mid-November. Following discussion, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved acceptance of the bid from Dove Creek Forestry of \$172,474.

B. Update on Replacement of the BMR Entrance Logs – Director Vrabel:

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Director Vrabel provided an update to the Board. At the August meeting of the HOA, the HOA Board decided not to provide any funding for this project at this time. A work order has been written for APM to stain the ends of the cut off logs. Following discussion, upon a motion duly made by Director Vrabel, seconded by Director Dassel and, upon vote, unanimously carried, the Board suspended further action on this project until such time that the HOA provides funding for the project.

C. Update on BMR-TCR Water Main Connector – Director Grant: Director Grant provided the Board with an update noting that the major tank construction is complete. Testing and connection to the new water main is yet to be done. The brush has been cleared along the entire pipeline route and excavation has started at the tank site. Delivery of the packaged pump station has been delayed until mid-October.

D. Update on Roadside Drainage Ditch and Road Shoulder Damage Repairs – Director Smith: Director Smith was not in attendance, but it was reported that work has been completed for all agreements that were executed and the District will pursue reimbursement from homeowners.

E. Update on Chipseal Paving Project - Director Grant: Director Grant provided an update to the Board noting that work is in progress. The crack sealing has been completed and the emulsion and gravel have been applied to the roadways. The final fog seal is scheduled to be applied on Thursday, September 7th.

F. Update on Equestrian Center Agreement: No progress has been made regarding the cancellation of the agreement between the Equestrian Center and the District and the transfer of ownership of the trail's computer application to the District. Director Dassel noted that the sale agreement is at a standstill. Discussion ensued regarding closing portions of the trail during installation of the new water pipeline.

G. Resident Complaint Regarding Paint Damage to Owner's Car: Director Grant explained to the Board that on 24 Aug, with his permission, Kolbe Striping striped Bell Mountain Parkway and Bell Mountain Drive between Glade Gulch Rd and Old Gate Rd to test a new striping equipment. Application of the striping was done at no cost to the District. A resident travelling north on Bell Mtn Dr passed the striping truck that was going south. The resident inadvertently drove on the wet paint centerline that had just been applied for some distance. Yellow paint was splattered in the vehicle's wheel wells and along the driver side of the car. The resident is seeking compensation of over \$6,000 to remove the yellow paint from his car. Director Grant referred the resident to Kolbe Striping for resolution.

H. Other Director Matters: None.

X. ATTORNEY MATTERS

A. Update on Special Election Ballot: Attorney Flynn provide updates on the November special election ballot. He reviewed the election calendar and budget calendar and possible changes due to the election ballot and proposition HH. Attorney

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Flynn advised the Board of the Fair Campaign Practices Act and the statutory limitations.

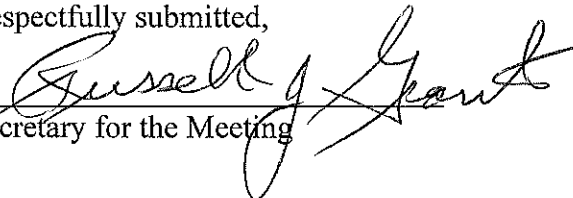
XI. OTHER BUSINESS

A. Quorum confirmed for October 3, 2023 Board Meeting Date: The Board anticipates that a quorum will be available for the October 3, 2023 Board meeting.

XII. ADJOURNMENT

There being no further business to come before the Board at this time, Director Grant adjourned the meeting at 8:20 p.m.

Respectfully submitted,


Secretary for the Meeting