

## 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. 1  
(THE "DISTRICT")  
HELD  
APRIL 27, 2023

A regular meeting of the Board of Directors of the Banning Lewis Ranch Metropolitan District No. 1 (referred to hereafter as the "Board") was convened on Thursday, April 27, 2023, at 9:00 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  
Javier Galvan, Treasurer  
Don Ferron III, Assistant Secretary  
Tyler Jones, Assistant Secretary

#### Also, In Attendance Were:

Krista Baptist, Courtney Hoff, Mallorie Hanson, Enid Ruiz-Mattei and Miki Manibog; CliftonLarsonAllen, LLP ("CLA")  
Lisa Mayers, Esq.; Spencer Fane, LLP  
Isaac Brandon; YMCA  
Kayla Gaudio; Diversified Association Management  
Joe S., Dawson, Floyd Petty, George Smith, Zoe, Bob Cass, Loretta Pennie, Kathi Giddens, Jeanette, Butch Pemberton, Laurie Wonders and Amanda Mulnix; Members of the Public

### ADMINISTRATIVE MATTERS

**Call to Order and Agenda:** The Board called the meeting to order at 9:00 a.m.

Following review, upon a motion duly made by Director Ferron, seconded by Director Smith 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.

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

**Public Comments:** Ms. Baptist requested that the members of the public identify themselves if they would like to be properly noted in the minutes. No public comments were brought forward.

**Minutes from February 24, 2023 Special Board Meeting:** The Board reviewed the minutes from the February 24, 2023 special Board meeting. Following review, upon a motion duly made by Director Smith, seconded by Director Ferron and, upon vote, unanimously carried, the Board approved the minutes from the February 24, 2023 special Board meeting, as presented.

### FINANCIAL MATTERS

**March 31, 2023 Unaudited Financial Statements:** Ms. Hansen reviewed the March 31, 2023 Unaudited Financial Statements with the Board. Director Smith inquired about the annual budget being noted as the year-to-date budget and requested the report be corrected. Ms. Hansen stated it would be corrected. Following review and discussion, upon a motion duly made by Director Garmong, seconded by Director Ferron and, upon vote, unanimously carried, the Board accepted the March 31, 2023 Unaudited Financial Statements, pending correction.

**Claims:** Following review, upon a motion duly made by Director Garmong, seconded by Director Ferron and, upon vote, unanimously carried, the Board ratified approval of past claims and approved current claims.

### LEGAL MATTERS

**S&K Services Proposal in the Amount of \$2,438.80:** Ms. Baptist reviewed the S&K Services Proposal with the Board. Following review, upon a motion duly made by Director Garmong, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the S&K Services Proposal in the amount of \$2,438.80.

**Agreements and Other Items Regarding Planning, Design, Funding and Construction for Public Improvements and Related Matters:** Attorney Mayers informed the Board that there were no matters for review.

### MANAGER MATTERS

**Manager's Report:** Ms. Baptist reviewed the Manager's Report with the Board.

Butch Pemberton, member of the public, provided public comment that numerous components between the District and OakwoodLife have not been met. He commented that a website and the surrounding components had not been

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completed, and the handbook along with the monthly budget shared with the public. Discussion ensued.

**YMCA Operations Report:** Mr. Brandon reviewed the YMCA Operations Report with the Board. No action was taken.

**Retreat Operations Report:** Ms. Baptist reviewed the Retreat Operations Report with the Board. No action was taken.

**Landscaping Maintenance Operations Report:** Ms. Baptist reviewed the Landscaping Maintenance Operations Report with the Board. No action was taken.

**Diversify Operations Report:** Ms. Gaudioso reviewed the Diversify Operations Report with the Board. No action was taken.

**Retreat Handbook and Authorize District Management to have the Ability to Edit Rules to Fit the Greater Guidelines of Banning Lewis Ranch, if Necessary:** Ms. Baptist reviewed the Retreat Handbook with the Board. Ms. Baptist requested clarification from Attorney Mayers on the proper wording with respect to adoption or amendment of rules between Banning Lewis Ranch Metropolitan District No. 1 Board meetings. Discussion ensued. It was noted that Banning Lewis Ranch Metropolitan District No. 5 could bring concerns and revision proposals to the District No. 1 Board as part of the Cooperation Committee annual review process and meeting, which would be the proper forum for such matters. Following review and discussion, upon a motion duly made by Director Smith, seconded by Director Ferron and, upon vote, unanimously carried, the Board approved the Retreat Handbook.

**Addition of Pickleball Lines on the Tennis Courts in Conjunction with Banning Lewis Ranch Metropolitan District No. 1, Banning Lewis Ranch Metropolitan District No. 3, and Banning Lewis Ranch Foundation:** Ms. Baptist and Ms. Hoff reviewed the addition of pickleball lines on the tennis courts. The Board indicated support for this initiative. No formal action was required or taken.

**Reserve Study Proposal for the Retreat and the Addendum to Reserve Study Agreement:** Ms. Baptist reviewed the Reserve Study Proposal for the Retreat and the Addendum to the Reserve Study Agreement with the Board. Following review, upon a motion duly made by Director Smith, seconded by Director Garmong and, upon vote, unanimously carried, the Board accepted the Reserve Study Proposal for the Retreat and the Addendum to the Reserve Study Agreement.

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OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Garmong adjourned the meeting at 9:54 a.m.

Respectfully submitted,

By    
 DocuSigned by:  
Scott Smith  
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 Secretary of the Board