

RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BOWLES METROPOLITAN DISTRICT  
HELD  
JANUARY 13, 2009**

A special meeting of the Board of Directors of the Bowles Metropolitan District was duly held Tuesday, January 13, 2009, 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:

David A. Hobart  
Jack Anttonen  
Donald Korte  
Timothy LaPan  
Jan C. Cranor (arriving late)

Also in attendance were:

David Peak; R.S. Wells LLC  
Bob Brooks; R.S. Wells LLC  
Cindy Torrey; Grant Ranch HOA  
Norma Watkins; Grant Ranch HOA  
Michelle Kales; Brownstein Hyatt Farber Schreck, LLP  
Steve Day; Day & Associates  
Jody Bost; CoCal Landscape  
Matt Fish; CoCal Landscape

ADMINISTRATIVE

MATTERS      Agenda

Director Korte called the meeting to order and declared a quorum. Upon a motion duly made by Director Hobart, seconded by Director Anttonen and, upon vote, unanimously carried, the Board approved the agenda as presented and appointed Director Korte as acting chairman.

Minutes

The Board reviewed the minutes of the December 9, 2008 regular board meeting. After discussion, upon a motion duly made by Director Hobart, seconded by Director Anttonen and, upon vote, unanimously carried, the Board approved the minutes of the December 9, 2008 regular meeting as presented.

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Consider Adoption of Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Locations for Posting of 72-Hour and 24-Hour Notices

Following discussion, upon a motion duly made by Director Anttonen, seconded by Director Hobart and, upon vote, unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Locations for Posting of 72-Hour and 24-Hour Notices as presented.

COMMUNITY  
ISSUES

Mr. Peak introduced Bob Brooks as managing partner of R.S. Wells L.L.C.

FINANCIAL  
MATTERS

Claims

Mr. Peak presented the claims to the Board. After review, upon a motion duly made by Director Hobart, seconded by Director Anttonen and, upon vote, unanimously carried, the Board approved the December 2008 claims totaling \$54,009.56, represented by check numbers 5741 through 5761.

Unaudited Financial Statements as of November 30, 2008

Mr. Peak presented the unaudited financial statements to the Board as of November 30, 2008. After discussion, upon a motion duly made by Director Anttonen, seconded by Director LaPan and, upon vote, unanimously carried, the Board accepted the unaudited financial statements as of November 30, 2008 as presented.

Discuss Wells Fargo Money Market Funds for District

Mr. Peak had the Directors sign the Wells Fargo application for the money market funds. The Board requested that the District funds be distributed into CDs as needed.

CAPITAL IMPROVEMENTS /  
OPERATIONS  
MATTERS

Landscape Maintenance Report

Ms. Bost reported on the maintenance for last month. Report as of 12/9/08:

- Crews have performed standard winter services such as leave clean-up in beds and turf areas. Some leaf clean-up remains and work will continue as leaves are still falling.
- Dog stations were replenished with bags and trash cans emptied and re-lined per the specifications.
- Some Zimmerman Pine Moths were noted and CoCal Landscape will present a proposal for treatment for the February meeting.
- The irrigation system and weather station has been winterized.
- CoCal Landscape has done winter watering of all Honeylocust trees by truck for two full days.

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- In December, crews will continue standard winter services and will begin the dormant pruning.
- Snow clearing was performed for HOA areas from the December 4<sup>th</sup> and 5<sup>th</sup> storm. The Metro trails did not reach the depth specification for service.
- Snow clearing was performed for HOA areas last night beginning at 11:40 p.m. and continued through 6:00 a.m. It appears that overall approximately 6" was received and clearing occurred about 2 times for all of these areas. Ms. Bost indicated the trails were cleared this morning when they were at about a 6" depth of snow. Pedro Flores was on site and directed the crews to perform this service, but it appears that the crews either reported this work incorrectly as HOA work or failed to report it at all to dispatch. Ms. Bost will follow up to get the correct information tomorrow morning. Pedro was confident that the service did occur on the open space trails.

### Review and Consider Work Orders

There was no work orders submitted.

### LEGAL MATTERS

#### Executive Session Pursuant to Section 24-6-402(4)(b), C.R.S., for the Purpose of Receiving Legal Advice on Specific Legal Questions

Director Hobart moved and Director LaPan seconded a motion for the Board to go into Executive Session pursuant to C.R.S. §24-6-402(4)(b), receiving specific legal advice from an attorney on specific legal questions. Motion carried unanimously.

The Board went into Executive Session at approximately 4:50 p.m. with Attorney Kales. Please see attached attorney statement regarding privileged attorney-client communication.

Upon motion duly made by Director Korte, seconded by Director Anttonen and, upon vote, unanimously carried, the Board reconvened in regular session at approximately 5:45 p.m. There was no action taken by the Board in Executive Session.

#### Appoint Steve Day as District Representative for the Tree Replacement Project

Following discussion, upon a motion duly made by Director Korte, seconded by Director Hobart and, upon vote, unanimously carried, the Board appointed Steve Day as District Representative for the tree replacement project.

### OTHER BUSINESS

#### Discuss Purchasing of Additional Water Shares

The Board requested this item to be tabled until the February meeting.

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Confirm Quorum for February 10, 2009 Board Meeting

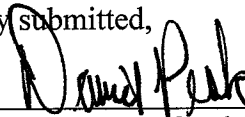
Mr. Peak confirmed a quorum for the February 10, 2009 regular board meeting.

ADJOURNMENT

Upon a motion duly made by Director Hobart, seconded by Director LaPan and, upon vote, unanimously carried, the Board adjourned the meeting at 5:50 p.m.




Respectfully submitted,

By



Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL JANUARY 13, 2009  
MINUTES OF THE BOWLES METROPOLITAN DISTRICT BY THE BOARD  
OF DIRECTORS SIGNING BELOW.

  
Jan C. Cranor  
Jack Anttonen  
Donald W. Korte  
David A. Hobart  
Timothy LaPan

ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Bowles Metropolitan District, I attended the executive session meeting of Bowles Metropolitan District convened at 4:50 p.m. on January 13, 2009 for the sole purpose of discussing specific legal questions regarding the Honeylocust trees located within the District as authorized by Section 24-6-402(4)(b), C.R.S.. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signed



Michelle Kales

Attorney for Bowles Metropolitan District

Dated:

1/13/09