

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
BOWLES METROPOLITAN DISTRICT
HELD NOVEMBER 12, 2019**

A regular meeting of the Board of Directors of Bowles Metropolitan District (“Board” or “BMD”) was held Tuesday, November 12, 2019, at 4:30 p.m., at The Village Center, 7255 Grant Ranch Boulevard, Littleton, Colorado. The meeting was open to the public.

In attendance were Directors:

Don Korte
Leigh Chaffee
Timothy LaPan
David Hobart

Thomas Dougherty was absent and excused

Also in attendance were:

Lori Huffman; MSI
Paul LeFever; Grant Ranch Master HOA (HOA)
Rob Massengale, Johnny Jimenez & Justin Ketner; Colorado Designscapes, Inc.
Derek Fox; Davey Tree
Nicki Simonson; Grant Water & Sanitation District (GWSD)
Pat Shannon and Trina Hartman; CliftonLarsonAllen LLP

Administrative
Matters

Call to Order / Disclosure of Conflicts of Interest/Declaration of Quorum

Director Chaffee called the meeting to order at 4:30 p.m. and declared a quorum present.

The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Secretary of State. The Members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting in accordance with Statute. No additional disclosures were made.

It was noted that the meeting is being held within the District’s boundaries and that notices for this meeting were posted pursuant to statute.

Approval of Agenda

Following review and discussion, Director LaPan moved and Director Hobart seconded approval of the agenda as amended. The motion passed unanimously.

Review and Approval of the October 8, 2019 Regular Board Meeting Minutes and October 10, 2019 Special Meeting Minutes

Following review and discussion, Director Hobart moved and Director Korte seconded approval of the October 8, 2019 Regular Board Meeting Minutes and October 10, 2019 Special Meeting Minutes as presented. The motion passed unanimously.

Review and Approve Current Claims

Following review and discussion, Director Korte moved and Director Chaffee seconded approval of the current claims. The motion passed unanimously.

RECORD OF PROCEEDINGS

Review and Approve September 30, 2019 Financial Statements

Following review and discussion, Director Korte moved and Director Chaffee seconded acceptance of the September 30, 2019 Financial Statements. The motion passed unanimously.

Other

None.

Community Matters

Other

Mr. LeFever reported that Mike Haan, HOA Maintenance person has vacated his position and the HOA is currently looking for a replacement. Mr. LeFever further reported they hope to have the position filled no later than late February/ early March of 2020.

Operations Updates and Action Items

A. Designscapes

1. General Update

Mr. Massengale provided the Board with a general update, noting Arapahoe Pump is has winterized the District's pumps.

2. Work Orders

a. 2019 Work Order Summary

Mr. Massengale provided a summary report of 2019 work orders.

B. Davey Tree

1. Other

Mr. Fox reviewed the 2020 Proposal. Mr. Fox discussed watering in the spring as opposed to the winter watering, noting that Davey Tree uses an Arbor Green slow release that generally does not leech. The Board requested a FAQ sheet regarding the method. Following review and discussion, Director LaPan moved and Director Chaffee seconded acceptance of the Davey Tree proposal for 2020. The motion passed unanimously.

C. Isthmus Park Trail Extension

Mr. Shannon reported that he, Director Dougherty and Mr. Reid met with a representative from ERO Resources to walk the proposed Isthmus Park trail extension. ERO Resources recommended that the District coordinate with Colorado Parks and Wildlife (CPW). The Board directed Pat to reach out to CPW. Discussion ensued about a February Open house for community input and inviting CPW to answer questions. The Board directed Mr. Shannon to prepare an article for the HOA Newsletter notifying the community of the open house.

D. Fence Project Update

Mr. Shannon reviewed the Homestead proposal with the Board, noting that the wrought iron fences are structurally sound. Following review and discussion, Director Korte moved and Director Hobart seconded acceptance of the Homestead Fence Project Proposal. The motion passed unanimously.

E. Concrete Project Update

None.

RECORD OF PROCEEDINGS

F Arapahoe Pumping Systems Proposal

Mr. Shannon reviewed the Arapahoe Pumping Systems proposal with the Board. Director LaPan added that it is a good system, noting that the online services will serve the District well. Director LaPan will further inquire about the installation process and future cellular fees associated with the system. Following review and discussion, Director Korte moved and Director Hobart seconded acceptance of the Homestead Fence Project Proposal. The motion passed unanimously, subject to Director LaPan's approval.

Public Hearing

A. Conduct Public Hearing to Consider Adoption of 2020 Budget

Upon a motion duly made by Director Korte and seconded by Director Chaffee, the Board opened the public hearing at 5:00 p.m. Mr. Shannon stated that the public hearing notice had been published and presented the budget and proposed mill levy. No written objections were received prior to this public hearing and there were no comments from the public in attendance. Upon a motion duly made by Director Chaffee and seconded by Director Korte the Board closed the public hearing at 5:01 p.m.

Action Items

A. Resolution No. 2019-11-01, Adopting 2020 Budget and Appropriate Sums of Money

Upon review and discussion, upon a motion duly made by Director Chaffee and seconded by Director Korte, the Board approved Resolution No. 2019-11-01, Adopting the 2020 Budget and Appropriating Sums of Money.

B. Resolution No. 2019-11-02, Resolution to Set Mill Levy

Upon review and discussion, upon a motion duly made by Director Korte and seconded by Director Chaffee, the Board approved Resolution No. 2019-11-02, to Set the Mill Levy.

C. Resolution No. 2019-11-03, Resolution to Establish Meeting Dates, Times and Location, Establishing a District Website and Designating Location for Posting 24-Hour Notices

Upon review and discussion, upon a motion duly made by Director Korte and seconded by Director LaPan, the Board approved Resolution No. 2019-11-03, Adopting the 2020 Budget and Appropriating Sums of Money.

D. Section 32-1-809, C.R.S., Reporting Requirements (Transparency Notice) and Mode of Eligible Elector Notification (post on SDA website)

Mr. Shannon reviewed with the Board.

E. Insurance Renewal, Insurance Schedule and Renewal of Special District Association Membership

Mr. Shannon reviewed with the Board.

F. New legislation regarding posting meetings notices and establishment of District Website.

Mr. Shannon reviewed with the Board.

G. Approval for 2020 Contracts and/or Engagements with the Following, and Authorizing the Manager to Execute Contracts and/or Engagements:

1. Designscapes: Landscaping & Snow Removal

Upon review and discussion, upon a motion duly made by Director Korte and seconded by Director Hobart, the Board approved the 2020 Contract for Designscapes.

RECORD OF PROCEEDINGS

2. Davey Tree: Trees

Upon review and discussion, upon a motion duly made by Director Korte and seconded by Director Chaffee, the Board approved the 2020 Contract for Davey Trees.

3. JOATA Solutions: Stormwater Monitoring

Upon review and discussion, upon a motion duly made by Director Korte and seconded by Director Chaffee, the Board approved the 2020 Contract for JOATA Solutions.

4. Schilling & Company: Audit

Upon review and discussion, upon a motion duly made by Director Chaffee and seconded by Director Hobart, the Board approved the agreement with Schilling & Company to provide 2020 Audit services.

5. Simmons & Wheeler: Accounting

No action was taken by the Board.

6. McGeady Becher: Attorney

No action was taken by the Board.

Legal Matters

A. Other - None

Directors Matters

A. Confirm Quorum for Next Regular Board Meeting December 10, 2019 at 4:30 p.m.

The Board confirmed a quorum for the Next Regular Board Meeting scheduled for Tuesday, December 10, 2019 at 4:30 p.m.

B. Other

Director Dougherty provided an update on Bowles Res Meeting, noting that the Annual meeting is scheduled for December 2, 2019 at 4:30 p.m. at the Raccoon Creek Golf Course. Bowles Res. Co. will have dam inspector out to inspect the dam for future fence line.

The Board discussed management and requested that Mr. Andrew Williams from CliftonLarsonAllen LLP attend the December meeting so there can be introductions made. The Board stressed the need for CLA to maintain strong service.

Adjournment

As there was no further business, the Board adjourned the meeting at 5:12 p.m.

Respectfully submitted,

By 

Secretary for the Meeting

AMERICAN AWNING CO.

4836 VANGORDON ST.
WHEATRIDGE, CO 80033
303.422.7949
303.422.9417 FAX

CUSTOM CANVAS AND METAL AWNINGS
WWW.DENVERAWNING.COM

COMMERCIAL DIVISION

PROPOSAL # 001

Contractor: Bowles metropolitan District ATTN: Andrew Williams
Phone: 3.793.1442
Fax:
Project: Lolly Park
Location: Littleton, Co

Date: 12/31/2019

AMERICAN AWNING CO. DOES HEREBY PROPOSE TO FURNISH MATERIALS AND LABOR
FOR THE BUDGETARY SUM OF \$ 25,500.00

(INCLUDING COLORADO RTD SALES TAX 50/50 SPLIT)

All work to conform to the ASIC code of standard practice

OUR SCOPE OF WORK WILL BE AS FOLLOW

DELIVERED AND ERECTED

1) Three (3) fabric shade sails. (2) triangle shaped and (1) saddle shape. With (6) steel surface mounted posts. (6) concrete caissons. Includes knitted shade cloth fabric, coated perimeter cable and stainless steel mounting hardware. Proposal assumes ground below the mounting slab is clear for excavating.

2) Approx. Size: (2) triangles at 20'x14'x14' - (1) saddle at 14'x14'x14'x14'

3) Posts: 5" round or square sched. 40 steel Color: Black

4) Fabric: HDPE knitted shade cloth Color: from the standard color palette.

NOTE:

Production time 6-8 weeks from approvals

(unless noted otherwise)

50% deposit required to process all orders.

THANK YOU

Todd Pietro

EXCLUSIONS

- 1) Engineering/Permits
- 2) Bonds & Fees
- 3) Electrical work
- 4)
- 5) Painting existing structures
- 6) Metal/wood blocking
- 7) Epoxy anchors
- 8) Existing Frame Modifications
- 9) Demolition/Patching
- 10) Galvanizing
- 11) Utility relocation
- 12) Flame Retardant Fabric
- 13) Signage/Graphics
- 14) Bolt thru
- 15) Test & inspections
- 16) Powder Coat

NOTE: Three move in has been included

additional move-ins to be charged

at \$70.00 per man hour

Qualifications:

Proposal valid for thirty (30) days from date

Accepted by:

Date:



COMMUNITY RESOURCE SERVICES OF COLORADO, LLC
The Offices at the Promenade East Building
7995 East Prentice Avenue, Suite 103E, Greenwood Village, CO 80111
(303) 381-4960 - (303) 381-4961 Fax - www.crsocolorado.com

January 9, 2020

Ms. Dawn Fredette
McGeady Becher P.C.

Via Email: dfredette@specialdistrictlaw.com

RE: Election Services – May 5, 2020
Bowles Metropolitan District

Dear Dawn:

Thank you for your interest in Community Resource Services of Colorado (“CRS”). Our highly experienced and skilled team’s mission is to provide cost effective consulting services in the areas of management, election administration, finance and accounting for local governments. CRS has extensive experience in conducting both small and large elections.

This proposal is based on conducting a mail ballot election for the Bowles Metropolitan District (“District”) for the upcoming May 5, 2020 regular election. If selected, Sue Blair of CRS would be appointed by the District Board to serve as the District’s designated election official, and she would fully conduct all aspects of the election, including, but not limited to the following:

- ✓ Preparation of Election Resolution
- ✓ Prepare Self-Nomination and Acceptance Forms
- ✓ Confirm Sufficiency of Self-Nomination and Acceptance Forms
- ✓ Preparation and publication of Required Election Notices
- ✓ Transmit Self-Nomination forms to the Secretary of State
- ✓ Certification of ballot
- ✓ Order voter registration and property owners’ listings
- ✓ Merge voter registration and property owners records to identify eligible electors
- ✓ Develop an inclusive eligible elector list (registered voters and qualified property owners)
- ✓ Provide printed ballots and all necessary election materials
- ✓ Process absentee ballot requests
- ✓ Coordinate efforts with outside vendors as necessary
- ✓ Preparation of all other election documentation necessary to conduct the election, counting forms, and election certification
- ✓ Recruit, appoint and train election judges, and prepare all necessary forms
- ✓ Establish canvass board and all pertinent forms
- ✓ Coordinate the counting of ballots
- ✓ Prepare certificates of election
- ✓ Completion of all statutory filings

We understand there are approximately 3,000 eligible electors. The hours spent to conduct an election can vary depending on community involvement and interest and the need for community/coordination meetings. CRS bills on a time and materials basis. The District will only be billed for actual time spent. The District will be responsible to pay all hard costs directly to the vendors (i.e., printing of election supplies, postage costs, ballot packets, etc.) with no markup by CRS. If selected, CRS will negotiate with reputable vendors to obtain the best pricing possible on behalf of the District. We anticipate that a majority of the time spent on this election will be billed at \$90.00 per hour. Ms. Blair's hourly rate is \$180.00/hour. The estimate for CRS services to conduct the election is between \$10,000-12,000. As noted above, hard costs are in addition to this estimate.

Please contact me with any questions you may have. Again, thank you for the opportunity to submit this proposal.

Very truly yours,

SUE BLAIR

Sue Blair
CEO



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227

January 7, 2020

Bowles Metropolitan District
C/O Clifton Larson Allen
Attention Pat Shannon
8390 East Crescent Parkway
Greenwood Village, CO 80111

RE: Proposed Marston Lake Trail, Denver County

Dear Mr. Shannon:

Thank you for the opportunity to comment on the proposed Marston Lake Trail located in Denver County. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comments on matters within our statutory authority.

Colorado Parks and Wildlife (CPW) received the Natural Resources Assessment conducted by ERO Resources Corporation. Wildlife Biologist, Lance Carpenter and I visited the area on December 18, 2019. During the site visit a red-tailed hawk, numerous mourning doves, and a bald eagle were observed.

This proposed project is located in Denver County on a narrow strip of land that runs between Marston Lake and Bowles Reservoir #1. Isthmus Park, owned by Bowles Metropolitan District, is located on the east side of the isthmus. The park provides views into the area but keeps human activity from encroaching onto the land bridge. The land to the west is owned by Twin Shores Master Association who have designated the isthmus as a bird sanctuary. Denver Water Board's Marston Lake is located to the north with no public access, and Bowles Reservoir #1 is located to the south. Bowles Reservoir is a private lake accessible to the Grant Ranch residents. This lake allows motorized access (electric or hand-propelled craft) but the shoreline access is restricted and an additional buoy closure keeps boaters from accessing the northern portion of the lake when the bird rookery is active.

The proposed, non-paved trail would run from Isthmus Park and extend west across the isthmus to the point it hits property managed by the Twin Shores Master Association. The proposal also includes fencing construction which would run along the southern boundary of the project to prevent recreational users of Bowles Reservoir #1 from accessing the area.

This area contains diverse habitat and vegetation from plains cottonwood trees, green ash trees, crack willows, chokecherries, and currant. A variety of native and non-native grasses are in the area as well. Some invasive



weeds such as Canada thistles are also present. This site comprises some of the last, relatively undisturbed, habitat for local wildlife which are enduring the cumulative, negative impacts of human sprawl in that area.

The isthmus receives use by a wide diversity of wildlife. Wildlife common to this area includes a variety of mammals such as raccoons, foxes, coyotes, squirrels, rabbits, small rodents, reptiles and amphibians. Many songbirds, waterfowl and raptors utilize the site as well. The mature trees, open space, and adjacent lakes provide great hunting grounds and nesting habitat for a variety of birds bringing in a diversity of songbirds, shorebirds, and birds of prey.

A bird rookery is located on the isthmus. This rookery is utilized by double-crested cormorants and great blue herons. CPW designated this area as winter range for bald eagles. A bald eagle nest is located across from the isthmus on the NW side of Marston Lake. During the winter months, the eagles are frequently observed utilizing the large cottonwoods along the isthmus as hunting and resting perches. An eagle was observed in the trees of the isthmus during our site visit.

Migratory birds, such as eagles, herons and cormorants are protected under the Migratory Bird Treaty Act, which protects them from take, harassment, and nest disruption at both the state and federal level. The herons and cormorants may start returning to the area as early as February and active nesting may occur through July. Therefore, a seasonal closure would be warranted to protect the rookery during that period.

The eagles arrive early winter (November- January) and active nesting occurs January through July. The eagles use the trees along the isthmus as hunting and resting perches as the surrounding lakes and meadows are important foraging areas for them. CPW encourages protection of eagle perches from human encroachment as that may cause the eagles to start avoiding the area. CPW would encourage Bowles Metropolitan District to consider a closure from December thru February to protect the eagles roosting and perching grounds along the isthmus during that time.

A fence line runs along the northern boundary of the isthmus to keep the public off the Denver Water Board site. Several years ago, additional fencing was installed to the southern edge of the isthmus along Bowles Reservoir #1. There is also fencing restricting access from the west and the east. The new trail proposal calls for the construction of an additional fence to run along the southern boundary of the project area. These fences are designed to contain and restrict recreational users, and their pets, out of particular areas, but they can restrict wildlife movement and can have significant impacts to local wildlife.

Although the isthmus contains a relatively small land surface, it is a refuge for a diversity of wildlife. The large bodies of water and limited human activity on the isthmus provides an area for urban wildlife to avoid the heavy human encroachment that surrounds it. The construction of the Marston Lake Trail will have impacts to wildlife. Thus, we appreciate any measures that are taken to help preserve some of the habitat value.

If the Bowles Metropolitan District decides to move forward with construction, CPW recommends the following as mitigation recommendations:

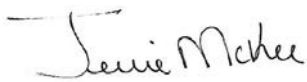
- Migratory birds are protected from take, harassment, and nest disruption at both the state and federal level. Any planned trail construction should occur outside of seasonal nest occupancy. If construction activity does occur, buffer zones should be established around any migratory bird nest to include songbirds, waterfowl, and raptors. This will help prevent the unlawful destruction or disruption of active nesting activity.
- With the active heron and cormorant rookery, a seasonal trail closure should be imposed from February 1 through August 31st. CPW concurs with ERO's recommendation of a 300-meter buffer zone around

the rookery during the active nesting season. Vegetative buffers between human activity and the nests will further protect the nesting.

- Consideration should be given on who would be responsible for restricting access and how the closure would be enforced.
- Access to the trail during the winter months may disrupt the foraging and resting perches the eagles currently utilize on the isthmus. A seasonal closure December thru February would help to mitigate the impacts. Allowing access to dogs will further disrupt eagle activity.
- If dogs are allowed, consideration for an education plan and enforcement guidelines for individuals not adhering to leash rules should be considered.
- CPW encourages Bowles Metropolitan District to consult with the US Fish and Wildlife Service to determine if they have any additional concerns or recommendations on the trail's impacts to migratory birds.
- CPW encourages the varying entities to work together to minimize the impacts of this trail. There is a dam access road that runs along the northern edge of Bowles Reservoir #1. Moving the trail alignment adjacent to this road, and outside of the center of the isthmus habitat, would help minimize impacts.
- Working cooperatively to allow limited access to adjacent residents, while minimizing the required fencing to protect sensitive areas would help minimize impacts to wildlife.
- Although fencing has been added to restrict human activity and protect the sensitive habitat, adding additional fencing further restricts the movement of wildlife.
- CPW has reference material for wildlife friendly fencing titled *Fencing with Wildlife in Mind*. However, wildlife friendly fencing would make the area accessible to recreationalist and their pets.
- If any trees are removed from the site, we recommend they be replaced utilizing native species with a minimum of a 1:1 ratio.
- Revegetation plans to disturbed areas would be most beneficial to wildlife if planted with native plantings and then left undisturbed.
- Since noxious weeds are on site, we recommend that machinery be inspected prior to leaving the site so visible plant material can be removed. This will help slow the spread of invasive seeds.

Thank you for allowing CPW to comment on this proposal. If you have any questions, feel free to contact me directly at (303) 880-4089.

Sincerely,



Jerrie McKee
District Wildlife Manager

cc: M. Leslie, T. Kroening, M. Martinez, L. Carpenter

Memorandum

Date: 01/14/2020

To: Bowles Metropolitan District Board of Directors

From: Andrew Williams, Assistant District Manager

RE: District Manager's Report for January 14, 2020

1. Railing Replacement in Blue Heron Park – CLA has contacted and received a quote for the fencing replacement from Homestead Painting. CLA is now working with GWSD on a cost sharing agreement to replace the fencing that was cut down by GWSD during the emergency sewer repairs.
2. Lolly Park Improvement – CLA has obtained an invoice for the installation of the shade sails in Lolly Park. The contractor for the sails, American Awning Company, has confirmed that the delivery and installation of the sails can be delayed until spring. CLA has also contacted Rocky Mountain Recreation about purchasing new table tops for the park, with a delivery date in the spring.
3. ESRI Mapping Updates – CLA has been working with Joe Rhodes to build out the districts GIS map. Joe will work with the district to build out a public facing map enabling the public to view the publicly accessible mapping files. CLA has also provided a memo to the board, detailing instructions to use a new ESRI mapping product that would enable to board and specified individuals to upload and interact with a map containing areas of concern within the district.
4. Blue Heron Detention Park Dredging – CLA has reached out to Mile High Flood District (MHFD) to begin working on the dredging of Blue Heron Park. The district hopes to establish a cost sharing agreement with MHFD for improvements to the drainage in the park.
5. Sunset Park Updates – Replacement parts for the damaged slide in Lolly Park have been ordered and an insurance claim has been filed. Delivery for the replacement part for the slide is scheduled for late January. Designscapes addressed an open sewer grate in Sunset Park that was reported by a district resident. The grate has been reinstalled in its proper position.
6. Newsletter Updates – CLA has contacted the HOA members responsible for the newsletter circulation in the district and has provided information about the upcoming board election and open house for the Isthmus trail project.

From: Dean Pickett <dean.pickett6700@yahoo.com>

Sent: Sunday, January 12, 2020 9:55 PM

To: Shannon, Patrick <Patrick.Shannon@claconnect.com>

Subject: [External] Bowles Metropolitan District: Installing Neighborhood Watch signs on Raccoon Creek Fence

Mr. Shannon, thanks for your time a few days ago. With your upcoming Board meeting, I wanted to be clear on the request I'm making on behalf of the Dorado Greens Subassociation in Grant Ranch. We want permission to install up to three Neighborhood Watch signs on fenceposts between Dorado Greens the area near 15th hole of Raccoon Creek Golf Course. They would be aluminum, 12" x 8", in the form below, and would be more or less evenly spaced from one end of where Dorado Greens begins to where it ends. We've had 3 burglaries and one car theft in Dorado Greens in the past 7 weeks, and want to take measures to try to prevent these crimes from happening again. We are working with Denver Police Department to help with these efforts, and want to be sure our more vulnerable side, along the golf course, has these signs to deter trespassing and worse from that direction.

I can be reached on my cell at 928-380-0145. Thanks so much for your kind assistance.

Dean Pickett
President
Dorado Greens Subassociation, Inc.

