

RECORD OF PROCEEDINGS

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**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 3  
HELD  
NOVEMBER 8, 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 November 8, 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  
Floyd Petty  
William Ritchie  
Alan Hoekman

Absent: Director Charles P. Leder

Also in attendance were:

Carrie Bartow & Chelsea Gondeck; CliftonLarsonAllen LLP  
Pat Hrbacek; Spencer Fane LLP  
Corey Pilato; MSI HOA, LLC  
Thomas Garmong; Oakwood Homes  
Joseph Del Giudice, 6557 Thicket Pass Lane  
Wayne Griffin, 8773 Windy Plains Court  
Mary Monahan, 8627 Tranquil Knoll Lane

Call to Order/  
Agenda

Director Rau called the meeting to order at 10:55 a.m. and confirmed a quorum. Following review, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved the agenda removing item 5. A. Conduct Public Hearing to Consider Amending the 2018 Budget; Consider Adopting Resolution 2018-11-01; Amending 2018 Budget.

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.

## RECORD OF PROCEEDINGS

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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 August 2, 2018 Special Meeting
- B. Review and Accept Unaudited Financial Statements as of September 30, 2018

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

### **Discussion Agenda**

#### Community Comments

A resident expressed a safety concern with on-going construction.

Director Rau communicated to the resident that Roger with Oakwood could address the concerns.

#### Financial Matters

- A. Conduct Public Hearing to Consider Adoption of 2019 Budget, Appropriate Expenditures, and Certify Mill Levy; Consider Adoption of Resolution 2018-11-02 to Adopt 2019 Budget, Appropriate Expenditures and Certify Mill Levy

Upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board opened the public hearing for consideration of adopting the 2019 budget, appropriating expenditures, and certifying the mill levy at 11:01 a.m.

Hearing no public comment, upon a motion duly made by Director Petty, seconded by Director Ritchie and, upon vote, unanimously carried, the Board closed the public hearing for consideration of adopting the 2019 budget, appropriating expenditures, and certifying the mill levy at 11:02 a.m.

Ms. Bartow reviewed the resolution to adopt the 2019 budget, appropriate expenditures, and certify the mill levy with the Board.

Upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board

## RECORD OF PROCEEDINGS

---

approved the resolution to adopt the 2019 budget, appropriate expenditures, and certify the mill levy.

B. Other

None.

Administrative Matters

A. Review and Consider Adoption of Resolution 2018-11-03; Annual Administrative Matters for 2019

Upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved Resolution 2018-11-03; Annual Administrative Matters for 2019.

B. Other

None.

Attorney Matters

A. Review and Consider Approval of Consumer Data Privacy Policy

Mr. Hrbacek reviewed the policy with the Board.

Upon a motion duly made by Director Petty, seconded by Director Ritchie and, upon vote, unanimously carried, the Board approved the Consumer Data Privacy Policy.

B. Review and Consider Approval of Amended and Restated District Facilities Agreement between Banning Lewis Ranch MD No. 2 and Banning Lewis Ranch MD No. 3

Mr. Hrbacek reviewed the amended agreement with the Board.

Upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved the Amended and Restated District Facilities Agreement between Banning Lewis Ranch MD No. 2 and Banning Lewis Ranch MD No. 3.

C. Other

None.

RECORD OF PROCEEDINGS

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Director Matters

A. Other

None.

Other Business

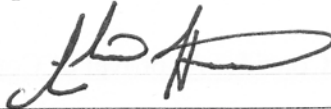
A. Confirm Quorum for Next Meeting Date – January 24, 2019

The Board confirmed quorum for the next meeting on January 24, 2019 at 9:00 a.m.

Adjournment

With no further items to come before the Board, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board adjourned the meeting at 11:04 a.m.

Respectfully submitted,



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Secretary for the Meeting