

**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2, AND 3
HELD SEPTEMBER 12, 2023
AT 9:00 AM**

Pursuant to posted notice, the regular meetings of the Board of Directors of the Bradley Heights Metropolitan District Nos. 1, 2 and 3 were held on Tuesday, September 12, 2023, at 9:00 a.m., at 119 N. Wahsatch Avenue, Colorado Springs, CO, and via tele/videoconference: <https://video.cloudoffice.avaya.com/join/451389423>.

Attendance

In attendance were Directors:

Randle Case II, President
Bryan Long, Vice President (Excused)
Robert Case, Assistant Secretary
Ray O’Sullivan, Treasurer/Secretary
Jim Byers, Assistant Secretary (Excused)

Also in attendance were:

K. Sean Allen, Esq., White Bear Ankele Tanaka & Waldron
Kevin Walker, WSDM District Managers
Rebecca Harris, WSDM District Managers
Eric Smith, Matrix Design Group
Jeff Odor, Matrix Design Group
Chris Grundy, Project Manager
Rob Fuller, ROI
Nathan Steele, ROI
Ryan Case, Interested Party

Combined Meeting: The Board of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

1. Call to Order: The meeting was called to order at 9:00 a.m. by President Case II with Directors Long and Byers excused.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters: Ms. Harris indicated that a quorum of the Boards was present and stated that each Director has been qualified as an eligible elector of the Districts pursuant to Colorado law. The Directors confirmed their qualification. Mr. Allen advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Harris reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Allen inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.
3. Approval of Agenda: Ms. Harris removed item 9.a. from the Agenda. Director O’Sullivan moved to approve the Agenda as amended; seconded by Director Robert Case. Motion passed unanimously.

4. Approval of August 8, 2023 Meeting Minutes: Director Robert Case moved to approve the August 8, 2023 Minutes; seconded by Director O’Sullivan. Motion passed unanimously.
5. District Manager Report
 - a. Service Plan Amendment Status: Mr. Walker reported the Service Plan Amendment is tentatively scheduled for the third week of October with City Council. The Amendment changes District 2 O&M mill levy from 10 mills to 20 mills.
 - b. Right-of-way Acquisition Update: Mr. Walker discussed the right-of-way acquisition and reported that the appraisal is completed, and the next step is to submit an official offer to the property owners.
6. President of the Board Report: President Case II reported he attended the recent OAC meetings and updates will be provided next on the Agenda. He noted that Director O’Sullivan will join the rest of the meeting remotely so that he can attend the City Council meeting.
7. Development Status Review
 - a. Engineering Update: The Board reviewed the monthly engineering and construction report provided by Mr. Grundy.
 - i. Schedule: Mr. Grundy provided an update on the schedule.
 - b. Plan Updates
 - i. Roadway/ Utility/ Storm Water: Mr. Odor provided an update on roadway, utility, and storm plans.
 - ii. Channel Design: Mr. Odor provided an update on the channel design.
 - iii. 24” and 16” Water Line Update: Mr. Grundy provided an update on the water main extension project.
 - c. Construction Schedule/Construction Contracts Approval/Ratify/Pre-approval: Mr. Grundy presented Change Order 22 for repair of Marksheffel Road to be ratified. Director Robert Case moved to ratify Change Order 22; seconded by Director O’Sullivan. Motion passed unanimously. Mr. Grundy discussed the tumbleweeds that need to be mitigated. The proposal for tumbleweed mitigation and spraying totals \$11,000. Director O’Sullivan moved to approve the Change Order for tumbleweed mitigation and spraying up to \$11,000; seconded by Director Robert Case. Motion passed unanimously.
 - d. Update on Construction Budget and Assurance: Mr. Walker reported he is preparing for the meeting with the City in the next 30-60 days.
 - e. Redemption Hill Church: President Case II reported there are tours at the site.
 - f. Challenger Homes: There was no update provided.
 - g. Bradley Ridge: Director O’Sullivan provided an update on Bradley Ridge and noted they continue to move forward on the submittals.
8. Financial Matters
 - a. Approve Unaudited Financial Reports through August 31, 2023: Ms. Harris presented the unaudited financial reports through August 31, 2023. After review, Director O’Sullivan moved to approve the unaudited financial reports through August 31, 2023; seconded by Director Robert Case. Motion passed unanimously.
 - b. Review and Approve Payables through September 12, 2023: Ms. Harris presented the payables through September 12, 2023. She noted District No. 2 Requisition No. 30 that totals \$2,199,154.65. After review, Director O’Sullivan moved to approve the District No. 2 payment request for \$2,199,154.65; seconded by Director Robert Case. Motion passed unanimously.
9. Legal Matters: There were no legal matters.
10. Other Business

a. Next Regular Meeting scheduled for October 10, 2023, at 9:00 a.m.

11. Adjourn: The Board unanimously adjourned the meeting at 10:00 a.m.

Respectfully Submitted,

Rebecca Harris

By: Recording Secretary