

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
BOWLES METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
AUGUST 9, 2022

A regular meeting of the Board of Directors of the Bowles Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, August 9, 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:

Nic Carlson, Anna Jones, and Ashley Heidt; CliftonLarsonAllen LLP ("CLA")
Johnny Jimenez; Designsapes Colorado Inc.
Paul LeFever; Grant Ranch Master HOA Manager
Derek Fox; Davey Tree
Scott Barnett; Mulhern MRE
Jake Morgan; Homestead Painting LLC
Pilar Huyos, Kern Ferguson, Ruthann Moomy, Alan Lee, Tracy Bolger and Robin Fish; Residents

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 LaPan 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 Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the agenda, as amended to add the update of the gazebo project and move up the District Engineer/ Detention Pond item to follow public comment on the agenda.

September Meeting Date Change: Mr. Carlson and Ms. Jones explained the

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need to move the September meeting to Monday, September 12 instead of Tuesday, September 13. The Board decided this would be fine.

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.

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 July 12, 2022 Regular Board Meeting: Following review, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the Minutes from the July 12, 2022 Regular Board Meeting, as presented.

Public Comment: Ms. Bolger expressed to the Board that the detention pond needs attention, specifically the forebay and trickle channels need to be cleared of cattails and sediment as the water is not able to drain.

Mr. LeFever noted that with winter approaching, he would like to obtain a container for Designscares to store their equipment and is asking for the District to share the cost. He noted it would be around \$8,000-10,000. Director Dougherty asked where it would be stored. Mr. LeFever noted it would be stored by the dumpsters. Director Korte asked where it would be stored in the summer. Mr. LeFever noted it would just be a rental for the winter.

Mr. Lee addressed the Board and noted he would like to help out on the Board.

Gazebo Project: Mr. Carlson reviewed photos of the gazebo progress with the Board noting that there might be 1-2 days of work left. Mr. Morgan noted he needs to paint the posts and needs to cover the old framing with metal edging. He noted the work should be wrapped up tomorrow. Director Dougherty asked if Homestead could go out and repair some of the broken slats on the fences.

District Engineer:

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Blue Herron and Sunset Park Parking Lot Projects: Mr. Carlson discussed with the Board and noted that legal classifies this project as a capital project with requires it to be bid out. Due to the size and scope of the project, Mr. Carlson noted CLA advises bringing on an engineer.

Maintenance of Detention Ponds and Request from Town of Bow Mar: Mr. Carlson reviewed with the Board noting that legal wants an engineer to look over all documents and bring back a scope of work. Director Korte stated there needs to be long term and short term solutions. Mr. Carlson noted EcoResource Solutions can likely get out and treat the detention ponds next week and could get Designsapes to clear out some of the sediment. He also stated that cattail removal will have to be done in the spring and EcoResource Solution can treat the water.

Ms. Huyos wanted clarification whether what is being done at the Bow Mar Pond will be done to all ponds in the neighborhood. She addressed the smell and landscape maintenance of weds and Russian Olive trees. Director Korte noted the smell, insects and algae need to be addressed.

Director Dougherty noted that the attorney will review all documents with Bow Mar. He stated that the fence was put in by Bowles but was paid for by Bow Mar. He asked for clarification on what the District is responsible for and what it is not.

Drew, a resident of Heron Shores, mentioned his fence is leaning and is concerned with the bugs from the pond and the fire hazards of the open space behind his house.

Following discussion, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved a not to exceed amount of \$10,000 to have EcoResource Solutions to treat the detention ponds.

Mulhern MRE Proposal for On Call Engineering Services: Ms. Jones provided some context regarding Mr. Barnett's abilities. Mr. Barnett introduced himself to the Board and noted he could be a good fit to be the on-call engineer for the District. Following review, upon a motion duly made by Director Korte, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board approve the Mulhern MRE proposal for on call engineering services.

FINANCIAL MATTERS

June 30, 2022 Unaudited Financial Statements: Director Dougherty noted that the financials came in late and that the Board is worried with their promptness. He asked CLA to reach out to Simmons and Wheeler.

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Claims in the amount of \$155,482.90: Following review, upon a motion duly made by Director Dougherty, seconded by Director Korte and, upon vote, unanimously carried, the Board accepted the Claims, as presented.

Other: None.

MANAGEMENT MATTERS

Operational Updates and Action Items:

Landscape:

Hydro Systems KDI Project and irrigation Mapping: Mr. Jimenez noted that the link is ready for review and revisions. Director LaPan mentioned he asked the vendor to make the map color coded.

Sump Replacement Proposal for Blue Herron Park in the Amount of \$43,256.46: Mr. Jimenez reviewed the proposal with the Board. Director LaPan noted that there are areas that need more help than others. Director Dougherty stated it would just make sense to get it all done at once. Director Korte asked if it was a reasonable price. Mr. Jimenez reviewed the cost breakdown with the Board. Following discussion and review, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the Sump Replacement proposal for Blue Herron Park in the amount of \$43,256.46, as presented.

Sump Replacement Proposal for Sunset Park in the Amount of \$26,502.46: Mr. Jimenez reviewed the proposal with the Board. Following discussion and review, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the Sump Replacement proposal for Sunset Park in the amount of \$26,502.46, as presented.

Sunset Park Playground Mulch Proposal in the Amount of \$1,285.00: Mr. Jimenez reviewed. Following discussion and review, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the Sunset Park Playground Park proposal in the amount of \$1,285.00, as presented.

Seeding Proposal in the Native Grass Area: Mr. Jimenez reviewed with the Board. Following review, upon a motion duly made by Director LaPan, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the Seeding Proposal for the Native Grass area in an amount not to exceed \$1,500, subject to Director LaPan's final approval.

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Other: Mr. Jimenez asked about helping to remove sediment from the detention ponds and how they can help. Mr. Carlson directed them to start by cleaning out the forebay's.

Director LaPan asked about the radiant crab trees in Sunset Park.

Davey Tree:

General Update: Mr. Fox provided an update and noted they are almost done with the main pruning of the District.

Isthmus Park Tree Removal Proposal in the Amount of \$3,800: Mr. Fox 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 Isthmus Park Tree Removal proposal in the amount of \$3,800.

Tree Removal and Stump Grinding Proposal in the Amount of \$10,200: Mr. Fox reviewed the proposal with the Board. Following review, upon a motion duly made by Director Korte, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board approved the Tree Removal and Stump Grinding proposal in the amount of \$10,200.

Other: Mr. Carlson noted that all tree insurance claims from the May snowstorm damage were approved.

Irrigation Water Usage:

Irrigation/Water Use Spreadsheet: Mr. Carlson reviewed with the Board. Director Korte noted that this is what they were looking for.

Grant Ranch HOA:

Rainmaster 4G Upgrades: Mr. Jimenez reviewed the need for the upgrade for all of the clocks. Following review, upon a motion duly made by Director Dougherty, seconded by Director Lutz-Ryan and, upon vote, unanimously carried, the Board ratified approval of the Rainmaster 4G upgrades.

Park Update:

MFish Graphics Proposal for Dog Leash Signs on Pet Waste Stations in the Amount of \$275: Mr. Carlson reviewed with the Board. Following review, upon a motion duly made by Director Dougherty, seconded by

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Director Lutz-Ryan and, upon vote unanimously carried, the Board approved the MFish Graphics Proposal for Dog Leash Signs on Pet Waste Stations in the amount of \$275.

MFish Graphics Proposal for Dog Leash Signs on Existing Park Signs in the Amount of \$423.40: This item was tabled.

Other: None.

LEGAL MATTERS

Resolution Establishing Delegations of Power and Duty to the District Manager in an Amount Not to Exceed \$5,000 Per Occurrence: Mr. Carlson reviewed with the Board. Following review, upon a motion duly made by Director Korte, seconded by Director Dougherty and, upon vote, unanimously carried, the Board approved the Resolution Establishing Delegations of Power and Duty to the District Manager in an amount not to exceed \$5,000 per occurrence, as presented.

Other: None.

DIRECTOR MATTERS

Quorum for Next Board Meeting: The Board confirmed a quorum for the next Board Meeting on September 12, 2022 at 4:30 p.m.

Other: Director Dougherty stated that he is officially resigning from the Board effective immediately.


OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Korte adjourned the meeting at 5:59 p.m.

Respectfully submitted,

By 
 DocuSigned by:
 Linda Lutz-Ryan
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 Secretary for the Meeting

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ACTION ITEM LOG

Study session with Engineering regarding detention ponds
Radiant crab trees in sunset- Nic to follow up with Davey
BBQ cleaning
Dead branch clean up in open space tracks
Basketball hoop nets
Port-o-potties
Xylophone proposals
Follow up with pump vendor for new pump proposals