

**MINUTES OF THE REGULAR BOARD MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2, AND 3  
HELD JUNE 13, 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, June 13, 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  
Robert Case, Assistant Secretary  
Ray O’Sullivan, Treasurer/Secretary  
Jim Byers, Assistant Secretary

Also in attendance were:

K. Sean Allen, Esq., White Bear Ankele Tanaka & Waldron  
Kevin Walker, WSDM District Managers  
Rebecca Harris, WSDM District Managers  
Jeff Odor, Matrix Design Group  
Eric Smith, Matrix Design Group  
Chris Grundy, Project Manager  
David Neville, Kiemele Family Partnerships  
Nathan Steele, ROI  
Brady Shyrock

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 by President Case II at 9:00 AM.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters: President Case II 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: Director O’Sullivan moved to approve the Agenda as presented; seconded by Director Long. Motion passed unanimously.

4. Approval of May 9, 2023 Meeting Minutes: After review, Director O’Sullivan moved to approve the May 9, 2023 Meeting Minutes; seconded by Director Long. Motion passed unanimously.
5. District Manager Report
  - a. Service Plan Amendment Status: Mr. Walker discussed that he will be getting ready to submit the service plan amendment to the City this week. It’s a simple amendment that increases the O&M mills to 20.
  - b. Right-of-way Acquisition Update: The Board discussed the right-of-way acquisition update and condemnation matter.
    - i. Approval to hire Appraiser: After review, Director O’Sullivan moved to authorize the District Manager and the appropriate officers to negotiate with HDR, the appraisal company up to \$20,000 for four appraisals; seconded by Director Long. Motion passed unanimously.
6. President of the Board Report: President Case II discussed the recent heavy rainfall and noted the systems did well. He noted additional updates will be discussed later in the Agenda.
7. Development Status Review
  - a. Engineering Update: Mr. Grundy presented the monthly engineering and construction report.
    - i. Schedule: Mr. Grundy provided an update on the schedule.
  - b. Plan Updates
    - i. Roadway/ Utility/ Storm Water: Mr. Odor provided an update on utilities, road, and storm plans.
    - ii. Channel Design: The Board discussed channel design.
    - iii. 24” and 16” Water Line Update: Mr. Grundy discussed the water main extension project. Mr. Grundy discussed the revocable license agreement with the Colorado Springs Airport in order to access the property and tie in the 16” water main extension. Director O’Sullivan moved to authorize the appropriate officers to execute the revocable license agreement with the City, subject to the District’s legal counsel approval; seconded by Director Long. Motion passed unanimously.
  - c. Construction Schedule/Construction Contracts Approval/Ratify/Pre-Approval: The Board reviewed Change Orders 13, 14, 15, and 16. Director Byers requested a follow-up conversation regarding Change Order 13 and ways to identify stormwater management procedures. Director O’Sullivan moved to approve Change Orders 14, 15, and 16; seconded by Director Long. Motion passed unanimously. Director O’Sullivan moved to approve Change Order 13; seconded by Director Long. Motion passed with Director Byers abstaining.
  - d. Update on Construction Budget and Assurance: The Board reviewed the updated construction budget.
  - e. Redemption Hill Church: There was no update.
  - f. Challenger Homes: There was no update.
  - g. Bradley Ridge: Director O’Sullivan provided an update on Bradley Ridge.
8. Financial Matters
  - a. Approve Unaudited Financial Reports through May 31, 2023: Ms. Harris presented the Unaudited Financial Reports through May 31, 2023. Director O’Sullivan moved to approve the Unaudited Financial Reports through May 31, 2023; seconded by Director Byers. Motion passed unanimously.
  - b. Review and Approve Payables through June 13, 2023: Ms. Harris presented the Payables through June 13, 2023. Director Long moved to approve the Payables through June 13, 2023; seconded by Director O’Sullivan. Motion passed unanimously.
  - c. Discuss status of establishing Platting fees and O&M Fees: Mr. Walker discussed sharing costs for the detention ponds and establishing O&M fees for items such as landscape maintenance and covenant enforcement.

9. Legal Matters: There were no legal matters.
10. Other Business
  - a. Next Regular Meeting scheduled for July 11, 2023, at 9:00 AM.
11. Adjourn: The Board unanimously adjourned the meeting at 10:30 AM.

Respectfully Submitted,

*Rebecca Harris*

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By: Recording Secretary