

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 5
(THE "DISTRICT")
HELD
AUGUST 17, 2023

A regular meeting of the Board of Directors of the Banning Lewis Ranch Metropolitan District No. 5 (referred to hereafter as the "Board") was convened on Thursday, August 17, 2023, at 9:00 a.m. This District Board meeting was held at Banning Lewis Ranch – The Barn, 9150 Braemore Heights, Colorado Springs, Colorado 80927 and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Robert Cass, President
Victoria Niemi, Treasurer
Dawson Hubert, Assistant Secretary
Heidi Westberg, Assistant Secretary

Directors Excused Were:

Kathryn Giddens, Secretary

Also, In Attendance Were:

Krista Baptist and Rob Lange; CliftonLarsonAllen, LLP ("CLA")
Colin Mielke, Esq. and Marissa Peck, Esq.; Seter & Vander Wall, PC
Sherri Pierson, Heidi Wiems, Ginny Beteille, Kendra Evans, Rita
Steinhauer, Annette Ellison, Patricia Wolf, Bonnie McGowen, Jan
Cass, Jeanette O'Brien, Mark Davis, John DeLuca, Gerry Cohen, Dan
Akerhielm, Steve Langer, Esther McGehee, Margaret Mecca, Rollie
Colby, Sue Harmon, Lillian Rigdon, Frank & Silvia Buonigonti, J.
Larson, Velma Hendrickson, Phillip Parrish, Kevin Bradley, Karen
Plaza, Susan Separk, Loren Gallup, George Smith

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Cass called the meeting to order at 9:01 a.m. Following review, upon a motion duly made by Director Cass, seconded by Director Hubert and, upon vote, unanimously carried, the Board approved the agenda, as amended to move Item V.A to Item I.F and add Item V.A. "Review and Discuss Responses to Previous Public Comments."

Disclosures of Potential Conflicts of Interest: There were no conflicts to be disclosed.

Quorum, Location of Meeting and Meeting Notices: A quorum was confirmed, and the Board confirmed the meeting location at the Barn

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with the option to attend virtually and designated the District's website as the 24-hour posting location. The Board excused the absence of Director Giddens.

Public Comment: The Board opened the meeting for public comment.

Velma Hendrickson stated that "a dead tree in the neighborhood had been removed, but four dead trees on Manse Grove still need to be removed and three additional trees appear to be struggling."

Frank Buoniconti stated that "he submitted two work orders to Mr. Josh Miller, but has not received a status update on those work orders. The first is for repairs to the gate between 6074-6068 Bennach Grove does not close correctly. The second is for repairs to cracked concrete on the walkway to the gate is rising up, a safety issue. The oval planters by Bennach are weed infested and cannot be seen." It was also noted that a triangle of broken concrete on the same set of stairs exists due to mower or other damage from contractors.

The member of the public further noted that the walkway behind Bennach and Lochside has weeds overgrowing the planting beds on the west side of the walkway that runs behind the streets and home backyards.

Lillian Rigdon noted that "she reviewed the Retreat handbook and noticed there are no rules or directions for renters, rental policies, or other direction for rentals. Also, When is the women's bathroom at the pool going to be fixed?"

Dan Akerhielm stated that "Brightview is killing District-owned trees by trimming too close to the tree trunks with weed whackers. If the bark is damaged around the entire circumference, called girdling, the tree will die.

Impact: these trees are about \$600.00 a piece, they are not under warranty and I can't see Brightview replacing them out of their pocket. With 100 trees in The Retreat, we residents, MD%, could be on the hook for many thousands of dollars replacement costs."

Rita Steinhauer stated that "Her front grass is half dead. It has been this way since winter. She further noted that BrightView has not pulled weeds from her front yard. She was told by Scott Greene the front yard would be taken care of, including if it snowed 2" or more.

Ginny Beteille "complimented District No. 5's Board for their

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organization and direction to help the community. She suggested that residents should contact the District No. 5 Board with any concerns as opposed to anyone else.”.

George Smith addressed the Board, stating he would like the Board to consider creating documentation outlining the purpose, scope, and duties for each committee to help residents better understand what their functions are and how each may be able to help with questions or concerns. He explained past experience with staffing structure and policy issues, and noted that Director Cass’s work with District No. 1 Board member Thomas Garmong has resulted in better communication and positive outcomes.

Sue Harmon indicated “that propping open locked facility gates continues to be an issue. She requested that residents work together to keep the community secure.”. The same resident noted that no staff were present in the office in the Barn at 9:15 a.m. Discussion ensued about the staff checking the gates regularly to identify security concerns. No action was taken.

There being no further public comment, the public comment period was closed.

Minutes from the June 15, 2023 Regular Board Meeting and July 20, 2023 Regular Board Meeting: Following review, upon a motion duly made by Director Cass, seconded by Director Westberg and, upon vote, unanimously carried, the Board approved the Minutes from the June 15, 2023 regular Board meeting, as previously amended, and the July 20, 2023 regular Board meeting as presented.

DIRECTOR MATTERS

Facilities Committee Updates: It was noted that the Facilities Committee Updates had been moved up in the agenda pursuant to Board vote at the beginning of the meeting, and therefore Director Niemi addressed the Board regarding updates from the Facilities Committee. Director Niemi presented the following:

- Steve Langer has been extremely helpful as a Committee co-chair while she has been out and thanked him for his efforts.
- The Bocce court is now open and the drainage has been corrected. Bids are being solicited on caulking the court to improve safety.
- 6 of 8 pickleball courts are complete and look very good. There has been an issue with getting the green paint, so that work is still outstanding and will be completed once the paint is obtained.

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- The Committee requested a proposal from Coloradoscapes to maintain the pickleball courts yearly, noting the price was high so they will seek additional bids.
- The Committee is working on pricing for a practice backboard. The Coloradoscapes' bid was high so they will seek other options.
- When it is snowy, Coloradoscapes recommends closing the courts to avoid damage. Mike Lee is working on this option further with Coloradoscapes.
- The dog run fencing has been repaired and a sign has been posted, though it is not in a format the committee desires.
- It was noted that Brightview is not cleaning out the dog waste stations and refurbishing twice per week.
- Concerns were brought forth regarding the placement of a bench in close proximity to the dog waste station in the dog run. Director Niemi stated she will research this issue.
- City streetlight repairs are ongoing, and the bases of the streetlights are back in order. The City has not provided a current timetable for replacing the damaged streetlights. The City is doing regular checks for any exposed wires or safety hazards.
- Director Niemi sent the sidewalk crack packet to Mr. Miller and discussed the issue on August 16th. She reported that some, but not all, areas will be addressed. There are varieties of damage that occur in a developing community and ascertaining who caused the damage for warranty purposes was not possible in many areas. Mr. Miller and Oakwood are both aware of these issues and Director Niemi is waiting to hear back on next steps.
- Director Niemi stated that Mr. Miller noted that some streets were scheduled to be repaired soon. There was no indication as to which entity will perform that work.
- Brightview has been put on notice, and District No. 1, Mr. Miller and others are aware of the issues being raised and are involved and agree that the service by BrightView is not acceptable.
- The wrong types of trees were placed for the climate, so some of the loss experience may slow down as maintenance is corrected and trees more suitable to the climate are used as replacements.
- No Certificate of Occupancy for The Barn is in place yet and Oakwood is still working with the City on several items. Many items being noted may not be fixed or fully

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corrected until the Certificate of Occupancy is in place to avoid further questions or delays from the City.

- The pool is missing between two and four pieces of glass. Discussion ensued regarding which were broken, if two or more are fully missing and how many are on order. Director Niemi will get further clarification.
- The pool will remain open through September. This is a test run to gauge usage, cost, etc. and may not be the operational reality going forward depending on findings and the budget.
- Director Niemi noted she will research pool winterizing procedures to determine whether the pool will be covered during the winter and/or drained for winter. A member of the public stated that the toilet in the women's bathroom has been broken since The Barn opened, and Director Niemi stated she will research this issue further.
- Director Niemi noted landscape improvements have been made in certain areas.
- Director Niemi noted that there will be two new pickleball courts at the Ranch, which will hopefully cut down on outsiders need or desire to use the Retreat's pickleball facilities.

FINANCIAL MATTERS

June 30, 2023 Unaudited Financial Statements: Mr. Lange reviewed the Unaudited Financial Statements with the Board. Discussion ensued regarding how interest versus principal is paid on the District's bonds. Mr. Lange referred to the amortization schedule included in the packet. Following review and discussion, upon a motion duly made by Director Cass, seconded by Director Niemi and, upon vote, unanimously carried, the Board accepted the June 30, 2023 Unaudited Financial Statements.

June 30, 2023 Special Revenue Fund Financials from Banning Lewis Ranch MD No. 1: Mr. Lange reviewed the June 30, 2023 Special Revenue Fund Financials with the Board, noting that additional revenue totaling \$2,596.00 was received for events/checks, and is not included in this packet. This additional revenue will be reflected in the next special revenue fund statement produced.

In response to questions received, Mr. Lange discussed the full debt paydown timeline for the District's bonds.

Margaret Mecca asked for the call dates on the District's bonds. Mr. Lange did not have that information on hand for this meeting.

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In response to resident questions about the overall health of District No. 5, Mr. Lange provided an overview of the District's financial obligation processes as laid out by the IGA with District No. 1. He noted that debt service payments present no issues at this time.

Director Cass noted that services have not been up to expectations in several areas.

Discussion ensued regarding District management being over budget. The actual versus year-to-date is more than double what was anticipated. Mr. Lange noted that 27% of this cost is attributed to monthly meetings, lengthy meetings and meeting preparation.

Director Cass stated his position that management is overbudget due to items that management has started, but not completed. The Board noted various outstanding items owed to it, including a report identifying tract-by-tract landscape responsibilities, guidance on managerial procedures for disseminating emergency information such as street closures, to residents and a schedule of planned asset turnover dates.

In addition, contact information and the date the policy was created need to be added to the Ranch pass policy. Director Cass noted that he never received the 2022 OakwoodLife budget proposal for the cooperation committee, leading him to question whether it was submitted or even exists.

There is a fence post cap that is missing in one resident's yard and there is no information available on who to call.

It is still unclear whether security monitors are in the budget. It was noted that there is a front desk monitoring system in the Reserve in the Aurora area.

The pedestrian gates have not had mesh installed as promised to prevent reach-around access from outside. No street repairs have been done to date.

The OakwoodLife staff has not set up a Retreat Facebook page in violation of its contract with the District, and contract interpretation from District No. 5 indicates that this is a requirement, which has not been followed. No answers were given as to why labor was charged by OakwoodLife and paid by District No. 1 before the contract was in place with OakwoodLife. No age audit mailer has been received yet.

Concerns remain on how District No. 1 handles contract performance and how outstanding items are not being addressed. Native grass

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mowing is not taking place every two weeks as required; there is nowhere to tether dogs outside of the mailroom per resident request; trees are dead throughout the community and have not been removed and replaced; front yard maintenance is not up to standard, due to dead grass caused by Brightview's maintenance practices; and yards have not been maintained throughout the summer. Director Cass asked why management has not withheld payment to Brightview until better service is provided. It was also noted that the landscape maintenance budget is 105% actual year-to-date versus budgeted.

Director Cass asked who is paying for the pool cleaning service if the facility is not yet turned over. Mr. Lange confirmed District No. 5 is paying for pool cleaning services as a service expense. Director Cass noted twice weekly cleaning is not sufficient and asked what steps are being taken to change this outcome.

LEGAL MATTERS

Attorney Mielke provided an update regarding ongoing litigation. He noted that settlement has been reached with two parties and that litigation remains ongoing with Farrington. He will continue to update the Board as he receives litigation updates from litigation counsel.

Director Cass asked if there is a requirement for meetings to be held virtually via Microsoft Teams. Attorney Mielke indicated that it is not a statutory requirement to hold virtual meetings.

MANAGER MATTERS

None.

DIRECTOR MATTERS CONTINUED

Committee Updates: The Board next continued with the remainder of its committee updates.

Oakwood Life Committee: Director Hubert presented the following:

- A clock has been installed at the pool. Comments are being received and handled, although he is concerned that he does not know who is handling them.
- There are currently/still only four people on staff.
- The Facilities Committee desires for signage to be placed near the pickleball facilities stating that pickleball courts are for residents only.
- He noted it is time to review the handbook and the process for amending it. Pages four and five address the required steps for amending the handbook. The handbook is supposed to be reviewed every six months.

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- Parking is mostly resolved from previous issues with people not parking in the designated spots in front and/or parking too long in the “drop off/pick up” spaces.
- Going forward, OakwoodLife Committee is going to put together a monthly communication to The Barn director regarding concerns not being fulfilled.
- Director Hubert mentioned confusion regarding multiple Banning Lewis Ranch websites. A document has been created that explains each website and the purposes of the applicable entity related to that website. Director Hubert will have the exhibit posted on the BB website and on the bulletin board in the mailroom for review and use.

Safety and Security Committee: Director Westberg presented the following:

- There has only been one Committee meeting so far.
- There are only nine members, so she solicited individuals to volunteer to be on the Committee.
- Priorities identified for the Committee include:
 - Installing lighting at the Dublin gate for when entering the code in the dark near the boulders where someone could hide.
 - Liaison with the Colorado Springs Police Department about setting up a neighborhood watch.
 - A fall security seminar.
 - A website that shows criminal activity in the area that will be monitored ongoing by the Committee and reported to the community.

Finance Committee: Director Cass presented the following:

- The term “member support” on page 18 of his presentation means support of volunteers who help to run events and such from his understanding and research.
- Director Cass reviewed the funding request procedure in place for any resident or committee to use for budgeting and planning purposes. He also outlined the procedure by which the Committee considers and presents these requests to the Board.
- The Committee, has identified five priorities: (1) Fob reader from patio to the Barn; (2): AED for or near the pickleball courts; (3) pickleball backboard; (4) pickleball machine, and; (5) replacing the spin bikes. Items number (1) through (3) will be prioritized in the 2024 budget.

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However, the AED will not be installed until security measures are taken to ensure it is not stolen. Research is ongoing for containers and solutions to provide this security.

- Director Cass noted that he personally tested the current spin bikes and they are sturdy. The Committee does not see enough demand for use to have the spin bike request in the top three for the 2024 budget, but will keep the request on the list to move forward as possible. Director Cass noted the current spin bikes are more appropriate for guided spin classes, and do not have the information panels that support independent spin exercises.
- Director Cass noted that the criteria for work being done will be evaluated based on the number of residents its benefits. It is difficult to do so as everyone has different interests and involvement with the clubs, functions, etc.
- Director Niemi noted that the request to Kelly Leid to install a fob reader came back at \$5,000.00 and they believe that to be a high estimate.

Following discussion, upon a motion duly made by Director Cass, seconded by Director Niemi and, upon vote, unanimously carried, the Board approved the first three priorities above to submit to District No. 1 for budget inclusion, pending resolution on the cost savings and security concerns for the AED.

Director Cass thanked Jay Tomme for the work on the debt payoff model that he put together to assist with the Finance Committee research and objectives.

Director Cass discussed closings to date and resale numbers within the Retreat. Exhibits were provided to show closed homes, homes on the market to be resales, and homes that are under contract/pending to be sold in the near future. There have been 43 resales to date in the community.

Director Cass asked that the community direct issues and concerns only to the District No 5 Board going forward. Director Niemi is the contact for facilities and landscaping, Director Hubert is the contact for OakwoodLife, Director Westberg is the contact for safety, Director Giddens is the contact for communications and Director Cass is the contact for financial.

OTHER BUSINESS

Director Westberg read a report from Director Giddens regarding the Communications Committee:

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Meeting from 7-25-23 discussed updating the BB Bulletin Board in the mailroom, creating FAQ's about difference between service and emotional support dogs, FAQ about soliciting within the community, content ideas for website.

Meeting on 8-14-23 continuing working on contacting residents that are new to the neighborhood and residents noted as Activation Sent. A letter has been prepared that will be mailed to each resident in these categories with contact information about to gain access to the BB website. Approximately 200 letters will be mailed. Also, the committee is looking for ideas about what residents would like to see on the BB website. If residents have any suggestions, contact a communication committee member.

Public comments and questions from the July meeting:

- It was noted that it had been requested to align the gate open times with the sales office hours.
- It was noted to those present that the lifestyle director decides to leave the gate open and is in control of the gates. The decision was previously made to leave the gates open for 72 hours during the garage sale.
- There are several people that like events, several that do not. Director Cass noted that personal attacks against the lifestyle director/team and the events are not the intent of the Board and should not be taken as such. The concern about facility and safety management are the focus of the District No. 5 Board and applicable committees.
 - They want the building fixed.
 - They want the building and facilities secure (including gates).
 - They noted that the pool cleaning issues remain outstanding.
- Director Cass stated that undermining what the Board is seeking to accomplish is an issue, and trying to bridge the gap of understanding with OakwoodLife is not working. Kelly Leid is paid at least \$7,000.00 a month from the Retreat alone, and the Board disagrees with the service level and deliverables output.
- There are notable comparisons to the Retreat versus Reserve aesthetics, and they want to know why their facility does not look the way the Reserve does, as well as how to hold people accountable for achieving the "resort living" promised to residents.
- Money is being wasted and nothing is being fixed.
- Reiterated that Ashley's job as Facility Manager is operations and enforcement along with events, and that remains a concern.

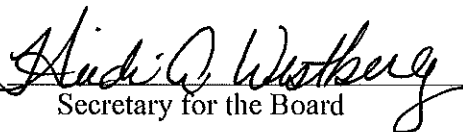
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- A member of the public mentioned the template used for tracking issues and contact perform should be used for tracking resident input to committees per Board's direction going forward to keep track of issues that arise and how they are being handled.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Cass adjourned the meeting at 11:06 a.m.

Respectfully submitted,

By 
Secretary for the Board









Systemic Failure?

Landscaping Maintenance Provided by:

- ***Brightview Landscaping Services***

Covenant Enforcement Provided by:

- ***Diversified Property Management***

District Management (Oversight) Provided by:

- ***CliftonLarsonAllen***

All Services Provided through Contracts by:

- ***BLR Metro District #1***

BANNING LEWIS RANCH METRO DISTRICT NO. 1
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE SIX MONTHS ENDED JUNE 30, 2023

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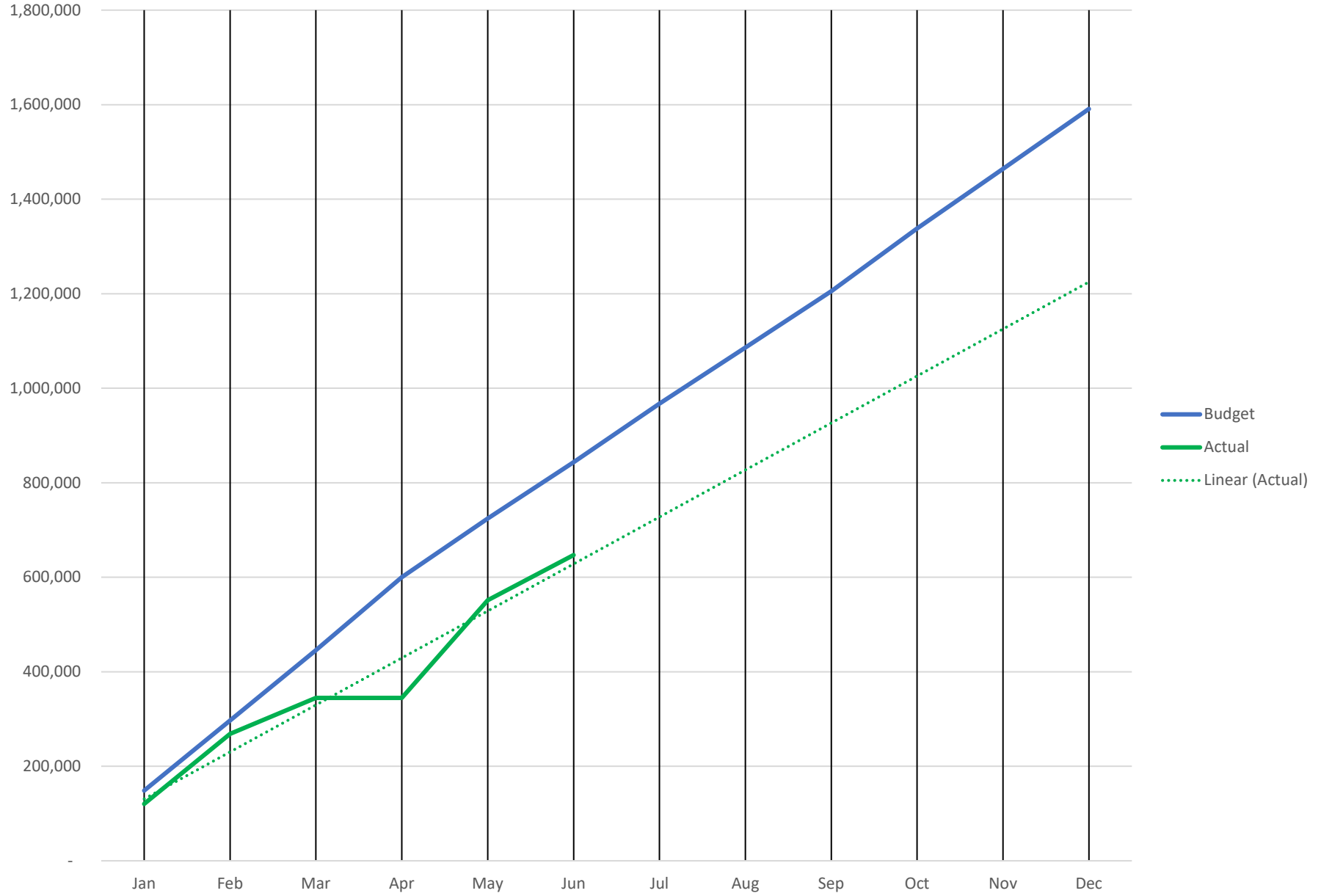
SPECIAL REVENUE FUND

	Annual Budget	Year to Date Actual	Variance
REVENUES			
Late fees / penalties	\$ -	\$ 17,070	\$ 17,070
Operating fees - Village 3W The Retreat	1,245,888	614,322	(631,566)
Intergovernmental - O&M taxes BLR MD No. 5	268,347	252,820	(15,527)
TOTAL REVENUES	<u>1,514,235</u>	<u>884,212</u>	<u>(630,023)</u>
EXPENDITURES			
Accounting	45,000	27,814	17,186
Auditing	4,775	-	4,775
Billing services	27,000	16,828	10,172
Community management	19,000	11,199	7,801
Trash removal and recycle	75,000	34,753	40,247
Website maintenance	600	-	600
Landscape maint. - Contract maintenance	200,000	119,577	80,423
Dues and memberships	1,100	514	586
Insurance and bonds	10,000	3,047	6,953
District management	55,000	64,789	(9,789)
Legal services	40,000	25,544	14,456
Miscellaneous	-	3,932	(3,932)
Election expense	25,000	-	25,000
Snow removal	150,000	88,477	61,523
Water	43,000	13,995	29,005
Electricity	5,000	1,161	3,839
Fencing repairs	10,000	-	10,000
Street repairs	10,000	-	10,000
Sidewalk repairs	10,000	-	10,000
Stormwater fees	-	151	(151)
The Barn-Utilities	87,000	408	86,592
The Barn-Facility and Site	79,000	17,085	61,915
The Retreat-Swimming Pool	230,000	-	230,000
Lifestyle Experience - Full-Time Staff	271,000	136,732	134,268
Lifestyle Experience - Part-Time Staff	33,000	15,614	17,386
Lifestyle Experience - Events/Activities	57,000	18,607	38,393
Lifestyle Experience - Member Support	5,000	1,456	3,544
Lifestyle Experience - Commuincatons/Licensing	6,000	2,046	3,954
Lifestyle Experience - Office Supplies	7,000	5,894	1,106
Lifestyle Experience - Program Support	25,000	7,615	17,385
Retreat allocation - Ranch Pass	60,480	29,862	30,618
TOTAL EXPENDITURES	<u>1,590,955</u>	<u>647,100</u>	<u>943,855</u>
NET CHANGE IN FUND BALANCES	(76,720)	237,112	313,832
FUND BALANCES - BEGINNING	<u>494,948</u>	<u>610,461</u>	<u>115,513</u>
FUND BALANCES - ENDING	<u>\$ 418,228</u>	<u>\$ 847,573</u>	<u>\$ 429,345</u>

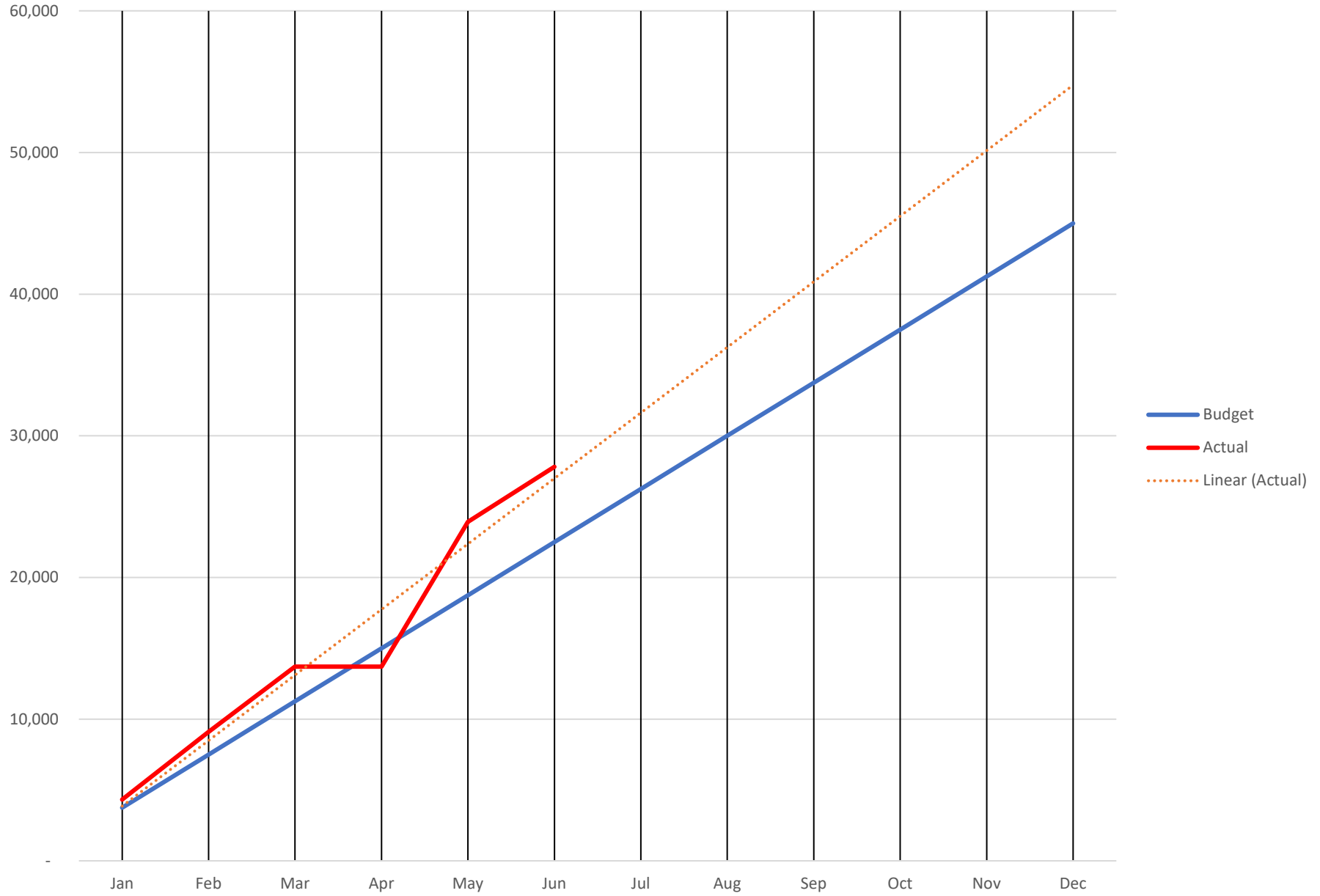
No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	YTD		
									Actual	Budget	Variance
Accounting	4,324	4,776	4,607		10,224	3,883	3,750	3,750	27,814	22,500	(5,314)
Auditing	-	-	-		-	-	4,775				
Billing services	3,414	-	(55)		10,885	2,584	2,250	2,250	16,828	13,500	(3,328)
Community management	1,790	1,843	1,864		3,791	1,911	1,583	1,583	11,199	9,500	(1,699)
Trash removal and recycle	5,500	5,662	5,726		11,877	5,988	6,250	6,250	34,753	37,500	2,747
Website maintenance	-	-	-		-	-	50	50		300	300
Landscape maint. - Contract maintenance	19,914	19,915	20,004		39,829	19,915	19,000	19,000	119,577	114,000	(5,577)
Dues and memberships	-	514	-		-	-	92	92	514	550	36
Insurance and bonds	2,708	-	-		613	(274)	833	833	3,047	5,000	1,953
District management	4,459	16,449	767		33,340	9,774	4,583	4,583	64,789	27,500	(37,289)
Legal services	8,902	3,537	3,665		5,116	4,324	3,333	3,333	25,544	20,000	(5,544)
Miscellaneous	-	-	92		3,300	540			3,932		(3,932)
Election expense	-	-	-		-	-	2,083	2,083		25,000	25,000
Snow removal	38,390	50,087	-		-	-	13,583	13,583	88,477	122,250	33,773
Water	52	55	54		5,927	7,907	3,583	3,583	13,995	18,476	4,481
Electricity	206	205	-		533	217	417	417	1,161	2,500	1,339
Fencing repairs	-	-	-		-	-	833	833		5,000	5,000
Street repairs	-	-	-		-	-	833	833		5,000	5,000
Sidewalk repairs	-	-	-		-	-	833	833		5,000	5,000
Stormwater Fees					18	133			151		
The Barn-Utilities	-	-	102		204	102	7,250	7,250	408	43,500	43,092
The Barn-Facility and Site	2,795	2,795	2,835		5,740	2,920	3,167	3,167	17,085	19,000	1,915
The Retreat-Swimming Pool	-	-	-		-	-	19,167	19,167		115,000	115,000
Lifestyle Experience - Full-Time Staff	19,085	24,866	22,743		48,142	21,882	22,583	22,583	136,718	135,500	(1,218)
Lifestyle Experience - Part-Time Staff	-	4,033	3,318		5,805	2,458	2,750	2,750	15,614	16,500	886
Lifestyle Experience - Events/Activities	870	5,123	3,357		4,797	4,460	4,750	4,750	18,607	28,500	9,893
Lifestyle Experience - Member Support	674	593	46		143	-	417	417	1,456	2,500	1,044
Lifestyle Experience - Communicatons/Licensing	539	351	329		704	123	500	500	2,046	3,000	954
Lifestyle Experience - Office Supplies	1,718	370	886		2,529	391	583	583	5,894	3,500	(2,394)
Lifestyle Experience - Program Support	250	2,127	946		2,690	1,602	2,083	2,083	7,615	12,500	4,885
Retreat allocation - Ranch Pass	4,774	4,914	4,970		10,108	5,096	5,040	5,040	29,862	30,240	378
	120,364	148,215	76,256	-	206,315	95,936	136,957	132,182	647,086	843,316	196,381

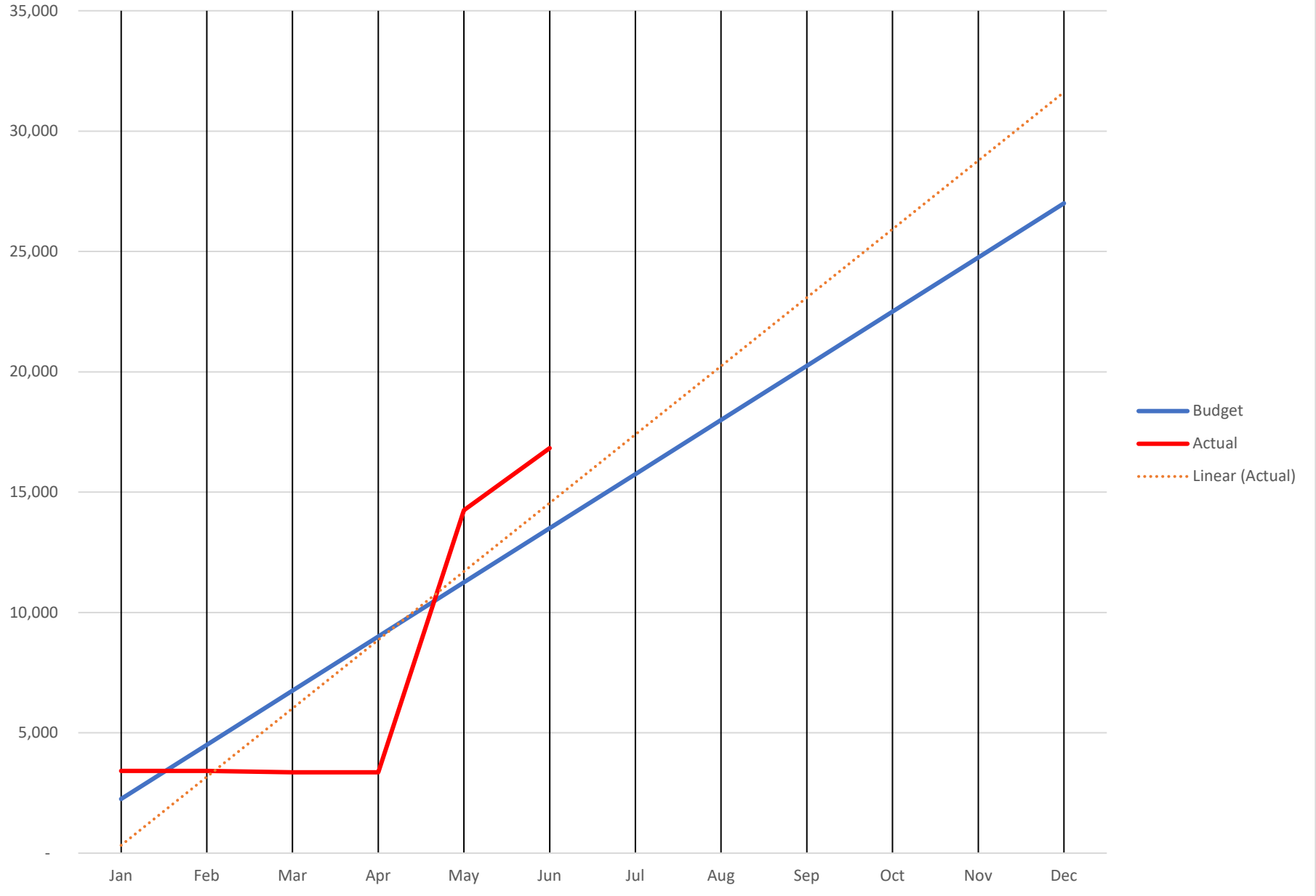
2023 Special Revenue Fund - Total Operations & Maintenance Expenditures



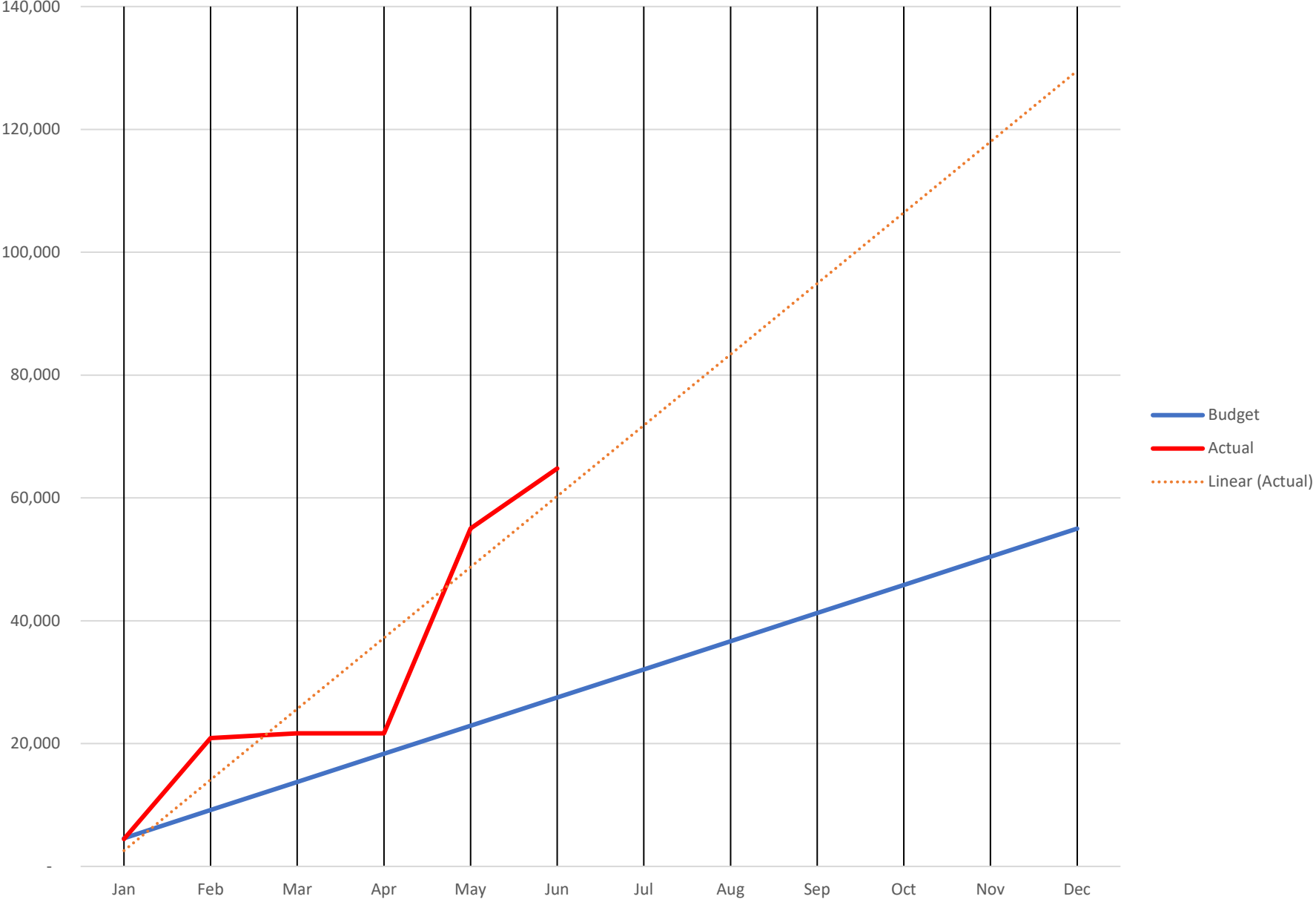
2023 Special Revenue Fund - Accounting (CLA) Expenditures



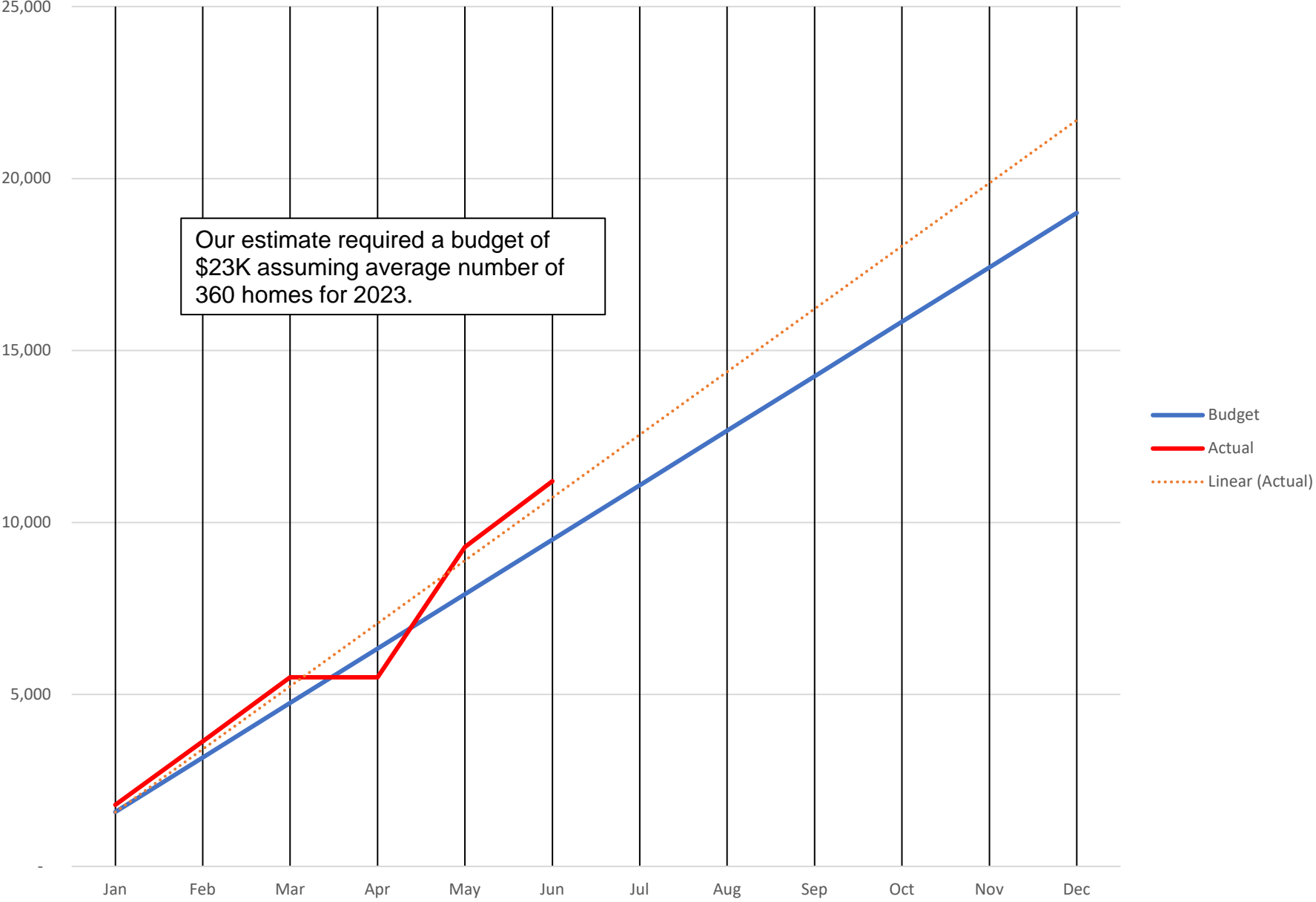
2023 Special Revenue Fund - Billing Services (CLA) Expenditures



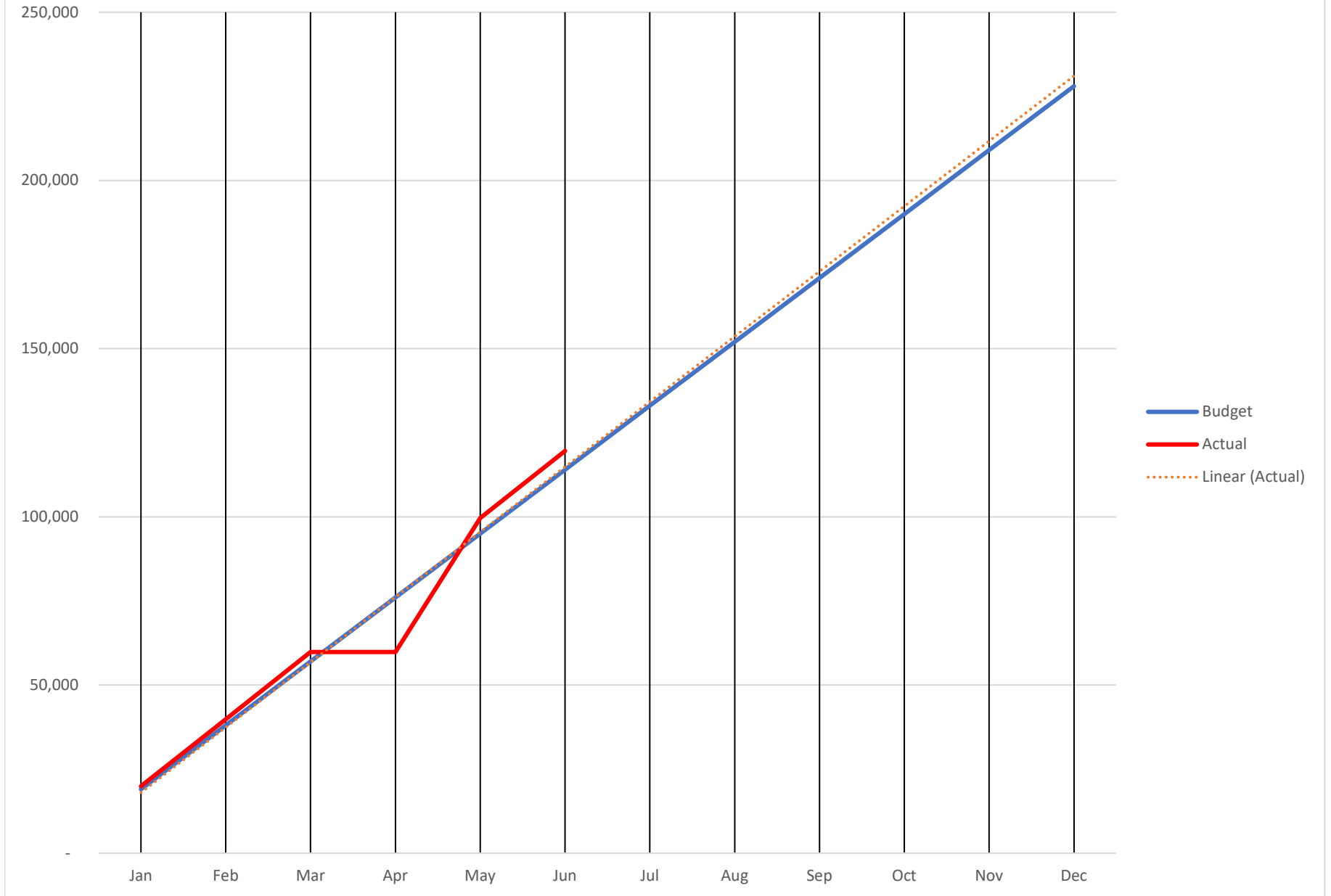
2023 Special Revenue Fund - District Management (CLA) Expenditures



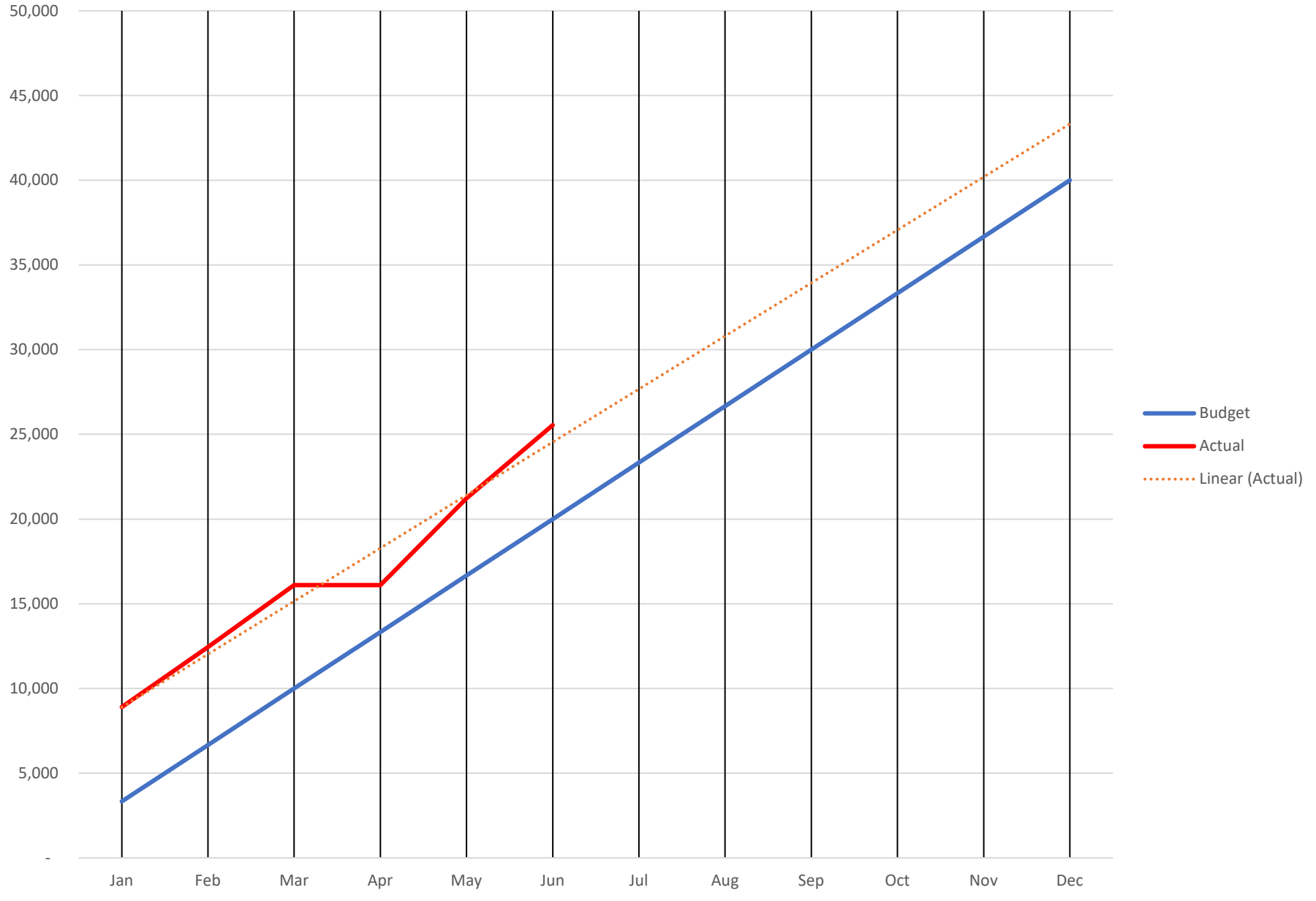
2023 Special Revenue Fund - Covenant Enforcement Expenditures



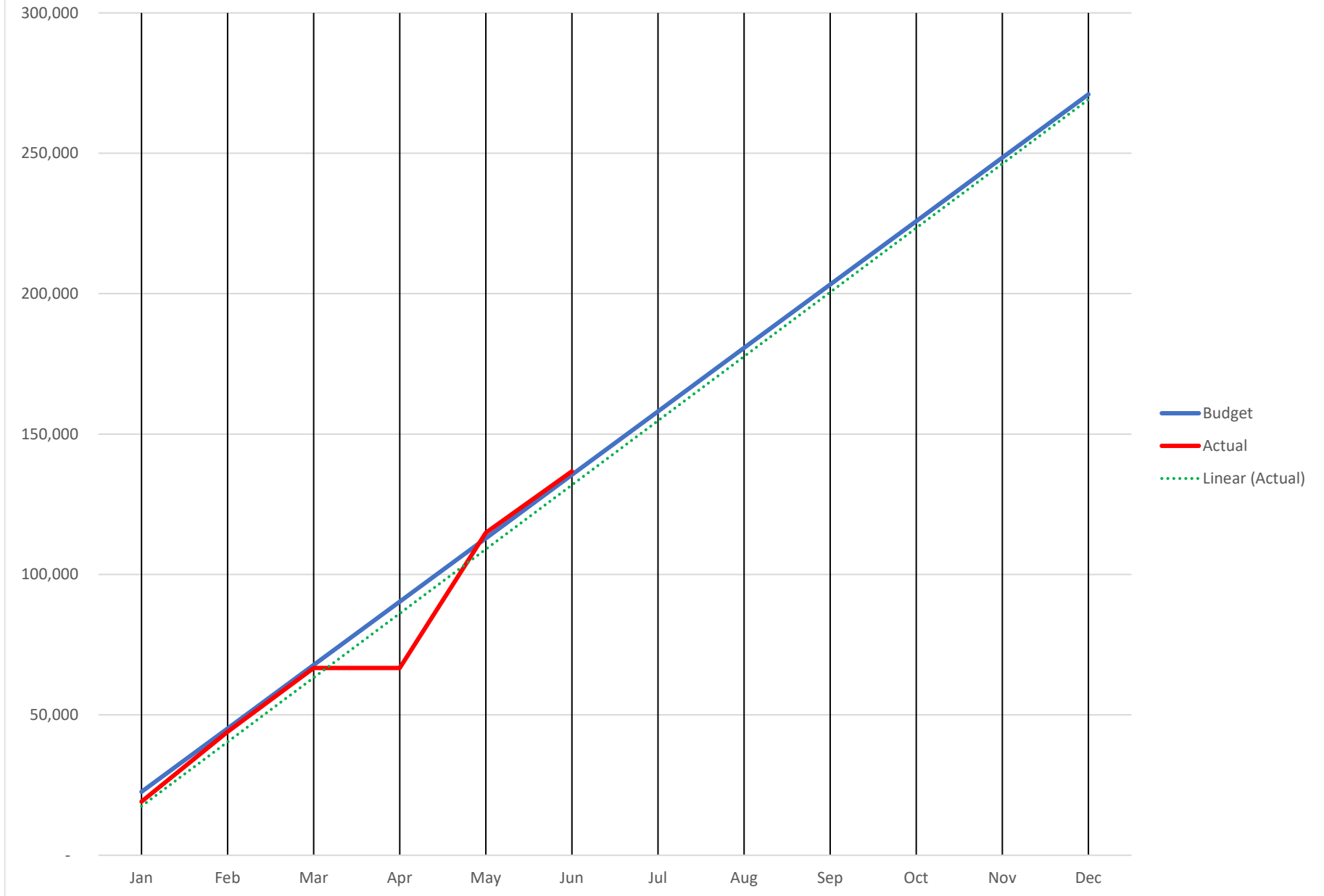
2023 Special Revenue Fund - Landscape Maintenance Expenditures



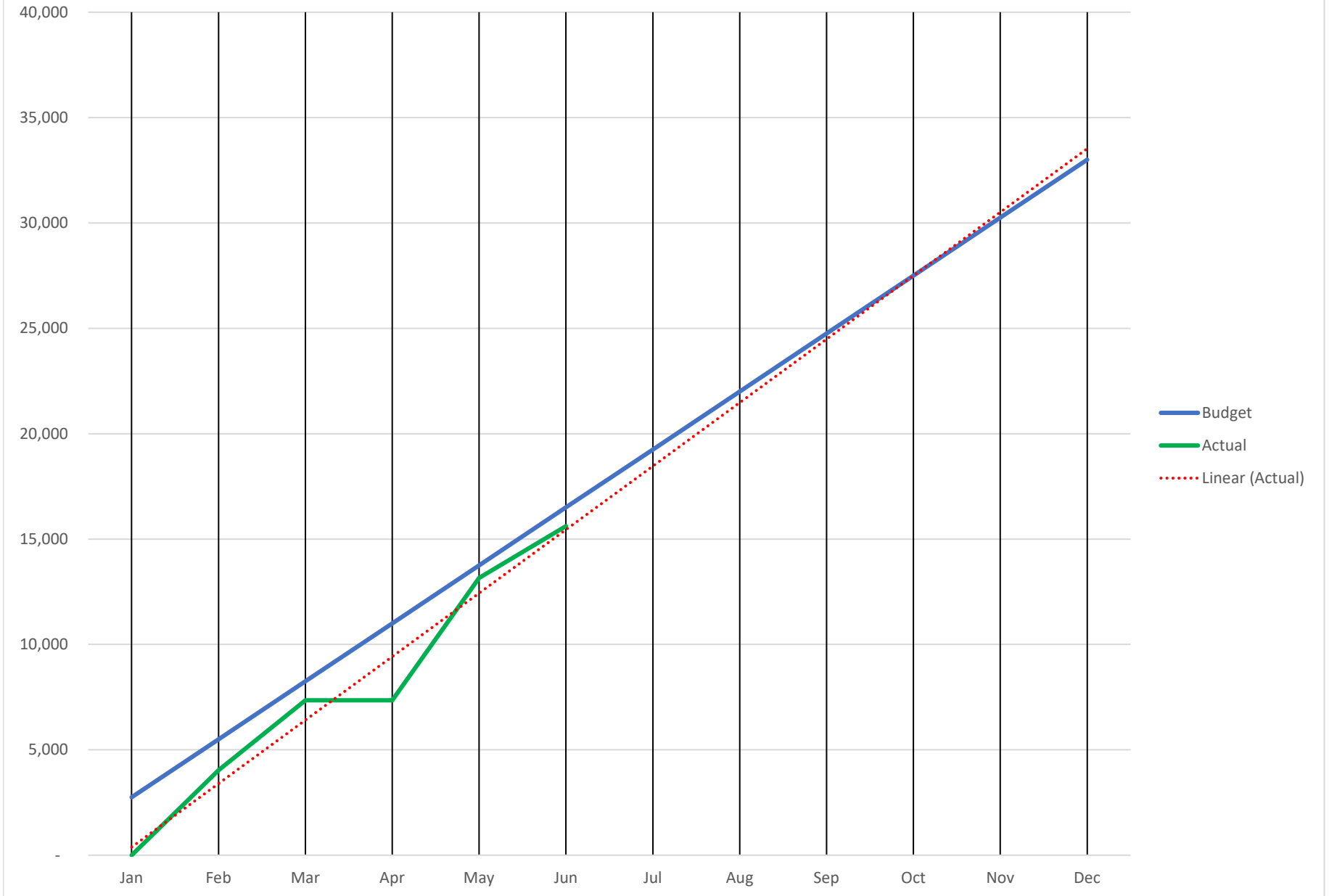
2023 Special Revenue Fund - Legal Expenditures



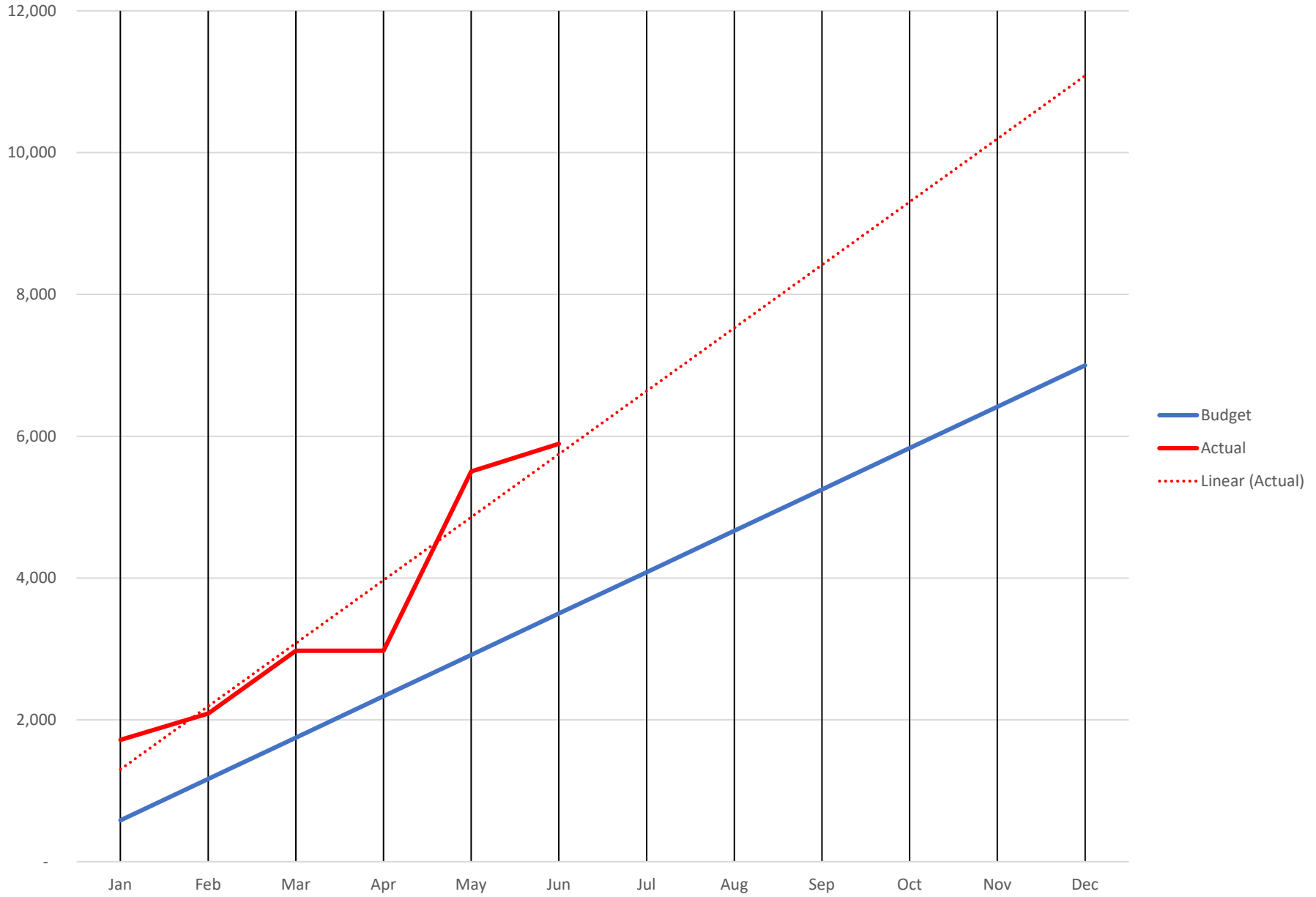
2023 Special Revenue Fund - OL FTE Labor Expenditures



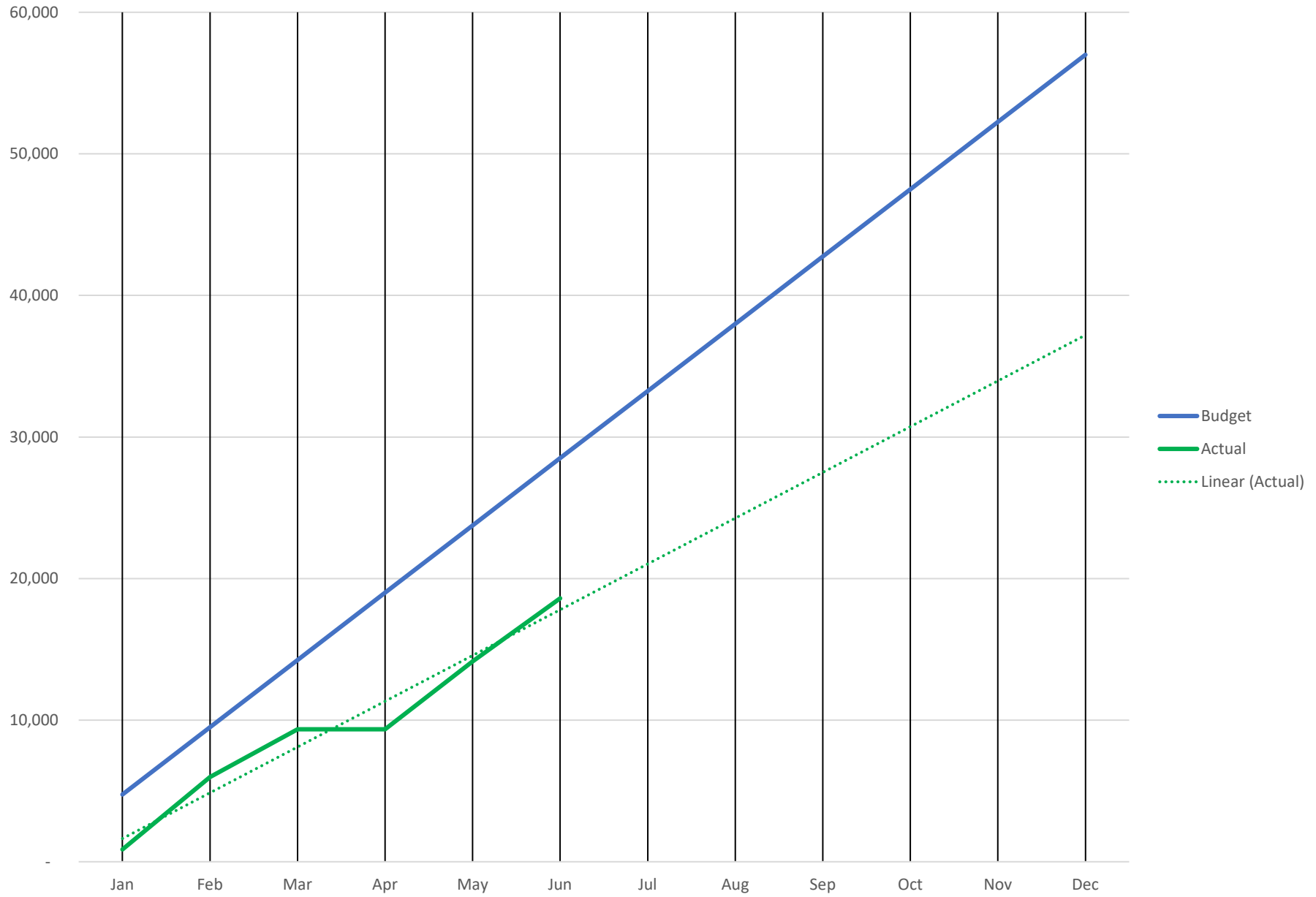
2023 Special Revenue Fund - OL Part Time Labor & Contractor Expenditures



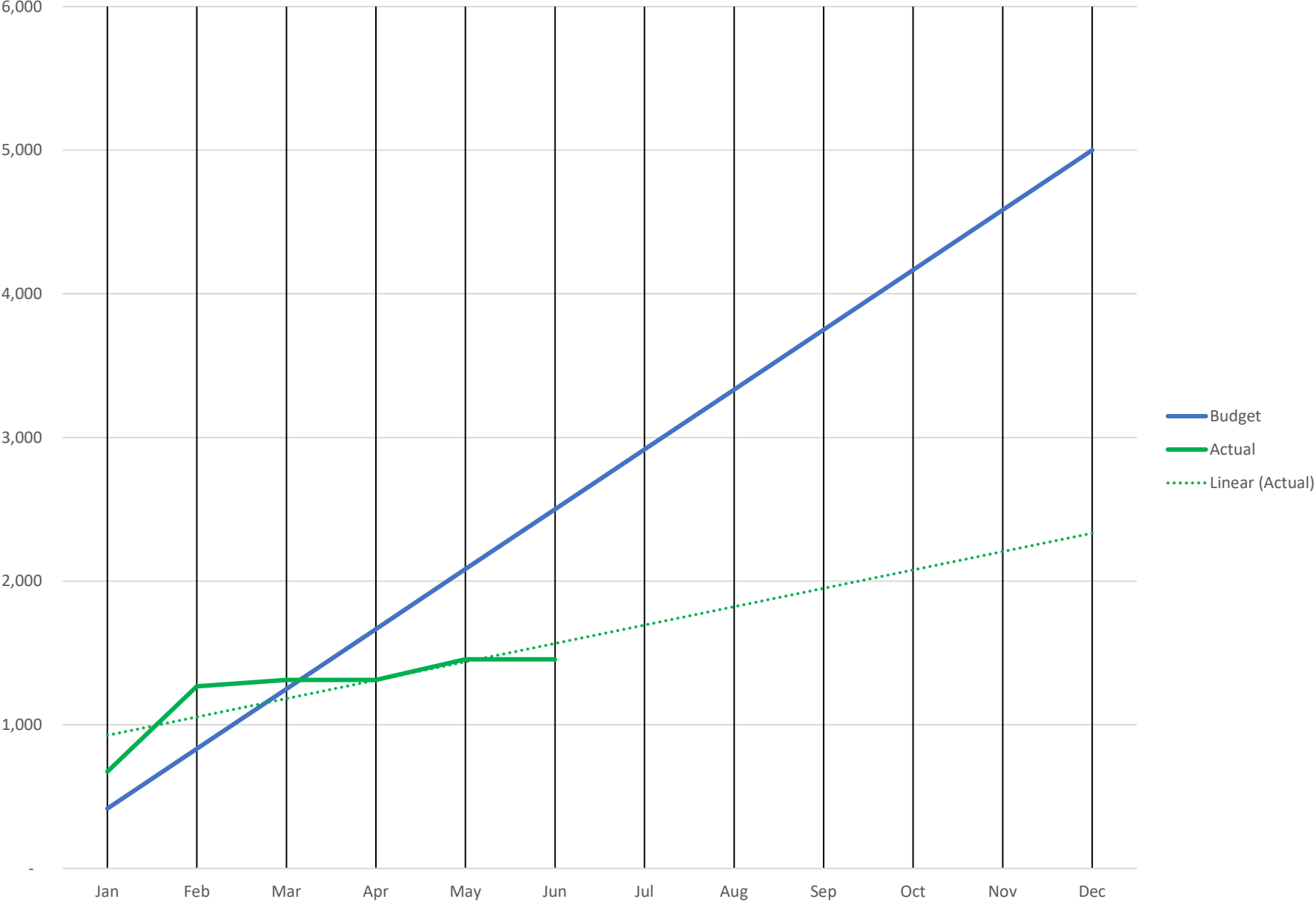
2023 Special Revenue Fund - OL Office Supplies Expenditures



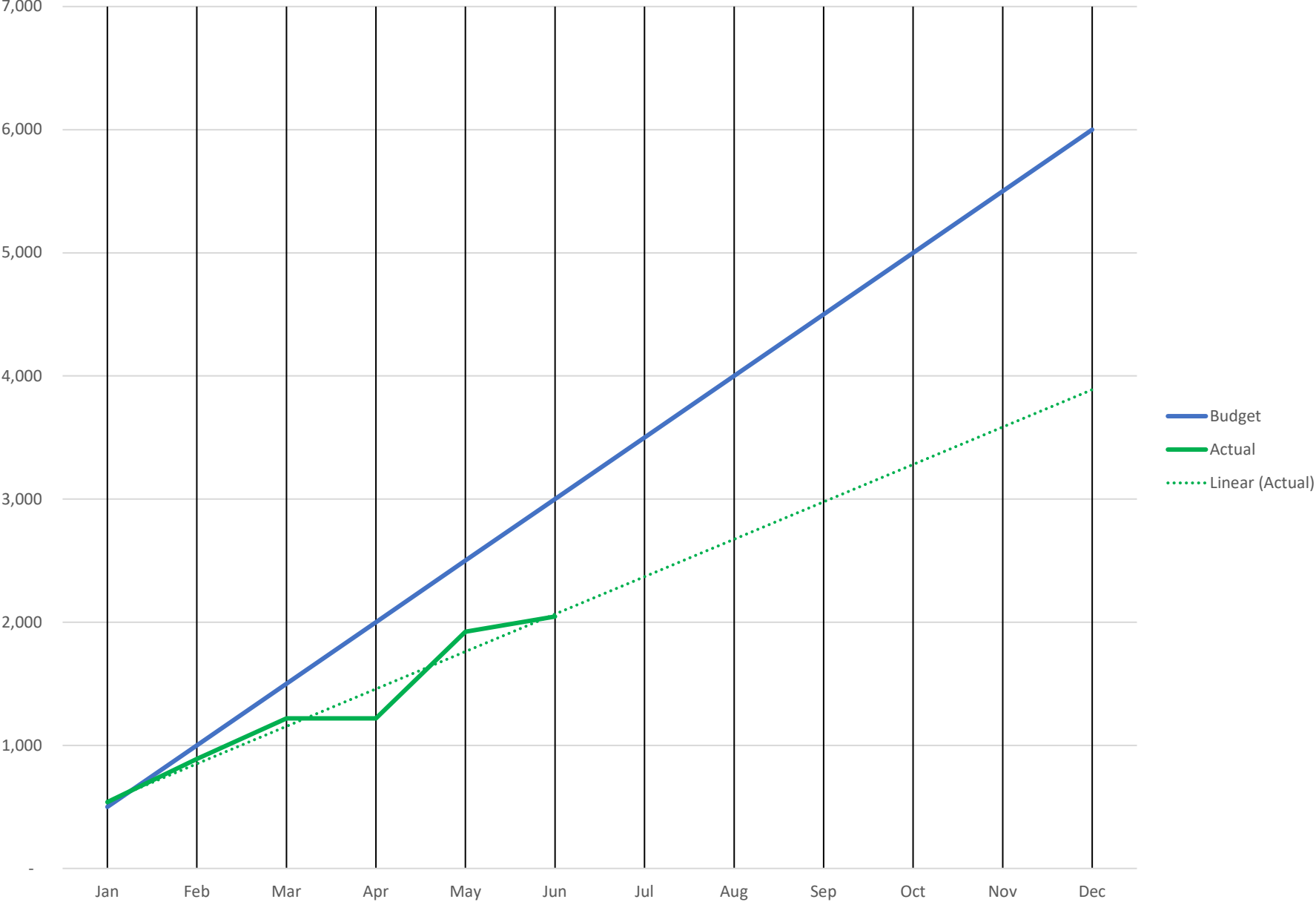
2023 Special Revenue Fund - OL Events & Activities Expenditures



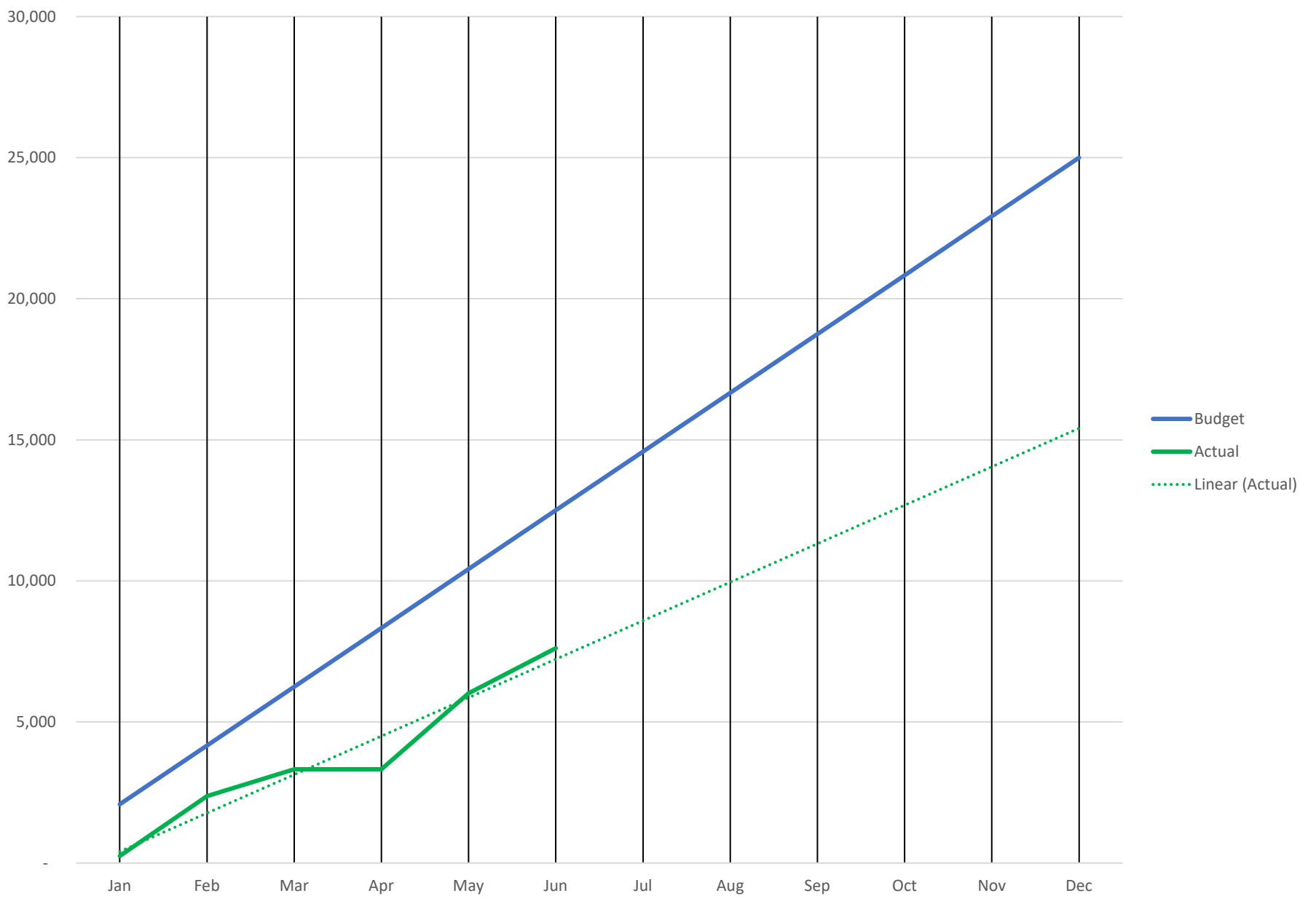
2023 Special Revenue Fund - OL Member Support Expenditures



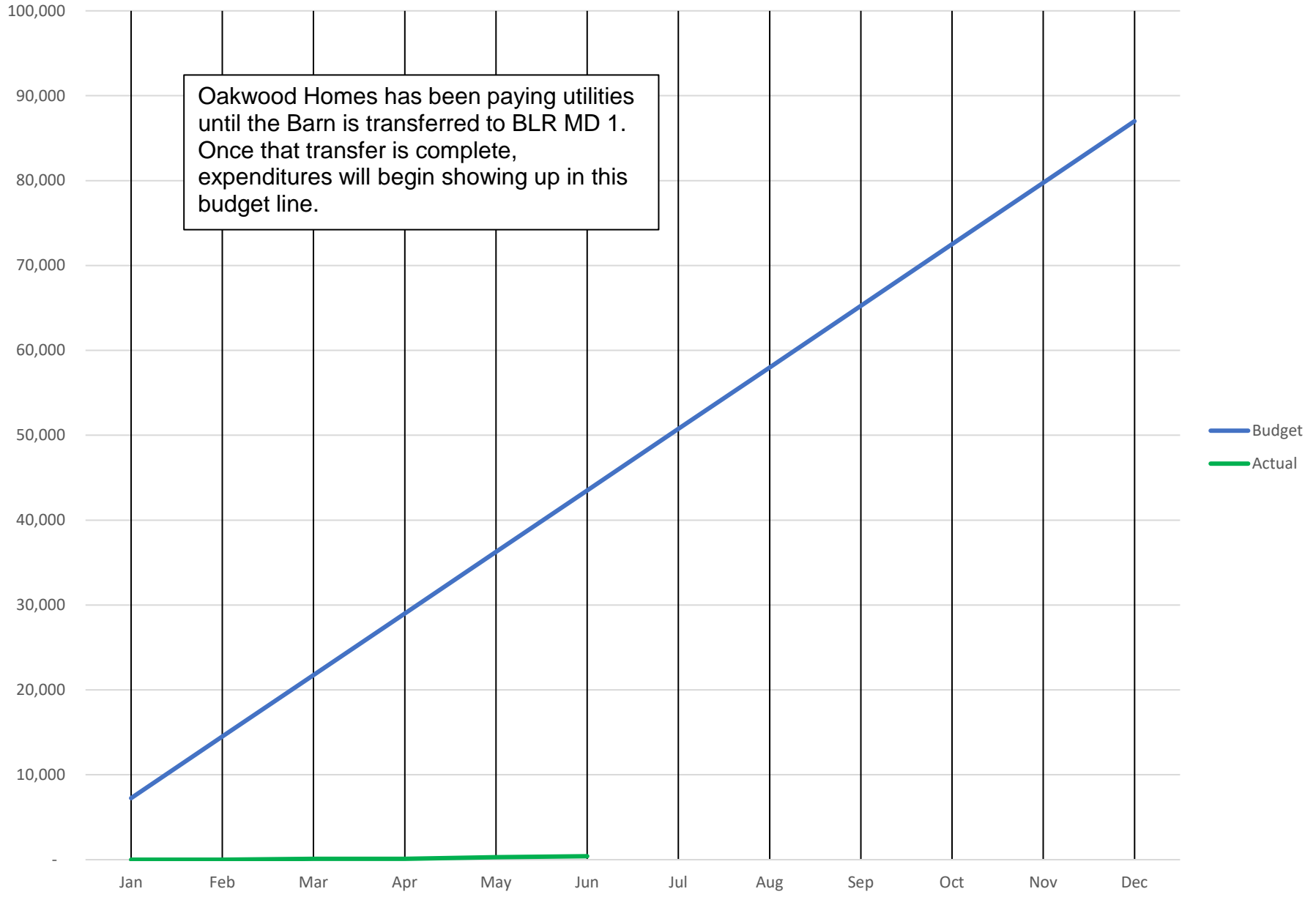
2023 Special Revenue Fund - OL Communications& Licensing Expenditures



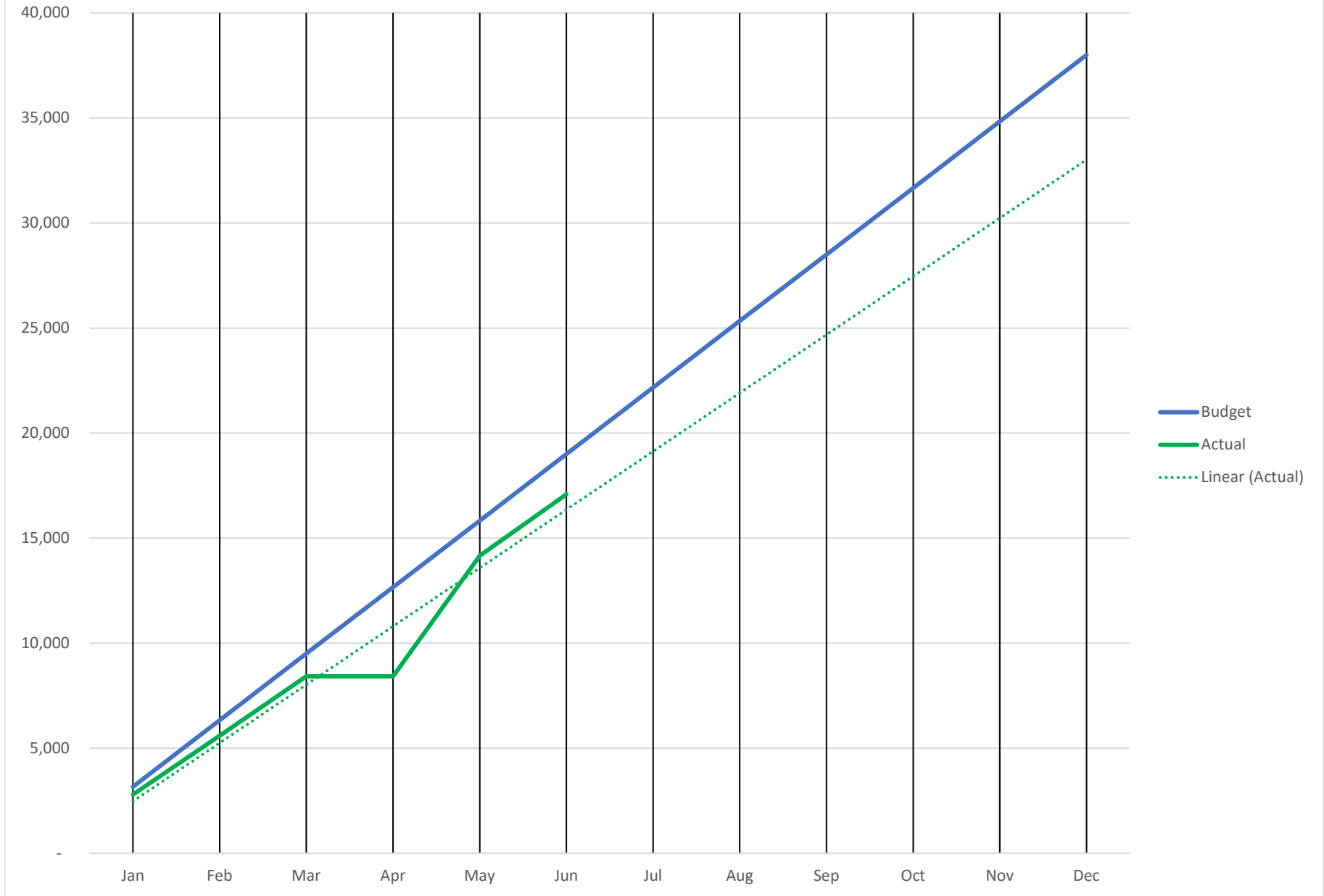
2023 Special Revenue Fund - OL Program Support Expenditures



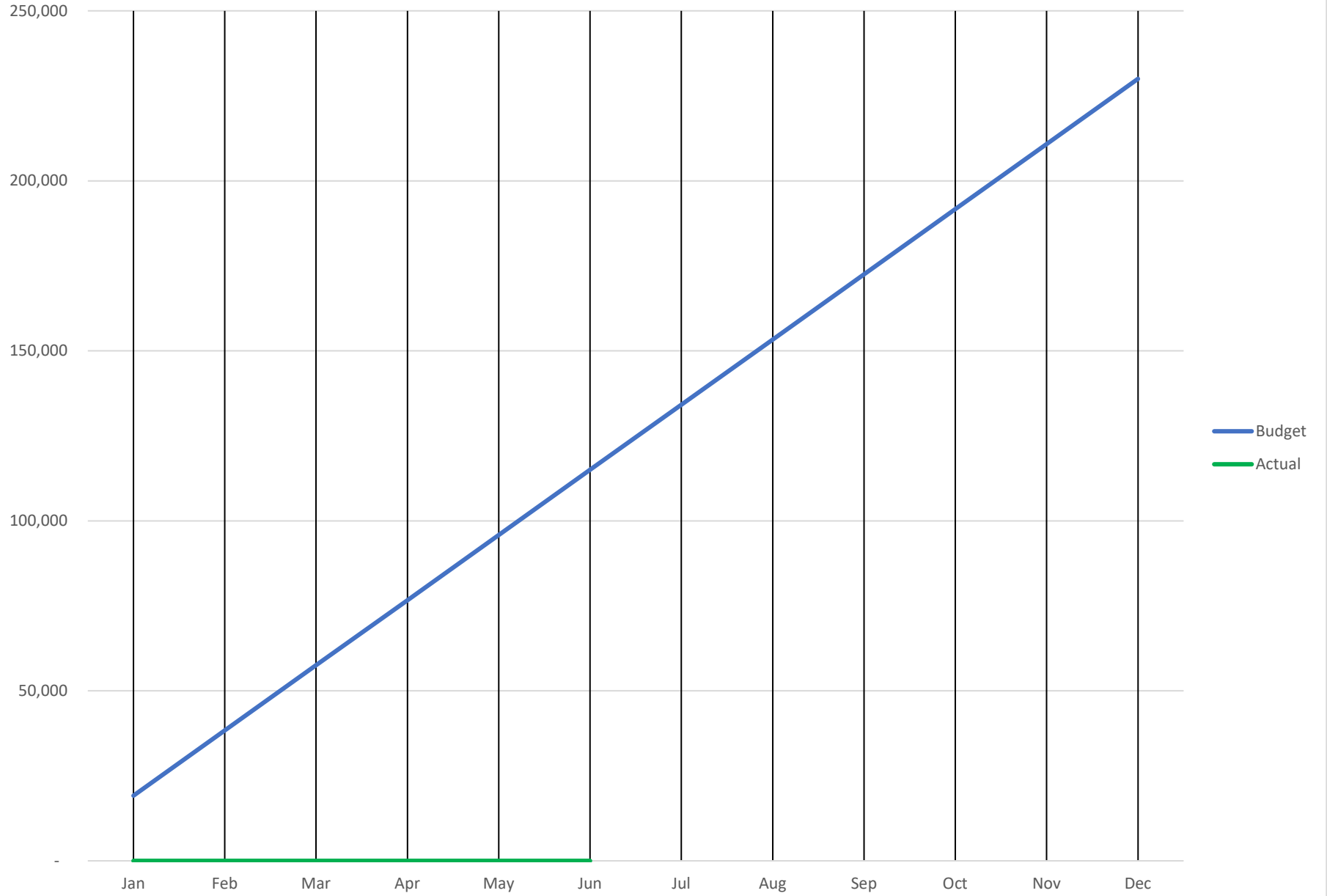
2023 Special Revenue Fund - Barn Utilities Expenditures



2023 Special Revenue Fund - Barn Facility & Site Expenditures



2023 Special Revenue Fund - Barn Pool Expenditures



FUNDING REQUEST

BLR Metro District 5

I. **Funding Request.** All Funding Requests must contain the information described in the following subparagraphs. If you have questions, review the procedure and example provided with this form.

A. Title of Request: Pickleball Equipment for both safety and training

B. Original submittal date: July 7, 2023

C. Timing: both

URGENT

ROUTINE

D. Description:

- i. Automated External Defibrillator (AED) kept at courtside (urgent)
- ii. First Aid kit at courtside (urgent)
- iii. Backboard for pickleball training (routine)
- iv. Drilling machine (routine)

E. Explanation of Need and Benefit:

The Pickleball Club (over 175 members) completed a survey of members to identify safety needs and prioritize items to improve pickleball play for all members and residents interested in developing pickleball skills.

Safety needs

1st priority - purchase an AED machine that can be left at the courts if possible. The need for this is simply due to health emergencies where time is of the essence.

2nd priority – purchase a comprehensive first aid kit that can be left courtside if possible. This is also related to medical emergencies that need some type of quick first aid application, but not as life threatening.

Training needs

3rd priority – purchase (build) and install a backboard for drilling and training. Backboards provide an option to practice/improve skills and can be done as an individual or as part of a larger training class. This item can be built onsite or purchased but will require experienced installers for liability purposes.



4th priority – purchase a quality ball machine that delivers balls to a player to practice shots in repetition. The two machines shown below are examples of the type of machines currently on the market today. This ball machine will need to be stored in the Barn in the outside storage area. Before any players are allowed to check out and use the ball machine, they will need to attend a training session on the proper use and handling of the equipment.



F. Funding Required Date:

As soon as possible to support growing Pickleball Club members and provide options for all levels, including beginners, to participate in safe and healthy activity.

G. Expected Impacts:

These items promote safe and healthy outdoor activity for all residents interested in pickleball. As new residents move into The Retreat, these tools provide alternative ways to try and if desired, improve skills.

H. Estimated Total Cost:

AED machine - \$1,500 estimate
First aid kit - \$250 to \$400 estimate (Uline or Grainger)
Backboard - \$2,000 estimate
Drilling Ball Machine - \$2,000 estimate

I. Requestor:

Pickleball Club Advisory Board, Wendy Tomme, Chair
Wendy.tomme@gmail.com
615-804-5642

II. Committee Point of Contact:

Suzanne Qualia, suzanne@qualia-inc.com, 608-354-5392

Deb Nussdorfer, debussdorfer@gmail.com, 719-964-5087

III. Committee Evaluation.

A. Request Complete?

Yes, with some recommended cost estimating tweaks:

- Weatherproof & secure AED and First Aid containers potentially not adequately reflected in price estimates.
 - Recommend increasing each of those by \$500 to cover
 - AED cost itself might be underestimated based on link to the Cardiac Science Powerheart G5 Complete AED Pkg - \$2163 + \$500 = \$2663.
- Recommend increasing the backboard estimate to allow for updated pricing from May quotes + contingency.
 - \$489.01 – 10% increase to \$537.91
 - \$1600.00 installation quote – 10% increase to \$1760
 - Contingency – i.e., extra supplies not anticipated, etc. – 10% - \$230
 - Total new cost estimate: \$2,528

B. Verify Information.

- Requestor has provided links/back-up of research.
- Requestor has enlisted the help of experts in gathering pricing and item selection information.
- Finance committee point person has verified links and completeness.

C. Reserve Study Applicability.

- Backboard will need to be included in the reserve funding for future, amortized repairs. (painting, wood replacement, etc)
- All items should be listed on the Assets/Fixtures list for Retreat, and inventory controlled.

D. Evaluate Need.

- As mentioned in the body of the request (1st paragraph, section E), the requests were generated from a 175-person Pickleball group survey and further discussed and prioritized by the full 16-member PB Advisory committee.

E. Evaluate Benefit.

- High.
 - Pickleball club is the largest special interest group in the Retreat

- Comprised of active, fit members, with a majority of them wanting to improve their game and become more proficient
 - Supports Backboard and Drilling Machine requests.
- The desire to play at their best as well as keep up with peers, can often lead to “overplaying the abilities”, resulting in injuries. This fact was recently published in the Forbes article found here: [Pickleball Injuries Cost Americans Nearly \\$400 Million This Year—And Seniors Are Hit The Hardest \(forbes.com\)](https://www.forbes.com/sites/forbesrealitycheck/2019/04/11/pickleball-injuries-cost-americans-nearly-400-million-this-year-and-seniors-are-hit-the-hardest/)
 - 2019 Journal of Emergency Medicine estimated there were about 19,000 PB injuries per year, with 90% of them affecting people 50 or older.
- The backboard, drilling machine will help improve player’s abilities, making them less prone to these injuries. The first aid kit will be available for scrapes and injuries that will inadvertently happen.
- The benefits of AED’s in saving lives are as follows:

Automated external defibrillators (AEDs) can save lives in cases of cardiac arrest ^{1 2 3}.

Bystanders using an AED can save about 1,700 lives in the United States per year ³.

Communities with comprehensive AED training programs see a 40% increase in cardiac arrest survival rates ². Experts estimate that an increase in AEDs to optimal levels could save more than 40,000 American lives each year ². Heart experts at Johns Hopkins and elsewhere have evidence that at least 522 lives can be saved annually in the United States and Canada by the widespread placement of AEDs ³.



Learn more: [1. nih.gov](https://www.nih.gov) [2. cprto.org](https://www.cprto.org) [3. hopkinsmedicine.org](https://www.hopkinsmedicine.org)

F. Evaluate Related Impacts.

- Elevated safety
- Encouraging growth for the PB special interest group

G. Evaluate Total Cost and Uncertainty.

- Total Cost: (listed in priority order)
 - AED - \$2663
 - First Aid Kit - \$700 (\$200 estimated kit, plus \$500 case)
 - Backboard – \$2,528
 - Drilling Ball Machine - \$2,000
- \$7,891 (high side – potentially one weatherproof case for both AED/1st Aid)
- Uncertainty – minimal.
 - 10% increase over original estimates on Backboard included in revised estimate
 - \$500 for 2 weatherproof /secure case included in the revised estimate
 - Reserve funds for backboard maintenance will need to be considered, and should be minimal.
 - Maintenance on the drilling machine is not considered, although the Pickleball Tutor has a 3-year warranty and many in the Retreat are mechanically handy and always willing to help out. (Dan A. fixed a resident’s lobster ball thrower). No contingency for maintenance is recommended.

IV. Committee Prioritization.

V. Board Actions.



Customer Quote

5/11/2023, 9:43 AM MDT

Sales Person AMW814

Store Phone # (719) 266-5165

Store # 1538

Location 5660 E WOODMEN ROAD, COLORADO SPRINGS, CO 80920

Customer Information

BARRY PHELPS

(317) 509-0874

PHELPSAREHERE@GMAIL.COM

6383 LOCHSIDE VW

COLORADO SPRINGS, CO 80927



Quote # H1538-251928

PO / Job Name banning lewis ranch retreat pickle ball court

Delivery

Delivery Address
6383 LOCHSIDE VW
COLORADO SPRINGS, CO 80927

Delivery Options
Outside Delivery

Delivery Date
Delivery to be scheduled at the time of purchase

Item Description

Item Description	Model #	SKU #	Unit Price	Qty	Subtotal
Everbilt #8 1-1/4 in. Phillips Flat-Head Deck Screws (5 lb.-Pack) SPECIAL BUY \$2.50 OFF EACH	PTN114S5	131537	\$33.97 / each \$31.47 / each	1	\$31.47
Unbranded 23/32 in. x 4 ft. x 8 ft. CD Southern Pine Plywood Rated Sheathing	106128	1001754130	\$47.98 / each	2	\$95.96
Wooster 9 in. x 1/2 in. Pro Surpass Shed-Resistant Knit High-Density Fabric Roller Cover Applicator/Tool (3-Pack)	0HR2480090	1002311752	\$12.97 / each	1	\$12.97
WeatherShield 2 in. x 4 in. x 16 ft. #1 Redwood-Tone Ground Contact Pressure-Treated Lumber	253906	1001802237	\$14.78 / each	5	\$73.90
Outside Delivery		515663	\$79.00 / each	1	\$79.00

Delivery

Delivery Address
6383 LOCHSIDE VW
COLORADO SPRINGS, CO 80927

Delivery Options
Priority Ground Shipping

Estimated Delivery Date
May 16 - May 22

Item Description

Item Description	Model #	SKU #	Unit Price	Qty	Subtotal
BEHR 1 Gal. White Exterior Barn and Fence Paint Get it by May 17 - May 22		393161	\$23.98 / each	1	\$23.98
Oz-Post 2-3/8 in. WAP-OZ Galvanded Steel Wood Fence Bracket Get it by May 22		1000075852	\$3.38 / each	9	\$30.42
Olympic Rescue 1t 3 gal. Forest Deck Resurfacer and Primer with Sealant Get it by May 16 - May 19		1003364544	\$108.00 / each	1	\$108.00
Priority Ground Shipping				1	\$0.00



Customer Quote

5/11/2023, 9:43 AM MDT

Sales Person AMW814

Store Phone # (719) 266-5165

Store # 1538

Location 5660 E WOODMEN ROAD, COLORADO SPRINGS, CO 80920

Prices Valid Through: 05/18/2023
at The Home Depot #1538

Subtotal	\$455.70
Discounts	-\$0.00
Sales Tax	\$33.31
Quote Total	\$489.01



Charlies Fencing LLC

Charles

Business Number 3032530417

8087 Buschborn rd. Peyton Co 80831

3032530417

charliesfencingllc@gmail.com

BILL TO

5417296740

Pickle ball court

DESCRIPTION

AMOUNT

4

\$300.00

x 3

\$900.00

Labor

\$700.00

x 1

\$700.00

TOTAL

\$1,600.00

BALANCE DUE

USD \$1,600.00

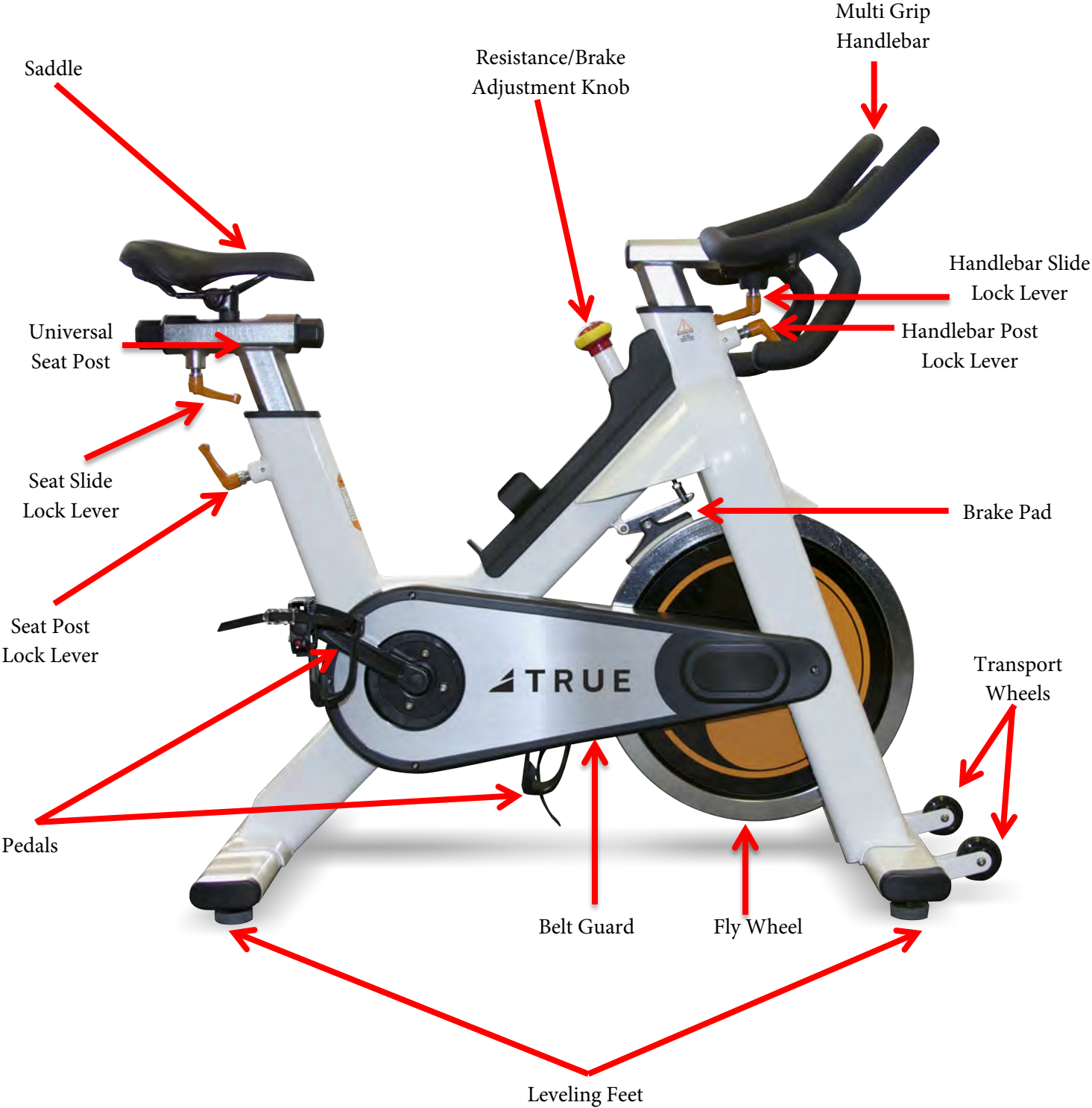






CHAPTER 3: PRODUCT OVERVIEW

BIKE OVERVIEW:



FUNDING REQUEST

BLR Metro District 5

- I. **Funding Request.** All Funding Requests must contain the information described in the following subparagraphs. If you have questions, review the procedure and example provided with this template.

A. Title of Request:

New Spin Bikes

B. Original submittal date:

May 1, 2023

C. Timing:

URGENT

ROUTINE

D. Description:

Replace the original spin bikes in the gym.

E. Explanation of Need and Benefit:

The current spin bikes are broken, and without confirmation, they are more than likely out of warranty due to the fact the bikes were purchased in 2018. Without replacing the current spin bikes, they will break and consequently will be very expensive and difficult to repair due to age.

Current bikes

- Limited handlebar and seat adjustments
- Do not have any monitoring capability
- Friction-based flywheel design

Desired bike features

- Monitoring capability
 - Current speed
 - Average speed
 - Maximum speed
 - Watts
 - Distance
- Magnetic resistance design

An example bike to consider is the Keiser M3i

F. Funding Required Date:

2024 BLR MD 1 Budget

G. Expected Impacts:

More residents would use the spin bikes if the bikes were more capable and more sturdy.

H. Estimated Total Cost:

I have received quotes for many different manufacturers with suppliers cost ranging from \$6,500 to \$8,500 for 4 bikes with trade-in of current bikes.

I. Requestor:

Anne Bradley

II. Committee Point of Contact:

Bob Cass

III. Committee Evaluation.

A. Request Complete?

Yes.

B. Verify Information.

Bike Model: TRUE Indoor Cycling Bike – SBMS-19

Serial Numbers: 21-SBMS0269F
21-SBMS0293F
21-SBMS0294F
21-SBMS0296F

Number broken: 0

The bikes with broken water bottle holder(s) and pedal(s) have been repaired.

Owner's Manual:

"This bike is intended for in-home use only; do not use this bike in a commercial or institutional setting. Doing so may void the expressed warranty."

Residential Limited Warranty: Parts (1 yr), Wear Items (90 days), Frame (5 yrs)

The bikes are clearly out of warranty given they are not used in a home.

C. Reserve Study Applicability.

N/A - Reserve Study not accomplished yet.

D. Evaluate Need.

Although I have not used a spinning cycle nor attended a spinning class, I have spent time in a number of gyms using different types of stationary cycling bikes. My impression of these spinning bikes is they are stable, sturdy, and durable.

However, the bikes are difficult to adjust for smaller riders as the locking levers do not have a full range of motion due to conflict with the bike frame.

My brief research indicates spinning bikes like these are intended for use in a spinning class with an instructor leading a group of students during a workout. The instructor sets the pace and encourages students to keep up their pace of exercise. Without a live instructor and peer pressure from other students, it requires self-discipline to ensure a good workout.

Because these bikes do not have any monitoring capability, riders cannot measure progress over multiple sessions. Without a capability to monitor the level of individual performance (rpm, speed, distance, power, etc.) a user cannot determine if their performance is increasing, decreasing, or remaining stable over a period.

E. Evaluate Benefit.

Determining the benefit of replacing these bikes is difficult. The current bikes do not seem to be used.

The current bikes may not be used because there are no scheduled spinning classes, or they lack a monitoring capability. But another argument could be made that no one would ride a spinning bike anyway. We don't have any data to determine if spinning bikes with a monitoring capability would be used any more than the current spinning bikes.

F. Evaluate Related Impacts.

There are no identified related impacts in other areas.

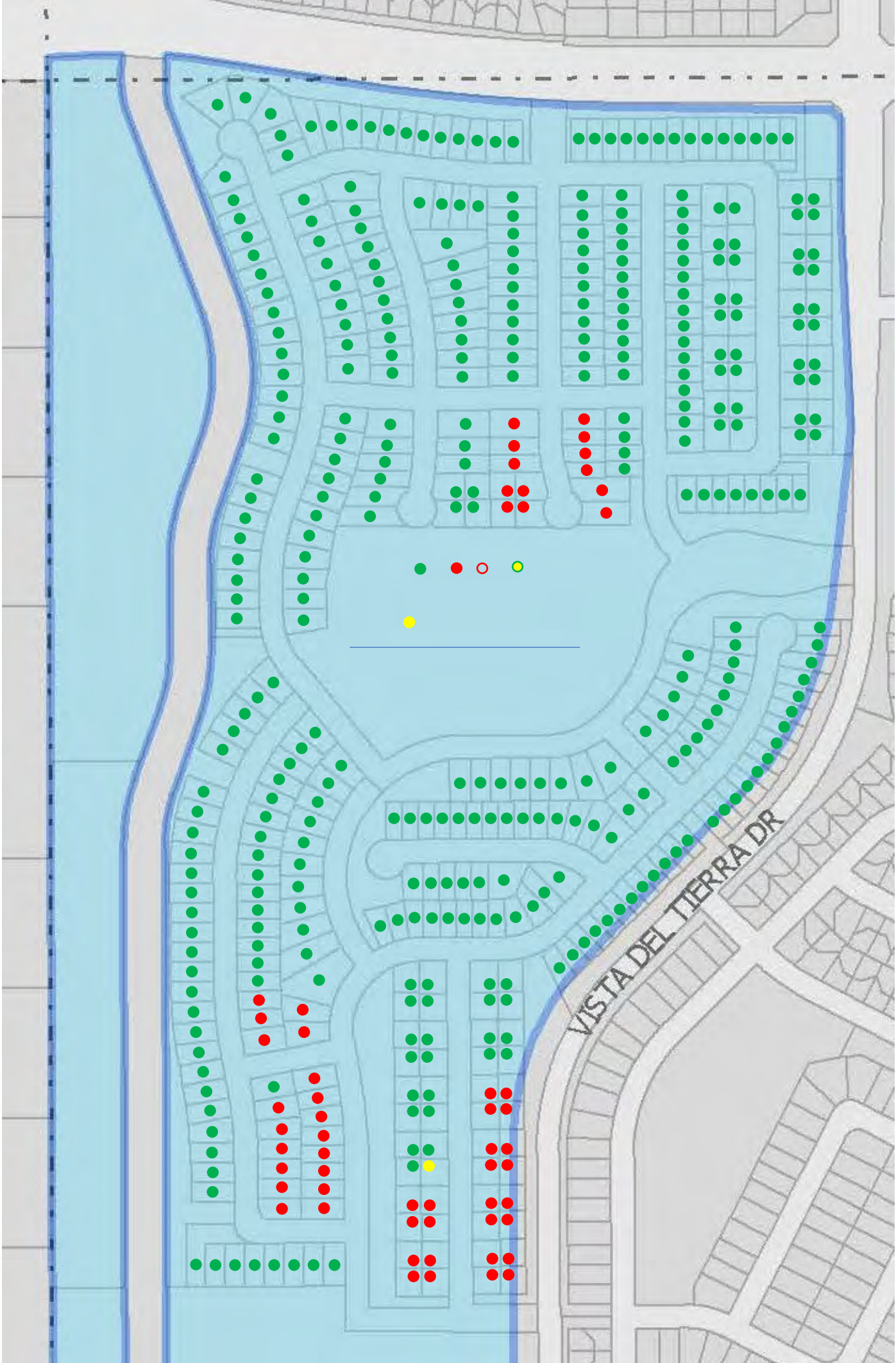
G. Evaluate Total Cost and Uncertainty.

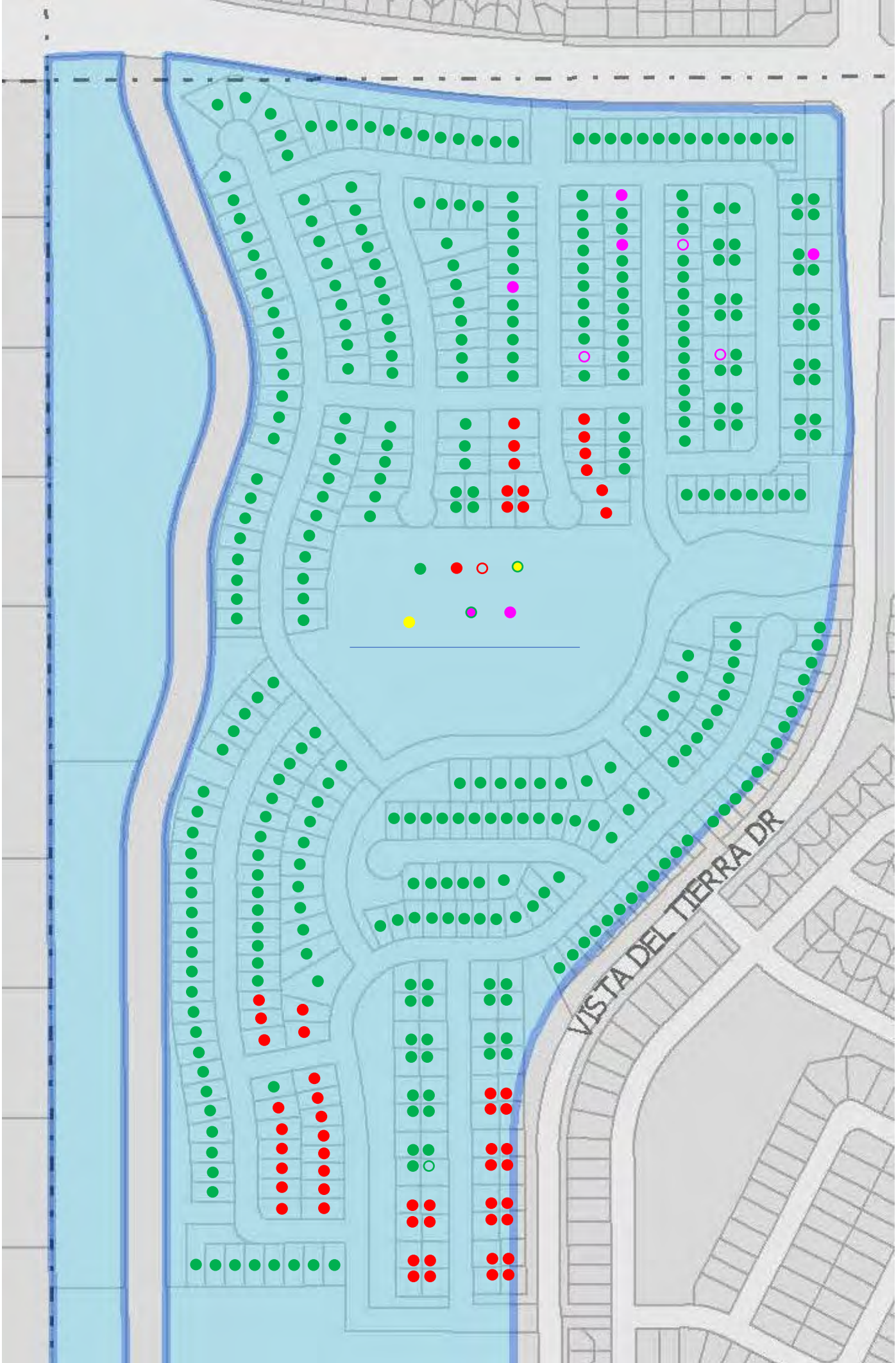
Total cost presented seems accurate based on internet research. There is uncertainty about whether new spinning bikes would be used.

IV. Committee Prioritization.

Priority	Requested Item(s)	Estimate
1	Fob Reader from Patio to Barn	5,000
2	Automated External Defibrillator (AED)	3,000
3	Pickleball Backboard	2,500
4	Pickleball Drilling Machine	2,000
5	Replace Spinning Bikes	7,500

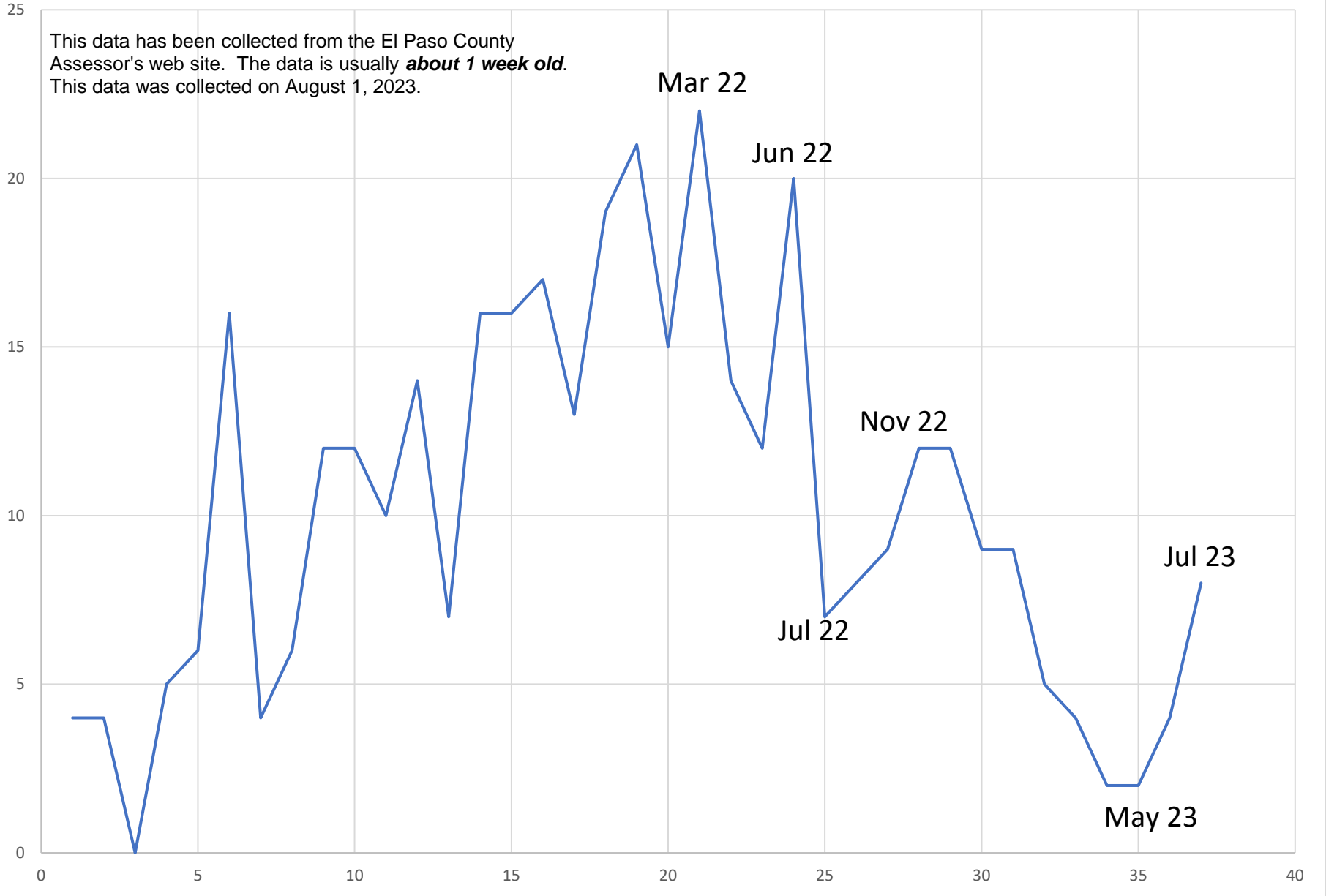
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5	Replace Spinning Bikes	7,500





New Home Closings Per Month - The Retreat

This data has been collected from the El Paso County Assessor's web site. The data is usually *about 1 week old*. This data was collected on August 1, 2023.



Through July 31st unless otherwise noted (*)

Meeting Schedule	Elections
Third Thursday/month at 9 am; Agenda posted NLT 24 hours prior to meeting at DISTRICT NO. 5 Meetings (banninglewisranchmetrodistrict.com)	Next election May 2025
Board	2023 Assessment and Discretionary Funds
Robert Cass President Victoria Niemi, Treasurer Kathryn Giddens, Secretary Dawson Hubert, Assistant Secretary Heidi Westberg, Assistant Secretary Krista Baptist, CLA. Official Custodian for purposes of the Colorado Open Records Act (Sections 24-72-201)	\$288/month collected by CLA \$66/month collected by El Paso County (Average Monthly**) ** Range is from \$30 to \$103 depending on home value
Units Settled (As of 8/15)	Insurance Renewal
Total Planned: 585 Occupied: 369 (566 Occupants aprx) Rentals: 4 Model Homes: 13 Under Construction: 13 Vacant Lots: 190 Completed: 10 in 2023 On Market or Pending: 7	Current for 2023. 2023 Administrative Resolution directs District Management to maintain insurance coverage.
Fund Balances as of June 30, 2023 <ul style="list-style-type: none"> • General Fund: 0 • Debt Service Fund: 1,174,807.24 • Capital Projects Fund: (3,515.84) • Special Revenue Fund: 1,000,361 	Debt Balances as of June 30, 2023 <ul style="list-style-type: none"> • 2018A Senior Bonds 6,585,000 • 2018B Subordinate Bonds 1,467,062 • 2018C Junior Lien Bonds 2,818,036 • Developer Advances 1,206,808

NOTE: From July Board Meeting- Audit due July 31st
[CLA will provide spreadsheet on what things cost](#)
[2024 Budget drafting begins in August](#)
[Litigation over Barn contracts will be covered by Oakwood](#)

August 2023

COMPARE WEBSITE MAJOR FUNCTIONS

First Edition August 2023



MD 5 Resident's Website



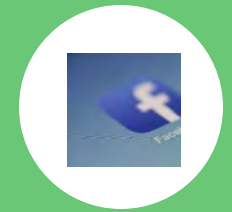
Resident Portal Memberplanet



BLR Community MetroDistrict Resident's Corner



BLR YMCA SignupGenius



FaceBook Various Pages

Calendar of Events



RSVP



MD 5 Meeting Notices



MD 5 Documents



Retreat Directory



Communications/Notices



Landscape Request Form/
Neighbor Notification Form



Bill Pay and Inquires



Forums



OVERALL

MD 5 Specifics

Barn, Retreat Events

Governance/ Links

Water Park/Ranch

Complaints, BLR Events

#1

theretreatbb.us

Contact MD 5 Board for access. Weekly email sent of additions and changes on the site.

#2

www.memberplanet.com/Login.aspx

Contact Lifestyle Director for access. If RSVP needed to an event it, for now, currently links to a separate website.

#3

**www.banninglewisranchmetrodistrict.com AND
banninglewisranch.com/residents-corner/**

Be sure to check both websites depending on information wanted. Metro District website contains community notices and governance; Resident's Corner contains community happenings, contact links and general community information.

#4

ppymca.org/locations/resident-only/banning-lewis-community-center

Call the Ranch on getting access to the Ranch, possible costs and link to the Water Park sign up/procedures.

#5

www.facebook.com

Numerous pages such as: Banning Lewis Ranch Neighbors!, The Retreat at Banning Lewis Ranch, Banning Lewis Ranch Community Page, Banning Lewis Ranch Marketplace, etc.