

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 2
HELD JUNE 27, 2018**

A special meeting of the Board of Directors of the Banning Lewis Ranch Metropolitan District No. 2 (referred to hereafter as "Board" or "District") was held on June 27, 2018 at the North Tree Ranch House, 6885 Vista del Pico, Colorado Springs, CO 80927 at 6:30 p.m. The meeting was open to the public.

Attendance Directors in attendance were:
Don Knechtel
Stacy Jensen
Dave Duman

Also in attendance were:
Ben Kley; Falcon Broadband
Ivan Brown; Falcon Broadband
Floyd Petty; BLR No. 3
Samantha Reilly and Shane Brydges; YMCA
Matt Ruhland; Collins, Cochrel & Cole
Chuck Reid and Chelsea Gondeck; CliftonLarsonAllen LLP

Call to Order/

Agenda President Knechtel called the meeting to order at 6:30 p.m. and confirmed a quorum. Upon a motion duly made by Director Jensen, seconded by Director Knechtel and, upon vote, unanimously carried, the Board approved the agenda and excused the absence of Directors Brockman and C. Dallas Pierce.

Qualifications/

Disclosures All Directors are homeowners in the District and file annual conflict of
of interests disclosures with the Secretary of State. There were no conflicts
Potential of interest related to specific agenda items on the agenda and the Directors
Conflicts of present verbally reaffirmed such disclosures on the record of this meeting.
Interest

Public
Comment None.

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District Matters

A. Falcon Broadband

Falcon Broadband discussed their services, speeds, and options available the District and its residents. Additionally, Falcon Broadband disclosed that they have been in litigation with Banning Lewis Ranch Metropolitan District No. 1 (“BLR No. 1”), which is expected to end soon and may result in termination of the existing service agreement between Falcon Broadband and BLR No. 1 contract at the end of 2018. The District Board wants to ensure broadband service is available to residents in 2019 and beyond.

Following the discussion, Director Jensen moved and Director Knechtel seconded a motion authorizing Mr. Ruhland to research and negotiate with appropriate parties on this matter, and, if needed, begin discussions about a new agreement. The motion passed.

B. BLR No. 1 Updates

I. Benches:

Ms. Gondeck updated the Board on purchase and installation costs of benches, trash cans and doggie pot stations/ bags. Director Jensen moved and Director Knechtel seconded a motion authorizing the transfer of funds from the District to the BLR Foundation for two benches, two trash cans (if needed), as well as two dog waste dispensers and ancillary equipment (if needed). The motion passed.

II. BLR Foundation:

Ms. Gondeck updated the Board on installation of the backstop at the baseball field, as well as tennis court resurfacing. It was noted that backstop parts are available and installation is pending, and the tennis court resurfacing is being scheduled. Director Knechtel noted that the wind barrier for the tennis courts is located at the Ranch House.

III. Brightview – Irrigation:

Ms. Gondeck provided information about Brightview’s irrigation patterns and system development. The Board noted that the District would be willing to assist to underwrite SMART irrigation controllers, with Director Knechtel citing a case study showing the return on investment of SMART controllers.

IV. Other Matters:

- Ranch House 2nd ADA Accessible Door: The Board discussed the need for BLR No. 1 to have a second accessible door at the Ranch House that is compliant with the Americans with Disabilities Act and is willing to cost share with BLR No. 1 to get this done.

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- Following a fire in May that has kept the Ranch House Pool closed, electrical work at the pool is completed and the pool is expected to open in early July. Board Members requested that they be provided with a full report of the fire when it is available.
- Shane Brydges, a new employee at the YMCA who will be assigned to work at the Ranch House was introduced.

C. Special District Association Meeting Recap

President Knechtel, Director Duman and Mr. Reid met with Michael Aragon and Evan Goulding from Special District Association to discuss the structure of the BLR districts, the District's frustration with an inability to be part of BLR's overall decision making governance, and frustration with decisions made (or not made) by the BLR No. 1 Board regarding general operations.

Mr. Aragon and Mr. Goulding made no commitments on behalf of the SDA and encouraged the District to consider being more assertive in their discussions and negotiations with BLR No. 1 – as long as the District is committed to this course.

D. Other - None .

Management Matters

A. Review and Approval of the April 26, 2018 Regular Meeting Minutes

Upon a motion duly made by Director Duman, seconded by Director Jensen and, upon vote, unanimously carried, the Board approved the Minutes from April 26, 2018 Regular Meeting.

B. Other

Mr. Reid apologized to the Board for a recent billing error, when people who had signed-up for ACH withdrawal of fees had fees withdrawn twice. While the Board appreciated the quick response after the error was discovered, they recommended use of Village I's email list to improve communication.

Attorney Matters

A. Executive Session Pursuant to 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 a Proposed Intergovernmental Agreement Between the District and BLR No. 1.

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Upon a motion duly made by Director Knechtel, seconded by Director Jensen and, upon vote, unanimously carried, the Board entered into executive session pursuant to Section §24-6-402(4)(b), C.R.S., at 7:46 p.m.

Upon a motion duly made by Director Knechtel, seconded by Director Duman and, upon vote, unanimously carried, the Board closed the executive session at 8:37 p.m.

B. Other

Upon a motion duly made by Director Jensen, seconded by Director Duman and, upon vote, unanimously carried, the Board instructed and authorized Mr. Ruhland to follow-up on the proposed IGA as discussed in the Executive Session.

Director
Matters

A. Confirm Quorum for Next meeting Date – August 2, 2018

The Board anticipates a quorum for the Special Meeting scheduled for Thursday August 2, 2018.

B. Other

Director Duman requests information on general accessibility to the Splash Park and other public facilities at the Ranch House and the Ranch House Pool, noting these facilities need to be open for public access for all people.

Adjournment There being no further business to come before the Board, the meeting adjourned at 8:50 p.m.

Respectfully submitted,

C. Fed.

Secretary for the Meeting