

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 1  
(THE "DISTRICT")  
HELD  
NOVEMBER 19, 2020

A special meeting of the Board of Directors of the Banning Lewis Ranch Metropolitan District No. 1 (referred to hereafter as the "Board") was convened on Thursday, November 19, 2020, at 11:00 a.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

Directors In Attendance Were:

Thomas Garmong, President  
Kelly Leid, Treasurer/Secretary  
Michael Townsend, Assistant Secretary

Also, In Attendance Were:

Pat Hrbacek, Esq.; Spencer Fane, LLP.  
Josh Miller, Chelsea Gondeck, & Carrie Bartow; CliftonLarsonAllen LLP  
Elaine Anderson, MSI  
Melissa Rousseau, YMCA  
Scott Smith, Oakwood Homes  
Robert Beacon, BrightView  
Floyd Petty, Resident  
Michael Brotten, Resident  
Trevor Newton, Resident  
Isaac Padilla, Resident  
Tyson Robertson, Resident  
Ray Marshall, Resident  
Various Members of the Pubic (27 unidentified)

### ADMINISTRATIVE MATTERS

Call to Order and Approve Agenda:

Director Garmong called the meeting to order at 11:01 a.m.

Following discussion upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the agenda, as amended.

Declaration of Quorum/Director Qualifications/Disclosure Items: 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

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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.

Community Comments:

Trevor Newton, Tyson Robertson, and Isaac Padilla discussed the desire and opportunity for a skate park in the community. Director Garmon requested the residents work with Oakwood Homes rather than the metro district.

Discuss Vacancies on the Board of Directors and Consider Appointment of District Eligible Elector(s) to the Board of Directors of the District: Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board appointed Scott Smith and Jarrod Walker.

Election of Officers: This item was tabled with the current officers to retain their roles.

Review and Consider Approval of Minutes from the July 23, 2020 Special Board Meeting: Upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the July 23, 2020 meeting minutes.

Discuss District Insurance, Review Renewal Schedule & Authorize Renewal of District Insurance & SDA Membership for 2021: Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the renewals.

FINANCIAL  
MATTERS

Review and Consider Acceptance of Unaudited Financial Statements as of September 30, 2020: Mr. Bartow reviewed the financial statements. There was no Board action.

Review and Consider Ratification of Previous Claims and Approval of Current Claims: Ms. Bartow reviewed the previous and current claims. Following discussion upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board ratified the previous claims and approved the current claims.

Review and Consider Approval of Engagement Letter with BiggsKofford for Preparation and Filing of the 2020 Audit: Following discussion upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the engagement letter with BiggsKofford.

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Conduct Public Hearing to Consider Amending 2020 Budget; Consider Adopting Resolution Amending 2020 Budget, if necessary: The amendment was not needed.

Conduct Public Hearing to Consider Adoption of 2021 Budget, Appropriate Expenditures, and Certify Mill Levy; Consider Adoption of Resolution to Adopt 2021 Budget, Appropriate Expenditures and Certify Mill Levy: Upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board opened the hearing at 11:28 a.m. There were no public comments. Upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board closed the hearing at 11:34 a.m. Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the Resolution to Adopt the 2021 Budget, Appropriate Expenditures and Certify the Mill Levy.

### LEGAL MATTERS

Review Litigation Status of Covenant Enforcement Litigation (8409 Boulder Banks Court) and Consider Litigation Options: Mr. Hrbacek reviewed the litigation with the Board. Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the settlement agreement.

Executive Session under Section 24-6-402(4)(b), C.R.S., conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions related to the Covenant Enforcement Litigation: This item was not needed.

### MANAGER MATTERS

Managers' Report: Mr. Miller reviewed the report with the Board.

Review and Consider Approval of the Northtree Rules and Regulations and the Homeowner Design Guidelines: Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the Northtree Rules and Regulations. Following discussion, upon a motion duly made by Director Townsend, seconded by Director Leid, the Board approved the Homeowner Design Guidelines.

Review and Consider Approval of the 6th Amendment to YMCA Contract: Following discussion, upon a motion duly made by Director Townsend, seconded by Director Leid and, upon vote, unanimously carried, the Board approved the sixth amendment to the YMCA contract subject to final legal review.

Review and Consider Approval of Third Amendment to BrightView Landscape Services, Inc. for 2021 Landscape Maintenance and Snow Removal

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Contract: Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the third amendment to the BrightView contracts pending final legal review.

Review and Consider Approval of Third Amendment with MSI, LLC for 2021 Covenant Control Contract: Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the third amendment to the MSI contract.

Review and Consider Second Amendment to the HBS for 2021 Trash Services Contract: Following discussion, upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board approved the second amendment to the HBS contract pending final legal review.

Review and Consider the Resolution Concerning Annual Administrative Matters: Following discussion, upon a motion duly made by Director Townsend, seconded by Director Leid and, upon vote, unanimously carried, the Board approved the Annual Administrative Matters Resolution as amended.

Review and Consider Approval of 2021 Fee Schedules for District Nos. 2, 3, 4, & 5: Following discussion, upon a motion duly made by Director Townsend, seconded by Director Leid and, upon vote, unanimously carried, the Board approved the 2021 fee schedules with the amendment to District No. 5.

YMCA Operations Report: Ms. Rousseau reviewed the report with the Board.

Landscaping Maintenance Operations Report from BrightView: Mr. Beacon reviewed the report with the Board and discussed crew changes in the 2021 calendar year.

Covenant Control Operations Report from MSI: Ms. Anderson reviewed the report with the Board.

Discussion Regarding Ranch House Fire Panel: Mr. Miller reviewed the issue with the fire panel in the Ranch House. Following discussion, upon a motion duly made by Director Townsend, seconded by Director Leid and, upon vote, unanimously carried, the Board authorized Mr. Miller to recommend a vendor and execute an agreement not to exceed \$10,000.

### OTHER BUSINESS

Confirm Quorum for the Next Regular Meeting: Mr. Miller noted that District

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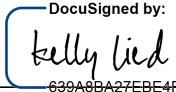
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Management would reach out to confirm quorum as necessary.

### ADJOURNMENT

Upon a motion duly made by Director Leid, seconded by Director Townsend and, upon vote, unanimously carried, the Board adjourned the meeting at 12:16 p.m.

Respectfully submitted,

By  DocuSigned by:  
630A8BA27EBE4FB...  
Secretary for the Meeting

## Certificate Of Completion

Envelope Id: C65CF2B4854E436391969F3A06993D47	Status: Completed
Subject: 11-19-20 Meeting Minutes - Executed (BLR1)	
Client Name: BLR	
Client Number: 43190	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Kimbrie Garcia
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 South 6th Street
	Suite 300
	Minneapolis, MN 55402
	Kimbrie.Garcia@claconnect.com
	IP Address: 50.203.28.42

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2/8/2021 2:02:20 PM	Kimbrie.Garcia@claconnect.com	

## Signer Events

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

## Signature

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639A8BA27E8E4FB...  
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Accepted: 2/8/2021 5:14:55 PM  
ID: 5eed4716-aab0-4601-b739-9f1918a2f9da

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/8/2021 2:03:33 PM
Certified Delivered	Security Checked	2/8/2021 5:14:55 PM
Signing Complete	Security Checked	2/8/2021 5:15:10 PM
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