

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING
OF THE BOARDS OF DIRECTORS OF THE
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 1
HELD
APRIL 23, 2020**

A special 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 23, 2020 at 9:00 a.m. via telephone. Phone Number: 1-844-286-0635; Participant Code: 536613752. The meeting was open to the public.

Attendance

Directors in attendance:

Bruce Rau
Michael Townsend
Thomas Garmong
Kelly Leid
Aric Jones

Also in attendance:

Josh Miller, Chelsea Gondeck, Kimbrie Garcia, Seef Le
Roux & Carrie Bartow; CliftonLarsonAllen LLP
Pat Hrbacek; Spencer Fane LLP
Robert Beacon, BrightView
Corey Calcote and Melissa Rousseau, YMCA
Corey Pilato, MSI
Floyd Petty, Resident
Jennifer Baldwin Ruby, Walton Global Holdings, Ltd.
Alan Hoekman, Resident

Call to Order/Approve
Agenda

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

Following review, upon a motion duly made by Director Lied, seconded by Director Jones and, upon vote, unanimously carried, the Board approved the agenda as amended to include Ratification First Amendment to Service Agreement with HBS for Trash and Recycling Services item 7.C. under legal matters and appointment of offices under director matters.

Confirm
Quorum/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

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the Secretary of State, and the directors present verbally reaffirmed such disclosures on the record of this meeting.

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 21, 2019 Regular Meeting
- B. Review and Consider Acceptance of Unaudited Financial Statements as of December 31, 2019
- C. Review, Ratify and Approve Claims

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

Financial Matters

- A. Other

Director Rau had a question on tax collection/revenue. Ms. Bartow stated collections are in line with previous years but April through June collections could be delayed due to Covid-19.

Manager's Matters

- A. District Manager's Report

Mr. Miller reviewed the Managers Report with the Board.

- B. Discussion and Possible Approval of Amended Design Guidelines

Mr. Miller and Ms. Pilato reviewed possible amendments to the Design Guidelines. Director Lied stated that the CAT/CAB should review the proposed changes at the next CAT/CAB meeting.

- C. Discussion Regarding COVID-19 and District Fees

Mr. Miller reviewed communication, closures, and modified activities due to COVID-19 mandates. Director Lied thanked contractors for efforts during the dynamic set of events. Mr. Miller recommended that the

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cooperation agreement committee reconvene for input on fee discussions. Director Rau questioned items not being performed that are outlined in contracts and budget impacts for the District. Mr. Miller noted the YMCA is the only affected contract and there are active discussions on the reconciliation process.

Discussion ensued on pool opening and Mr. Calcote noted that there are no set plans, but they are monitoring mandates and preparing for restrictions. Mr. Rau questioned liability issues related to reopening of facilities. Mr. Hrbacek noted the District should contact the insurance provider for more information. The District is to proceed on reconvening a meeting of the cooperation committee.

D. Update Regarding Banning Lewis Ranch Foundation Work for 2020

Mr. Miller reviewed possible playground enhancements, trail enhancements, and storage facility structure in coordination with the Banning Lewis Ranch Foundation. Director Rau noted that District No. 2 had funding that could be used for these purposes as well. Mr. Miller noted that they are interested in focusing on Founder's Trail corridor.

E. Other

None.

Administrative Matters

A. Recreation Center Operations

i. YMCA Operations Report – YMCA

Mr. Calcote reviewed the YMCA Report with the Board. Discussion ensued on communication from residents on closures due to COVID-19.

B. Landscape Maintenance Operations

i. Landscape maintenance Operations Report – BrightView

Mr. Beacon reviewed the Landscaping Report with the Board. He discussed actions in line with public health mandates related to COVID-19.

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C. Covenant Control Operations

i. Covenant Control operations Report – MSI

Ms. Pilato reviewed the Covenant Control Report with the Board. She discussed changes in covenant enforcement due to COVID-19. Director Rau questioned timeliness on landscaping installations. Ms. Pilato noted there hasn't been an issue and upon request from Director Rau stated she would begin tracking any communication with residents regarding delays in installations.

D. Other

None.

Legal Matters

A. Ratify Service Agreement with Haynes Mechanical for HVAC Services

Mr. Hrbacek reviewed the Service Agreement with Haynes Mechanical for HVAC Services. Following discussion, upon a motion duly made by Director Lied, seconded by Director Jones and, upon vote, unanimously carried, the Board approved the service agreement with Haynes Mechanical for HVAC services.

B. Provide Update on System Development Fees Collection Regarding Districts 3 and 4 and Discuss and Consider Documentation Regarding Same and Ratification of Necessary Responsive Actions

Director Rau reviewed an error in the processing and collection of system development fees and the payments made. Ms. Bartow noted future reporting will be included in financial statements.

C. Ratify First Amendment to the Service Agreement with HBS for Trash and Recycling Services

Mr. Hrbacek reviewed the First Amendment to the Service Agreement with HBS for Trash and Recycling Services with the Board. Following discussion, upon a motion duly made by Director Jones, seconded by Director Lied and, upon vote, unanimously carried, the Board ratified the agreement.

Director Matters

A. Appointment of Officers

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Mr. Hrbacek noted Director Garmong, Director Townsend, and Director Lied will be remaining after the May 5, 2020 election. Following discussion upon a motion duly made by Director Lied, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the appointment of officers with Thomas Garmong as President, Kelly Lied as Secretary and Treasurer, and Michael Townsend as Assistant Secretary.

Community Comments
for Items Not on the
Agenda

Mr. Petty prepared and will send a CAB report to Mr. Miller regarding an inquiry on a possible community garden or skate park.

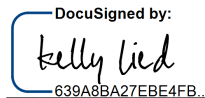
Other Business

A. Confirm Quorum for Next Meeting Date – July 23, 2020
The Board confirmed their availability to attend a July 23rd meeting and expressed the need to meet regarding on-going matters sooner than July 23rd. A quorum for a special meeting May 28th at 9:00 a.m. was confirmed.

Adjournment

With no further items to come before the Board, upon a motion duly made by Director Jones seconded by Director Lied and, upon vote, unanimously carried, the Board adjourned the meeting 10:04 a.m.

Respectfully submitted,

DocuSigned by:

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Secretary for the Meeting

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Subject: Please DocuSign: 04-23-2020 MINUTES_2020.docx	
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Client Number: NA	
Source Envelope:	
Document Pages: 5	Signatures: 1
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Record Tracking

Status: Original	Holder: Kimbrie Garcia	Location: DocuSign
10/7/2020 10:47:28 AM	Kimbrie.Garcia@claconnect.com	

Signer Events

Kelly Lied
kleid@oakwoodhomesco.com
Board Member
Security Level: Email, Account Authentication
(None)

Signature

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Chelsea Gondeck
Chelsea.Gondeck@claconnect.com
CLA

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Envelope Summary Events

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Timestamps

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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	10/7/2020 11:33:26 AM
Completed	Security Checked	10/7/2020 11:33:26 AM

Payment Events	Status	Timestamps
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