

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 3  
HELD  
APRIL 26, 2018**

A regular meeting of the Board of Directors of the Banning Lewis Ranch Metropolitan District No. 3 (referred to hereafter as the "Board") was held on April 26, 2018 at the North Tree Ranch House, 6885 Vista del Pico, Colorado Springs, CO 80927 at 9:00 a.m. The meeting was open to the public.

Attendance

Directors in attendance were:

Bruce Rau  
William Ritchie  
Floyd Petty

Absent and excused: Directors Chad Ellington and Michael Tinlin

Also in attendance were:

Josh Miller, Chelsea Gondeck, Chuck Reid, Wendi McLaughlin & Carrie Bartow; CliftonLarsonAllen LLP  
Pat Hrbacek; Spencer Fane LLP  
Corey Pilato & Trina Hann; MSI HOA, LLC  
Samantha Reily; YMCA  
Robert Zimmerman, Eric Keesen, JD Gillen, Shad Parish;  
Brightview Landscape Services, Inc.  
Mark Whittle & Thomas Garmong; Oakwood Homes  
Stacy Jensen; 8098 Hollygrape Lane  
Alan Hoekman; 7280 Jagged Rock Circle

Call to Order/  
Agenda

Director Rau called the meeting to order at 10:23 a.m. and confirmed a quorum. Following review, upon a motion duly made by Director Rau, seconded by Director Ritchie 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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### 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 8, 2017 Special Meeting
- B. Review and Consider Ratifying Approval of Agreement for 2018 Directors' Election Services

Upon a motion duly made by Director Ritchie, seconded by Director Petty and, upon vote, unanimously carried, the Board approved the consent agenda, as presented.

### **Discussion Agenda**

#### Community Comments

None.

#### Financial Matters

- A. Review and Consider Approval of 2017 Audit

This item was tabled.

- B. Other

None.

#### Administrative Matters

- A. Other

None.

#### Attorney Matters

- A. Review and Consider Approval of First Amendment to District Facilities Agreement between Banning Lewis Ranch MD No. 1 and Banning Lewis Ranch MD No. 3

Mr. Hrbacek reviewed the First Amendment to District Facilities Agreement between Banning Lewis Ranch MD No. 1 and Banning Lewis Ranch MD No. 3 with the Board.

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Upon a motion duly made by Director Petty, seconded by Director Ritchie and, upon vote, unanimously carried, the Board approved the First Amendment to District Facilities Agreement, as presented.

B. Other

None.

Director Matters

A. Other

None.

Other Business

A. Confirm Quorum for Next Meeting Date – July 26, 2018

The Board cancelled the regularly scheduled meeting on July 26, 2018 and confirmed quorum for a special meeting on August 2, 2018 at 9:00 a.m.

Adjournment

Following discussion, with no further items to come before the Board, upon a motion duly made by Director Ritchie, seconded by Director Petty and, upon vote, unanimously carried, the Board adjourned the meeting at 10:26 a.m.

Respectfully submitted,



Secretary for the Meeting

