

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
BOWLES METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
NOVEMBER 8, 2022

A regular meeting of the Board of Directors of the Bowles Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, November 8, 2022, at 4:30 p.m., at the Village Center. The meeting was open to the public.

### ATTENDANCE

#### **Directors In Attendance Were:**

Timothy LaPan, President  
Donald W. Korte, Treasurer  
Leigh C. Chaffee, Assistant Secretary  
Linda Lutz-Ryan, Assistant Secretary

#### **Also, In Attendance Were:**

Nic Carlson and Anna Jones; CliftonLarsonAllen LLP ("CLA")  
Johnny Jimenez and Ross Brown; Designscapes Colorado Inc.  
Paul LeFever; Grant Ranch Master HOA Manager  
Derek Fox; Davey Tree  
Alan Lee, Resident  
Mike Podeyn, Resident

### ADMINISTRATIVE MATTERS

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

The Board reviewed the agenda for the meeting.

Following discussion, upon a motion duly made by Director Chaffee, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the agenda, as presented.

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

**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.

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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 October 10, 2022 Special Board Meeting:** Following review, upon a motion duly made by Director Chaffee, seconded by Director Korte and, upon vote, unanimously carried, the Board approved the Minutes from the October 10, 2022 Special Board Meeting, as presented.

**Resolution No. 2022-11-01 Regarding Annual Administrative Matters:** Mr. Carlson reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Chaffee, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board approve Resolution No. 2022-11-01 Regarding Annual Administrative Matters, as presented.

**Public Comment:** Mr. Podeyn asked about the vegetation near the pump house. Discussion followed.

Mr. LeFever discussed the homeless activity, water season and his retirement beginning in February.

### FINANCIAL MATTERS

**Claims in the amount of \$105,368.71:** Mr. Carlson reviewed the claims with the Board. Following review, upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board accepted the Claims, as presented.

**September 30, 2022 Unaudited Financial Statements:** Following review, upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board approved the September 30, 2022 Unaudited Financial Statements, as presented.

**Public Hearing on Amendment to 2022 Budget:** Upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board opened the public hearing to consider an amendment to the 2022 Budget at 4:46 p.m.

It was noted that publication of Notice stating that the Board would consider amendment of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

With no public comments received, upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the

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Board closed the public hearing to consider an amendment to the 2022 Budget at 4:46 p.m.

Mr. Carlson reviewed the need to amend the Capital Projects fund for the 2022 budget in the event that Chavez can complete the parking lot repairs.

Following discussion, upon a motion duly made by Director Chaffee, seconded by Director Korte and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-02 to Amend the 2022 Budget.

**Public Hearing on 2023 Budget:** Upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board opened the public hearing to adopt the 2023 Budget at 4:47 p.m.

It was noted that Notice stating that the Board would consider adoption of the 2023 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

There were no public comments.

The Board reviewed the estimated 2023 expenditures and the proposed 2023 expenditures.

Upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board closed the public hearing to adopt the 2023 Budget at 4:53 p.m.

Upon motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board approved the 2023 Budget, as discussed, and considered adoption of Resolution No. 2022-11-03 to Adopt the 2023 Budget and Appropriate Sums of Money. Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Jefferson County and Denver County not later than December 15, 2022. District Counsel was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2023.

Upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board appointed Director LaPan to sign the DLG70 Certification of Tax Levies.

**Other:** None.

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### LEGAL MATTERS

**Resolution No. 2022-11-04 Calling May 2, 2023 Election:** The Board discussed the May 2, 2023 election. Following discussion, upon motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-04 Calling a May 2, 2023 Directors' Election which appointed Sue Blair as the Designated Election Official and authorized her to perform all tasks required for the May 2, 2023 Regular Election of the Board of Directors for the conduct of a mail ballot election.

**Resolution Designating an Official Custodian for the Colorado Open Records Act:** Following review, upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board adopted the Resolution Designating and Official Custodian for the Colorado Open Records Act and adopted the Rules Related to Requests for Inspection of Public Records Pursuant to Colorado Open Records Act.

**Other:** None.

### MANAGEMENT MATTERS

#### **Operational Updates and Action Items:**

##### **Landscape:**

**General Update:** Mr. Jimenez provided an update to the Board.

**Hydro Systems KDI Project and irrigation Mapping:** Mr. Jimenez provided an update.

**Discussion Regarding the Gate Valve Behind Belvedere:** Following discussion, the Board directed Designsapes to dig out the valve and bring back a proposal to the December meeting.

**Blue Beam Project Mapping Software:** Mr. Jimenez review the use of the Blue Beam software with the Board. Following review, upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board approved the use of the Blue Beam project mapping software.

**Irrigation Valve Replacement:** Mr. Jimenez provided an update on the native tract irrigation and valve replacement. Following discussion, upon a motion duly made by Director Korte, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board approved splitting the project into 2 phases split between 2023 and 2024 in the amount not to exceed \$100,000, subject to Director LaPan's review.

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**Davey Tree:**

**General Update:** Mr. Fox provided an update to the Board noting he will be removing the Russian Olive Tree that was approved at the last meeting.

**Deadwood in Rookery:** Following discussion, the Board gave CLA direction to coordinate a meeting with the Bowles Reservoir Company. Mr. Fox will bring back a proposal in December.

**Park Update:**

**Birding Improvement Proposal for Isthmus Park:** Mr. Lee reviewed his proposal with the Board. Following review, upon a motion duly made by Director Korte, seconded by Director LaPan and, upon vote, unanimously carried, the Board approved the Birding Improvement Proposal for Isthmus Park in the amount not to exceed \$1,500.

**Irrigation Water Usage:**

**Irrigation/Water Use Spreadsheet:** Mr. Carlson reviewed with the Board.

**CliftonLarsonAllen LLP Statement of Work for 2023:** Mr. Carlson reviewed with the Board. Following review, upon a motion duly made by Director Korte, seconded by Director Chaffee and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Statement of Work for 2023.

**Other:** None.

DISTRICT  
ENGINEER

**Other:** None.


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 Chaffee, seconded by Director Korte and, upon vote, unanimously carried, the Board adjourned the meeting at 5:30 p.m.

Respectfully submitted,

DocuSigned by:  
By   
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Secretary for the Meeting