

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARDS OF DIRECTORS OF THE
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 1
HELD
APRIL 25, 2019**

A regular meeting of the Boards of Directors of the Banning Lewis Ranch Metropolitan District No. 1 (referred to hereafter as the "Board") was held on April 25, 2019 at 9:00 a.m. at the North Tree Ranch House, 6885 Vista del Pico, Colorado Springs, CO 80927. The meeting was open to the public.

Attendance

Directors in attendance:

Bruce Rau
Aric Jones
Michael Townsend
Thomas Garmong

Absent: William Ritchie

Also in attendance:

Josh Miller, Debra Sedgeley, Dena Williams & Chelsea Gondeck; CliftonLarsonAllen LLP ("CLA")
Pat Hrbacek; Spencer Fane LLP
Corey Pilato; MSI HOA, LLC
Robert Beacon & Judy McNew; BrightView
Corey Calcote, Shane Brydges, & Jessica Ehlen; YMCA
Stacy Jensen, Resident
Ryan Flores, Resident

Call to Order/
Agenda

Director Rau called the meeting to order at 9:02 a.m. and confirmed a quorum.

Following review, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Disclosure of
Potential Conflicts of
Interest

The Directors present noted for the record that they have financial interests in entities active in developing property within the boundaries of the District, or are employed by such entities, and that such interests may be affected from time to time by actions of the District's Board of Directors. In accordance with state law, the Directors have filed written disclosures describing such potential conflicts of interest with the Secretary of State, and the directors present verbally reaffirmed such disclosures on the record of this meeting.

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Acknowledgement of the Resignation of Director William Ritchie

Mr. Hrbacek stated that the District had received William Ritchie's resignation.

Consider Appointment of Kelly Leid and Administration of his Oath of Office

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the appointment of Kelly Leid to the Board of Directors. It was noted that Mr. Leid was absent due to a scheduling conflict, but that he will hopefully be available for the next scheduled board meeting.

Consider Appointment of Officers

Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the appointment of officers as follows:

President – Bruce Rau
Secretary/Treasurer – Thomas Garmong
Assistant Secretary – Aric Jones
Assistant Secretary – Michael Townsend
Assistant Secretary – Kelly Leid

Consent Agenda

The items listed below are a group of items to be acted on with a single motion and vote by the Board to expedite the handling of limited routine matters. The Board has received the information on these matters prior to the meeting. An item may be moved from the consent agenda to the discussion agenda, if desired. Items on the consent agenda are then voted on by a single motion, second, and vote by the Board.

- A. Review and Consider Approval of Minutes of the November 12, 2018 Meeting
- B. Review and Consider Acceptance of Unaudited Financial Statements as of February 28, 2019
- C. Review, Ratify and Approve Claims

Upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

Community Comments

None.

CAB Update

Mrs. Jensen reviewed the CAB report with the Board.

Financial Matters

None.

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Administrative Matters

A. Recreation Center Operations – YMCA Operations Report

Mr. Brydges reviewed the YMCA Operations Report with the Board.

B. Landscape Maintenance Operations – BrightView Landscape Maintenance Operations Report

Mr. Beacon reviewed the BrightView Landscape Maintenance Operations Report with the Board.

C. Covenant Control Operations – MSI Covenant Control Operations Report

Ms. Pilato reviewed the MSI Covenant Control Operations Report with the Board. Discussion ensued on changing the parking covenants.

D. Other

None.

Manager's Matters

A. District Manager's Report

Mr. Miller reviewed the Manager's Report with the Board.

B. Discuss and Consider Approval of Updated Northtree Rules and Regulations

Mr. Miller reviewed the proposed changes to the Northtree Rules and Regulations with the Board.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the updated Northtree Rules and Regulations subject to discussed changes.

C. Discuss Installation of Second ADA Door at Ranch House

Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the installation of the second ADA door at the Ranch House in an amount not to exceed \$3,500.

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D. Discuss and Consider Approval of Service Agreement for Trash and Recycling Services with Colorado Home Builders Inc.

Mr. Miller reviewed the proposal with Colorado Home Builders Inc. with the Board.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the Service Agreement for Trash and Recycling Services with Colorado Home Builders Inc.

E. Review Proposals and Consider Approval of Service Agreement for Parking Lot Resurfacing

Mr. Miller reviewed the proposals with the Board.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the Service Agreement for Parking Lot Resurfacing with Seal Coat Solutions, Inc.

F. Ratify Service Agreement with Haynes Mechanical Systems, Inc. for HVAC Repairs

Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement with Haynes Mechanical Systems, Inc. for HVAC Repairs.

G. Ratify Service Agreement with Ketchum Enterprises LLC for Kitchen Repairs

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board ratified approval of the service agreement with Ketchum Enterprises LLC for kitchen repairs.

H. Ratify Service Agreement with Site Services for Portable Restrooms

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Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement with Site Services for portable restrooms.

Attorney Matters

A. Ratify Utility Easement with Stratus IQ

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board ratified approval of the Utility Easement with Stratus IQ.

B. Update on 7144 Jagged Rock Circle

Mr. Hrbacek reviewed the issue at 7144 Jagged Rock Circle with the Board and noted the District's intent to record a lien.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the District to record the lien.

C. Discuss Proposed Construction of Pavilion and Consider Proposed District Documentation related to Proposed Project

Director Jones reviewed the proposed project with the Board.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved District documentation related to the proposed project.

D. Discuss and Consider Adoption of an Updated Enforcement and Fines Policy

Mr. Hrbacek reviewed the policy with the Board. Following discussion, this item was tabled.

E. Discuss and Consider Adoption of an Updated Open Records Act Policy

Mr. Hrbacek reviewed the policy with the Board.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote,

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unanimously carried, the Board approved the Open Records Act Policy.

Director Matters

None.

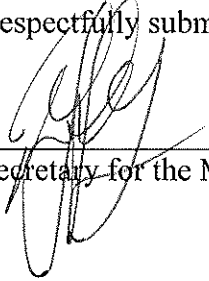
Other Business

Following discussion, upon a motion duly made by Director Jones, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved moving the regular Board meetings to the third Thursday of January, April, July, October and November, with the next meeting to take place on Thursday, July 18.

Adjournment

With no further items to come before the Board, upon a motion duly made by Director Jones seconded by Director Townsend and, upon vote, unanimously carried, the Board adjourned the meeting at 10:30 a.m.

Respectfully submitted,



Secretary for the Meeting