

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
BOWLES METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
APRIL 12, 2022

A regular meeting of the Board of Directors of the Bowles Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, April 12, 2022, at 4:30 p.m., at the Village Center. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Thomas Dougherty, President
Donald W. Korte, Treasurer
Timothy LaPan, Assistant Secretary
Linda Lutz-Ryan, Assistant Secretary

Director Chaffee was absent and excused.

Also, In Attendance Were:

Anna Jones and Nic Carlson; CliftonLarsonAllen LLP ("CLA")
Rob Massengale, Johnny Jimenez and Cora Castegneri; Designscapes Colorado Inc.
Derek Fox; Davey Tree
Jack Pritchett; EcoResource Solutions
Jake Morgan and Jeremy Wuertemburg; Homestead Fencing
Al Chernosky; Resident
Paul LeFever; Grant Ranch Master HOA Manager

ADMINISTRATIVE MATTERS

Call to Order & Agenda: The meeting was called to order at 4:30 p.m. by Director Dougherty.

Following discussion, upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the Board excused the absence of Director Chaffee.

The Board reviewed the Agenda for the meeting.

Following discussion, upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

Potential Conflicts of Interest: There were no additional conflicts of interest disclosed.

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Quorum/Confirmation of Meeting Location/Posting of Notice: Mr. Carlson confirmed the presence of a quorum.

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, it was determined to conduct the meeting at the above-stated date, time and location.

It was further noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the District's boundaries have been received.

Minutes from the March 8, 2022 Regular Board Meeting: Following review, upon a motion duly made by Director LaPan, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board approved the Minutes from the March 8, 2022 Regular Board Meeting, as presented.

Public Comment: Mr. LeFever addressed the Board regarding some tree removal requests made by a resident. Mr. Fox noted that Davey Tree will look into the issues.

Mr. LeFever mentioned the Picnic in the Park and requested a sponsorship from the Board in the amount of \$8,000. The Board discussed the sponsorship. Upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the Board approved sponsoring the Picnic in the Park event in the amount of \$8,000.

Resident Al Chernosky asked the Board about the website and about the agreement with Grant Water Sanitation District regarding tree removal.

FINANCIAL MATTERS

February 28, 2022 Unaudited Financial Statements: Following review, upon a motion duly made by Director Korte, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board accepted the February 28, 2022 Unaudited Financial Statements, as presented.

Claims in the amount of \$255,815.42: Following review, upon a motion duly made by Director Korte, seconded by Director LaPan and, upon vote, unanimously carried, the Board accepted the Claims in the amount of \$255,815.42, as presented.

Other: None.

MANAGEMENT MATTERS

Operational Updates and Action Items:

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Landscape:

Hydro Systems KDI Project and irrigation Mapping: Mr. Massengale provided an update to the Board regarding the irrigation system noting that it is charged and ready for use.

Request From Homeowner Regarding Planting Around the Basketball Court at Sunset Park: The Board discussed this request and agreed to plant a tree near the southwest corner of the basketball court. The Board directed Mr. Massengale to add this to the planting request and will provide pricing for three trees at next month's Board meeting.

Sunset Park Tree Planting Proposal in the Amount of \$14,551: Following review, upon a motion duly made by Director LaPan, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the Sunset Park Tree Planting Proposal in the amount of \$14,551.

Blue Herron Park Tree Planting Proposal in the Amount of \$8,158: Following review, upon a motion duly made by Director LaPan, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the Blue Herron Park Tree Planting Proposal in the amount of \$8,158.

Isthmus Park Tree Planting Proposal in the Amount of \$8,100: Following review, upon a motion duly made by Director LaPan, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the Isthmus Park Tree Planting Proposal in the amount of \$8,100.

Isthmus Park Bed Planting Proposal in the Amount of \$25,000.41: This item was tabled. No action was taken.

Other: Director LaPan asked Designsapes about irrigation and plant material plans for Isthmus Park. Mr. Massengale reported out on the progress. Ms. Castagneri presented a map outlining the irrigation and landscape design placement. Upon a motion duly made by Director LaPan, seconded by Director Korte and, upon vote, unanimously carried, the Board approved Designsapes' proposal subject to final review by director LaPan in an amount not to exceed \$45,000.

Davey Tree:

General Update: Mr. Fox provided an update to the Board indicating the pruning project will commence in the next few weeks.

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Vista Park Tree Removal Proposal in the Amount of \$1,375.00:

Following review, upon a motion duly made by Director Korte, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board ratified approval of the Vista Park Tree Removal Proposal in the amount of \$1,375.00.

Pond Update:

Blue Herron Park Pond March Water Quality Analysis: Mr. Pritchett reviewed the Water Quality Analysis Results with the Board. Mr. Carlson reviewed the water sampler adjacent to Bow Mar with the Board. EcoResource Solutions agreed to take manual samples and the results to the Board. No action was taken.

Isthmus Park Project:

Project Timeline: Director Lutz-Ryan provided an update to the Board.

Payments to Ashley Luke for Design Work: The Board discussed and agreed to pay a final invoice for her design services.

Gazebo Discussion: Director LaPan discussed the gazebo color scheme and noted that he will coordinate directly with Jay Fells.

Pump House Maintenance:

Rocky Mountain Pump & Controls, LLC Yearly Maintenance Proposal in the Amount of \$2,125.00: Mr. Carlson reviewed the proposal with the Board. Following review, upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the Rocky Mountain Pump & Controls, LLC Yearly Maintenance Proposal in an amount not to exceed \$2,125.00.

Fencing:

Methodology of Fence Repair: Mr. Morgan provided an update to the Board regarding the fence repair progress. The Board discussed the replacement criteria and asked for more communication with the residents when repair work is occurring. Mr. Morgan noted he will coordinate with Mr. LeFever and HOA staff for resident communications going forward and will also distribute door hangers with fence repair information to impacted homes. The Board also asked that a District representative conduct a fence walk through with Homestead. The board discussed

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maintenance of fences adjacent to private property and determined that the District will be responsible for maintaining only the portions accessible and visible from District property. Additionally, the board determined that private improvements of District owned fences including gates will not be maintained by the District.

Following review and discussion, upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the Board approved Change Order for repairs in Vista Park in an amount not to exceed \$1000.00.

Roundabout:

Revocable License Agreement: Mr. Carlson reviewed the damage of the roundabout with the Board and discussed the terms of the License Agreement with the City of Lakewood. The Board discussed and determined to track the cost of repairs for the remainder of the year before making a decision. No action was taken.

Other: None.

LEGAL MATTERS

Legal Team Transition: Following discussion, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board determined to engage Icenogle Seaver Pogue, P.C. and Attorney Alicia Corley as their new Legal Counsel. CLA will coordinate with McGeady Becher, P.C. and Icenogle Seaver Pogue, P.C to establish a transition plan and timing.

Other: None.

DIRECTOR MATTERS

Pedestrian Crosswalk: Director Lutz-Ryan provided an update to the Board.

Quorum for Next Board Meeting: The Board confirmed a quorum for the next Board Meeting on May 10, 2022 and requested the meeting start at 3:30 p.m.

Other:

OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the meeting was adjourned at 6:07 p.m.

