

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
BMR METROPOLITAN DISTRICT
HELD
FEBRUARY 3, 2009

A special meeting of the Board of Directors of the BMR Metropolitan District was held on Tuesday, February 3, 2009 at 6:00 p.m. at Lowell Ranch, 2330 South I-25, Castle Rock, Colorado. The meeting was open to the public.

Attendance: In attendance were Directors:

Jeanne Dassel
Bob Brabec

Also in attendance:

David Peak; R.S.Wells L.L.C.
Chuck Reid; R.S.Wells L.L.C.
Tim Flynn, Esq.; Collins Cockrel and Cole
Jeff Sucher; Treatment Technology, Inc.
Benson Smith; Treatment Technology, Inc.
Don Murray; Treatment Technology, Inc.
Griff Johnston; Johnston Engineering Associates, Inc.
Russell Grant; 218 Starburst Circle, Castle Rock, CO
Alan Cobb; 1160 Glade Gulch Road, Castle Rock, CO
Kirk Fischer; 3884 Bell Mountain Dr., Castle Rock, CO
Jack Shiker; 4424 Mariposa Road, Castle Rock, CO
Al Hawkins; 1238 Riva Rose Circle, Castle Rock, CO
Bob Zimmerman; 1240 Glade Gulch, Castle Rock, CO
Al Quist; 908 Glade Gulch Road, Castle Rock, CO

Call to Order Director Dassel called the meeting to order and declared a quorum was present.

Approve Agenda Upon a motion duly made by Director Dassel, seconded by Director Brabec and, upon vote, unanimously carried, the Board approved the agenda as presented.

Review/Approve Minutes Following review, upon a motion duly made by Director Dassel, seconded by Director Brabec and, upon vote, unanimously carried, the Board approved the November 3, 2008 Regular Board Meeting Minutes as amended.

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Administrative Matters

- A. Review and Consider Approval of Special Board Meeting Minutes of December 16, 2008.

Following review, upon a motion duly made by Director Brabec, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved the special board meeting minutes of December 16, 2008 as presented.

- B. Financial Matters.

1. Review and Ratify Approval of Claims for December 2008, Totaling \$32,317.04, Represented by Check Numbers 1697 through 1712.

Following review, upon a motion duly made by Director Brabec, seconded by Director Dassel and, upon vote, unanimously carried, the Board ratified approval of claims for December 2008, totaling \$32,317.04, represented by check numbers 1697 through 1712.

2. Review and Consider Approval of Claims for January 2009, Totaling \$35,239.16, Represented by Check Numbers 1713 through 1722.

Following review, upon a motion duly made by Director Brabec, seconded by Director Dassel and, upon vote, unanimously carried, the Board approved claims for January 2009, totaling \$35,329.16, represented by check numbers 1713 through 1722.

3. Review and Consider Approval of Unaudited Financial Statements as of December 31, 2008.

This item was tabled until the March meeting.

- C. 2009 Regular Meeting Dates.

Following discussion, the Board set the first Tuesday of every month at 6:00 p.m. for the regular meeting dates and set the meeting location at the Lowell Ranch, 2330 South I-25 in Castle Rock.

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Attorney Items

A. Appointment Process.

Mr. Flynn discussed the appointment process for filling vacancies on the Board. He also noted that the transfer agreements have been signed.

Manager

A. Consumption and Charges Report and Delinquent Accounts Report.

Mr. Peak reviewed the consumption and charges report and the delinquent accounts report with the Board.

Engineer

Mr. Johnston reported he was monitoring the phosphorous level related to the back wash process at the water plant. Mr. Johnston is working with the Chatfield Basin Water Quality Authority regarding this matter.

Water System Issues

Mr. Sucher reported on the treatment plant operations:

- Distribution Meter Replacement – The distribution meter was replaced as per approval received in December's board meeting. The flow will be provided once a full months worth of data is obtained.
- Tank Cleaning – CW Divers will be cleaning the storage tanks in mid-February, weather permitting. The divers will clean the tanks without interruption to the homeowners.
- Well Pump Motor – 1) Treatment Tech will be scheduling with AmWest for the delivery of the brand new well pump motor to the water treatment plant. In addition, the original pump, which has been rebuilt, will be delivered with the new pump motor. 2) The cost for a replacement pump without a pump motor (24 Stage WH460) would be \$22,012 plus AmWest installation labor. This is the cost of replacement for the pump currently in use.
- C&L Backhoe Bid for Blow Offs – 1) Most of the cul-de-sacs at BMR are dead end lines. The last homes on the cul-de-sacs have their water line connection after the last hydrant, this makes it difficult to flush the line and remove sediment that may have accumulated. To solve this problem we have received a bid of \$6,500 per blowout off unit from C&L Backhoe. 2) The bid received is based on the current available drawings; if the actual conditions are different the bid may need to be adjusted.

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Directors' Items

- A. Acceptance of Resignations from Evan Zucker, Scott Schaible and James Mulvihill.

The Board accepted the resignations of Evan Zucker, Scott Schaible and James Mulvihill from the board of directors.

Other Business

There was nothing further to discuss.

Community
Comments

No comments were received.

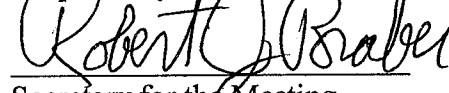
Adjournment

There being no further business to come before the Board, upon a motion duly made by Director Brabec, seconded by Director Dassel and, upon vote, unanimously carried, the Board adjourned the meeting at 6:40 p.m.

The foregoing minutes were approved by the Board of Directors on the 7th day of April, 2009.

The foregoing record constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,


Secretary for the Meeting