

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARDS OF DIRECTORS OF THE
BANNING LEWIS RANCH METROPOLITAN DISTRICT NOS. 4 & 5
HELD
NOVEMBER 21, 2019**

A regular meeting of the Boards of Directors of the Banning Lewis Ranch Metropolitan District Nos. 4 & 5 (referred to hereafter as the “Boards”) 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.

AttendanceDirectors in attendance:

Michael Townsend
Kelly Leid
Aric Jones

Absent but excused: Bruce Rau and Charles P. Leder

Also in attendance:

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

Call to
Order/Approve
Agenda

Director Leid called the meeting to order at 12:15 p.m.

Following review, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved the agenda with the addition of the following items for the consent agenda. Review and Consider Acceptance of Unaudited Financial Statements as of September 30, 2019 and Consider Engagement of BiggsKofford P.C. to Perform 2019 Audit.

Declaration of
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 Boards 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.

Consent Agenda

The items listed below are a group of items to be acted on with a single motion and vote by the Boards to expedite the handling of limited routine matters. The Boards have 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.

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Items on the consent agenda are then voted on by a single motion, second, and vote by the Boards.

- A. Review and Consider Approval of Minutes of the July 18, 2019 Regular Meeting
- B. Review and Consider Acceptance of Unaudited Financial Statements as of September 30, 2019
- C. Consider Engagement of BiggsKofford P.C. to Perform 2019 Audit.

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved the July 18, 2019 Minutes and engagement of BiggsKofford P.C. to preform the 2019 Audit. The Boards motioned to move the September 30, 2019 Unaudited Financial Statements to the discussion agenda.

Community
Comments

None.

Financial Matters

- A. Review and Consider Acceptance of Unaudited Financial Statements as of September 30, 2019

Ms. Bartow reviewed the financial statements with the Boards. Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved the unaudited financial statements as of September 30, 2019.

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

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried the Board opened the public hearing to consider the proposed 2019 amendment at 12:22 p.m.

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

No public comments were received and upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Board closed the public hearing at 12:23 p.m.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously

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carried, the Board adopted Resolution No. 2019-11-01 amending the 2019 budget.

- C. 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 Jones, seconded by Director Townsend and, upon vote, unanimously carried the Boards opened the public hearings to consider the 2020 budgets for Districts 4 & 5 at 12:24 p.m.

Ms. Bartow reviewed the 2020 budget with the Boards.

No public comments were received and upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards closed the public hearings at 12:27 p.m.

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

- D. Consider Engagement of BiggsKofford P.C. to Perform 2019 Audit

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved the engagement of BiggsKofford P.C. to perform the 2019 audit.

Administrative Matters

- A. Discuss District Insurance, Review Renewal Schedule & Authorize Renewal of District Insurance & SDA Membership

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved the renewal of the District's insurance and SDA membership.

Attorney Matters

- A. Review and Consider Adoption of Resolution 2019-11-03; Annual Administrative Matters for 2020
Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried the Boards approved Resolution 2019-11-03 Annual

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Administrative Matters for 2020;

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

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards 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

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards 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

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved Resolution 2019-11-06 Calling a 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"

Upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards approved Resolution 2019-11-06; 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 Boards confirmed a quorum for the next meeting on January 16, 2020.

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Adjournment

With no further items to come before the Boards, upon a motion duly made by Director Jones, seconded by Director Townsend and, upon vote, unanimously carried, the Boards adjourned the meeting at 12:30 p.m.

Respectfully submitted,

Secretary for the Meeting

DocuSigned by:

Alan Hoekman

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Certificate Of Completion

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Client Number: N/A	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld 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: 71.205.43.214

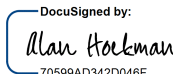
Record Tracking

Status: Original	Holder: Kimbrie Garcia	Location: DocuSign
6/2/2020 12:21:19 PM	Kimbrie.Garcia@claconnect.com	

Signer Events

Alan Hoekman
alanhoekman@gmail.com
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

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Signature Adoption: Pre-selected Style
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Electronic Record and Signature Disclosure:

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In Person Signer Events

Signature

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Editor Delivery Events

Status

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Status

Timestamp

Intermediary Delivery Events

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Envelope Summary Events

Status

Timestamps

Envelope Sent	Hashed/Encrypted	6/2/2020 12:28:44 PM
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	6/3/2020 10:30:27 AM
Completed	Security Checked	6/3/2020 10:30:27 AM

Payment Events	Status	Timestamps
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