

# RECORD OF PROCEEDINGS

---

## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CONSOLIDATED BELL MOUNTAIN RANCH METROPOLITAN DISTRICT HELD September 2, 2008

A regular meeting of the Board of Directors of the Consolidated Bell Mountain Ranch Metropolitan District was held on Tuesday, September 2, 2008 at 6:30 p.m., at the MedVed AutoPlex, Chevy Building, 1506 S. Wilcox Street, Castle Rock, Colorado, 80104. The meeting was open to the public.

### Attendance

In attendance were Directors:

Bob Brabec  
Russell Grant  
Jeanne Dassel  
Alan Cobb  
Kirk Fischer

Also in attendance were:

Howard McCarthy; Tetra Tech - RTW Engineering  
John Simmons; Simmons and Wheeler, P.C.  
Chuck Reid; R.S. Wells, L.L.C.  
Lynne Norwood; Resident  
Al Quist; Resident

### Call to Order

Director Brabec called the meeting to order at 6:30 p.m. and declared a quorum present.

### Approval of Agenda

Upon a motion duly made by Director Dassel, seconded by Director Grant and, upon vote, unanimously carried, the Board approved the agenda.

### Review/Approve Minutes

Upon a motion duly made by Director Dassel, seconded by Director Fischer and, upon vote, unanimously carried, the Board approved the July 1, 2008 minutes.

Upon a motion duly made by Director Dassel, seconded by Director Grant and, upon vote, unanimously carried, the Board approved the August 5, 2008 minutes.

### Quorum Confirmed

There is a quorum confirmed for the October 7, 2008 meeting. The Board directed that the public hearing to approve the 2009 budget be on the agenda.

## RECORD OF PROCEEDINGS

---

### Financial Matters

#### A. Review and Approve the 2007 Audit

Mr. Simmons presented the 2007 audit to the Board. Mr. Simmons noted that Auditor, Mr. Goedecke has offered an unqualified opinion on the audit.

Following presentation to the Board there was a motion made by Director Grant, seconded by Director Dassel to approve the 2007 audit subject to review by the Board, Attorney Flynn and R S Wells. Comments need to be to Mr. Simmons no later than Monday, September 15, 2008. The motion passed unanimously.

#### B. Draft 2009 Budget

Director Brabec handed out a draft 2009 Budget to the Board and requested that the Districts' consultants review the draft budget and provide comments to Director Cobb. The Board directed that the public hearing be scheduled for October 7, 2008 and that budget resolutions are prepared and brought to this meeting.

#### C. Review and Approval of Claims for August 2008.

Mr. Reid reviewed the claims for August 2008 totaling \$84,005.09, represented by check numbers 2061 through 2071, noting that this check run included a check to A-1 Chip Seal in the amount of \$54, 740.30. Following discussion, upon a motion duly made by Director Dassel, seconded by Director Fischer and, upon vote, unanimously carried, the Board approved the August 2008 claims as presented.

### Infrastructure

#### A. HOA Projects Needing Metro District Approval

Director Brabec noted that the Homeowners Association has identified four projects they would like to work on that are on properties owned by the District. Following discussion, a motion was made by Director Dassel, seconded by Director Fischer, to express appreciation to the HOA and to accept the HOA offer to

- (1) re-stain the play ground and gazebo;
- (2) repair animal damage and the playground and gazebo;
- (3) remove and replace mulch with perma-life soft rubber mulch;
- and (4) install new irrigation controls and valves in the park along with locks.

The motion passed unanimously. The Board noted that they appreciate the efforts of the HOA and enjoy having a good relationship with them.

## RECORD OF PROCEEDINGS

---

### B. Reitz Mowing and Spraying

Director Brabec requested additional funds for spraying by Reitz. That additional amount is a \$1,200 supplemental request. Following discussion, upon motion duly made by Director Dassel, seconded by Director Fischer and, upon vote, unanimously carried, the Board approved the supplemental amount for Reitz.

### C. Trail Maintenance

Director Dassel noted that Mr. Weaver at the stables has offered to mow around his corrals. The District would not be financially responsible for the work with the possible exception of fuel costs. It was noted that the Round-up Riders have been clearing trails and that Attorney Flynn has prepared a waiver for volunteers' to sign prior to their work on the Districts trails. Following discussion, upon a motion duly made by Director Fischer, seconded by Director Grant and, upon vote, unanimously carried, the Board authorized Director Dassel to negotiate with Mr. Weaver on that project.

### D. Additional Kobe Striping

Director Grant discussed the need to do additional striping that was a result of the additional work done by A-1 Chip Seal. There was a motion made by Director Dassel to approve \$1,200 for striping to the remainder of the Chip Seal roads, seconded by Director Fischer and, upon vote, unanimously carried, the Board approved the \$1,200 for Kobe striping.

### E. Ferguson Crack Sealing

Director Brabec discussed the Ferguson and Son crack sealing project. Following the presentation, upon motion duly made by Director Dassel, seconded by Director Grant and, upon vote, unanimously carried, the Board approved \$2,500 for Ferguson and Son to complete the crack sealing.

### F. Renewal of APM Contract

Director Brabec moved and Director Cobb seconded that the District approve the renewal of its contract with APM for two more years at the same unit price of the last two years, subject to annual preparations, and, upon vote, unanimously carried, the Board approved renewing the contract with APM for two more years. This total contract amount (landscaping, mowing, weed control & mow removal) is budgeted at \$50,675 in 2009.

## RECORD OF PROCEEDINGS

---

Resident, Al Quist, asked about the Districts plan in regards to sweeping sand. The Board indicated that they will look at this next spring as well as Director Brabec will speak with APM about the possibility of sweeping before winter.

### Engineering Matters

A. Update on Chip Seal Project.

Mr. McCarthy indicated that the Chip Seal project is complete and has recommended payment and will be sending another notice of acceptance to the contractor which begins the one year warranty period.

### Community Comments

Resident, Lynne Norwood, asked whether or not the District needs to approve the location of a rock that would be placed by the HOA that would identify CBMR as a covenant controlled community. The District does need to approve this placement and they will consult with APM and others prior to finalizing location. Lighting of this rock and identification sign will also be explored.

Resident, Al Quist, asked when the Board will be coming back to the community with information regarding the water negotiation from the water system improvements and the Board responded that it would be their goal to present a finalized water agreement and plans to the community by the end of the year.

### Adjournment

With no other business to discuss the Board continued the meeting to September 3, 2008 at 6:00 p.m. at the MedVed AutoPlex, Ford Building, 1506 S. Wilcox Street, Castle Rock, Colorado, 80104.

The foregoing minutes were approved by the Board of Directors on the 7<sup>th</sup> day of October, 2008.

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

Respectfully submitted,

  
Secretary for the Meeting