

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 21, 2019**

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 21, 2019 at the North Tree Ranch House, 6885 Vista del Pico, Colorado Springs, CO 80927 at 11:00 a.m. The meeting was open to the public.

Attendance

Directors in attendance were:

Bruce Rau (via telephone)  
Floyd Petty  
Alan Hoekman

Absent but excused: Charles P. Leder and William Ritchie

Also in attendance were:

Josh Miller & Carrie Bartow; CliftonLarsonAllen LLP  
 (“CLA”)  
Pat Hrbacek; Spencer Fane LLP

Call to Order/  
Approve Agenda

Director Petty called the meeting to order at 11:58 a.m.

Following review, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved the agenda with the addition of the following items: Discussion and Possible Action on Eagle Scout Project for Dog Stations and Discuss and Consider Engagement of BiggsKofford P.C. to Perform 2019 Audit.

Confirm  
Quorum/Disclosure of  
Potential Conflicts of  
Interest

A quorum was confirmed. 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.

Eagle Scout Project for  
Dog Stations

The Board engaged in a general discussion regarding the Eagle Scout Project for Dog Stations. Upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved the Eagle Scout Project for Dog Stations and to contribute \$500,000 to the

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project subject to Jason returning upon completion to present what he learned to the Board.

### 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 July 18, 2019 Regular Meeting
- B. Review and Accept Unaudited Financial Statements as of September 30, 2019

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.

### Community Comments

None.

### Administrative Matters

- A. Discussion and Possible Action on Eagle Scout Project for Dog Stations

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved contributing \$500 to the Eagle Scout project for dog stations. Director Rau requested a follow-up report to the Board after the completion of the project.

### Financial Matters

- A. Conduct Public Hearing to Consider Amending 2019 Budget; Consider Adopting Resolution 2019-11-01; Amending 2019 Budget

Upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried the Board opened the public hearing to consider the proposed 2019 amendment.

Ms. Bartow reviewed the 2019 budget amendment with the Board.

No public comments were received and upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board closed the public hearing.

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Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-11-01 amending the 2019 budget.

B. Conduct Public Hearing to Consider Adoption of 2020 Budget, Appropriate Expenditures, and Certify Mill Levy; Consider Adoption of Resolution 2019-11-02 to Adopt 2020 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 to consider the proposed 2020 budget.

Ms. Bartow reviewed the 2020 budget with the Board.

No public comments were received and upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board closed the public hearing.

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-11-02 to adopt the 2020 budget, appropriate expenditures, and certify the mill levy.

C. Discuss and Consider Engagement of BiggsKofford P.C. to Perform 2019 Audit

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved the engagement of BiggsKofford P.c. to perform the 2019 audit.

D. Other

None.

Attorney Matters

A. Review and Consider Adoption of Resolution 2019-11-03; Annual Administrative Matters for 2020

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved Resolution 2019-11-03 Annual Administrative Matters for 2020.

B. Review and Consider Approval of Resolution 2019-11-04, Concerning Online Notice of Public Meetings

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Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved Resolution 2019-11-04 Concerning Online Notice of Public Meetings.

C. Review and Consider Approval of Resolution 2019-11-05; Consumer Data Privacy Policy

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved Resolution 2019-11-05 Consumer Data Privacy Policy.

D. Review and Consider Approval of Resolution 2019-11-06; Calling a Regular Election for Directors on May 5, 2020

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved Resolution 2019-11-06 Calling the Regular Election for Directors on May 5, 2020.

E. Review and Consider Approval of Resolution 2019-11-07; Resolution Adopting the Colorado Special District Records Retention Schedule, Appointing an Official Custodian and Adopting Policies and Fee Schedule for the Handling of Record Requests under the Colorado Open Records Act "CORA"

Following discussion, upon a motion duly made by Director Petty, seconded by Director Hoekman and, upon vote, unanimously carried, the Board approved Resolution 2019-11-07 Resolution Adopting the Colorado Special District Records Retention Schedule, Appointing an Official Custodian and Adopting Policies and Fee Schedule for the Handling of Record Requests under the Colorado Open Records Act "CORA".

Director Matters

None.

Other Business

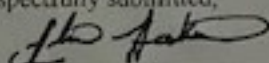
A. Confirm Quorum for Next Meeting Date – January 16, 2020

The Board confirmed a quorum for the next meeting on January 16, 2020.

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.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "L. H. F. A. S.", written in a cursive style.

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Secretary for the Meeting