

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 1
(THE "DISTRICT")
HELD
FEBRUARY 24, 2023

A special meeting of the Board of Directors of the Banning Lewis Ranch Metropolitan District No. 1 (referred to hereafter as the "Board") was convened on Friday, February 24, 2023, at 10:30 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Thomas Garmong, President
Scott Smith, Secretary
Don Ferron III, Assistant Secretary
Tyler Jones, Assistant Secretary

Directors Excused Were:

Javier Galvan, Treasurer

Also, In Attendance Were:

Josh Miller, Courtney Hoff, Carrie Bartow and Mallorie Hanson;
CliftonLarsonAllen, LLP ("CLA")
Lisa Mayers, Esq.; Spencer Fane, LLP
Isaac Brandon; YMCA
John S., Members of the Public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Garmong called the meeting to order at 10:32 a.m. Following review, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Disclosures 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

Quorum, Location of Meeting and Meeting Notices: A quorum was confirmed. This meeting was conducted via Microsoft Teams and public participation is encouraged via Microsoft Teams. The Board further noted that notice providing the time, date and video link information was duly posted.

Public Comments: John S., a member of the public, raised questions regarding where to find the enclosures and meeting minutes. Mr. Miller and Attorney Mayers confirmed that all documents are kept as public record and that management can provide any requested information.

Minutes from January 26, 2023 Special Board Meeting: The Board reviewed the minutes from the January 26, 2023 special Board meeting. Following review, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the minutes from the January 26, 2023 special Board meeting, as presented.

FINANCIAL MATTERS

Public Hearing to Consider Amendment of the 2023 Budget. Resolution to Amend the 2023 Budget: Director Garmong opened the public hearing at 10:36 a.m. to consider the amendments to the 2023 Budget.

Ms. Hansen reviewed the amendments to the 2023 budget with the Board. No public comments were received, and Director Garmong closed the public hearing at 10:37 a.m.

Following review, upon a motion duly made by Director Smith, seconded by Director Jones and, upon vote, unanimously carried, the Board approved the amendments to the 2023 Budget and adopted the Resolution to Amend the 2023 Budget.

Director Galvan joined the meeting at this time and was able to participate in the voting procedure to amend the 2023 Budget.

Director Smith raised a question on the timeline and proposal for the work happening in the recreation center. Discussion ensued.

Other: None.

LEGAL MATTERS

Rocky Mountain Pool and Spa Care for Service to the Barn Pool: Mr. Miller reviewed the agreement with Rocky Mountain Pool and Spa Care for Service to the Barn and Pool with the Board. Following review, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board ratified the agreement with Rocky Mountain Pool and Spa Care for Service to the Barn and Pool.

RECORD OF PROCEEDINGS

Agreements and Other Items Regarding Planning, Design, Funding and Construction for Public Improvements and Related Matters: No items were presented.

Other: None.

**MANAGER
MATTERS**

Agreement between the District and Casco Construction Corporation for the clubhouse remodel in the amount of \$355,706.33: Mr. Miller reviewed the agreement between the District and Casco Construction Corporation for the clubhouse remodel in the amount of 355,706.33 with the Board. Discussion ensued. Following review and discussion, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the agreement between the District and Casco Construction Corporation for the clubhouse remodel in the amount of 355,706.33.

Proposal from BrightView Landscape Services for 2023 Mulch Application in the Amount of \$70,280.94: Mr. Miller reviewed the proposal from BrightView Landscape Services for 2023 mulch application in the amount of \$70,280.94 with the Board. Following review and discussion, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board approved the proposal from BrightView Landscape Services for 2023 mulch application in the amount of \$70,280.94.

Other: None.


OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board adjourned the meeting at 10:49 a.m.

Respectfully submitted,

By  Secretary of the Board
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