

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
JANUARY 19, 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, January 19, 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
George Smith, Vice President
Victoria Niemi, Treasurer
Kathryn Giddens, Secretary
Dawson Hubert, Assistant Secretary

Also, In Attendance Were:

Krista Baptist, Korben Heim and Rob Lange; CliftonLarsonAllen, LLP
Colin Mielke; Seter & Vander Wall, PC
Loretta Pennie, Linda Rodriguez, Sherri Parrish, Phillip Parrish,
Priscilla Davies, Ginny Beteille, Margaret Mecca, Sue Harmon, Jan
Cass, Deb Nussdorfer, Lillian Rigdon, Bonnie Knutson, David
Knutson, Suzanne Qualia, Janet Hill, Loren Gallop and Beth Joyce;
Members of the Public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Cass called the meeting to order at 9:02 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 presented.

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

Quorum, Location of Meeting and Meeting Notices: A quorum was confirmed, and the Board designated the Districts' website as the 24-hour posting location.

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

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Ginny Beteille: Thank you for all the Board has done so far for us at the Retreat. Please know that your hard and many hours of work are not going unnoticed. Request to get an update on prior requests at the other Board meetings: 1) nose-in parking in front of The Barn to allow more residents to park close, especially during icy, snowy, and cold weather, 2) lights installed for walkers from the Barn to Syre ~ safety for residents, 3) handicapped opening at The Barn, especially the mailroom. Is there any check on how Ashley spends the budget she gets for supplies for an event held at The Barn? Do all the durable plastic plates, cups, and utensils get recycled? If not, can there be a separate container for plastics/other trash?

Margaret Mecca: Request information about requests at previous Board meetings (i.e. nose-in parking, automatic door openers, library books, better lighting at entrances and outside the confines of the barn). Request that Board members be reimbursed for paper and ink for their work on the Board. Request that the fob reader be deactivated at the outside door and only used on the inside door. The outside door is difficult to use and this would give residents some protection from the elements, especially when loaded with items for club meetings as there is no storage for clubs. Request, again, that table cloths be used only just before a dinner function and removed directly after the dinner. They are very unsanitary. Has the Board considered contacting the news stations to do an expose on the Metro Districts? Suggest a change in the order of the Board meeting to Intro, Finance, Directors, then legal. Request that Ashley's and Crystal's hours be posted.

Minutes from the November 28, 2022 Special Board Meeting: The Board reviewed the minutes from the November 28, 2022 special Board meeting. Following review, upon a motion duly made by Director Smith, seconded by Director Giddens and, upon vote, unanimously carried, the Board approved the minutes from the November 28, 2022 special Board meeting, as presented.

FINANCIAL MATTERS

Unaudited Financial Statement as of December 31, 2022: Mr. Lange reviewed the Unaudited Financial Statement as of December 31, 2022 with the Board. Discussion ensued regarding property tax levy and tracking, budget surplus, and Oakwood Life invoicing. Director Cass addressed facility fees that have been received. Discussion ensued. Following review, upon a motion duly made by Director Cass, seconded by Director Niemi and, upon vote, unanimously carried, the Board approved the Unaudited Financial Statement as of December 31, 2022.

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Special Revenue Fund Balance Sheet and the Special Revenue Fund Statement of Activities as of November 30, 2022: Mr. Lange reviewed the Special Revenue Fund Balance Sheet and the Special Revenue Fund Statement of Activities with the Board. Discussion ensued. No actions were taken.

Other: The Board discussed concerns regarding event revenues and the use of revenue by Oakwood Life.

LEGAL MATTERS

Draft Resident Handbook: Attorney Mielke reviewed the draft Resident Handbook with the Board. Discussion ensued regarding revisions to the draft Handbook and how to revise the Resident Handbook once it's in place. The Board considered public comments for future revisions. No action was taken.

Landscaping Issues: Attorney Mielke reviewed landscaping issues with the Board. Ms. Baptist noted that she is working with the landscape contractor for current updates. No action was taken.

Other: None.

MANAGER MATTERS

Other: None.

DIRECTOR MATTERS

Committee Reports to Include Purpose Statement, Primary Responsibilities, and Future Activities:

Finance Committee: Director Cass provided a brief update and noted that questions were addressed during the Financial Matters agenda items.

Communications Committee: Director Giddens provided an update regarding marketing services for community emails, and committee recommendation for Constant Contact. Discussion ensued regarding costs for community communications and installing an anonymous comment box at The Barn. No actions were taken. During the discussion, Director Cass noted that we should proceed with contacting Constant Contact to take advantage of their free sixty-day program for a trial basis.

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Oakwood Life Committee: Director Hubert provided an update covering the Resident Handbook and plans for a smooth process for opening the pool. Discussion ensued regarding the proposed comment box and who would have access to it. The Board took a vote to allow Mr. Kelly Leid of Oakwood Life to have access to a key for the comment box. Directors Niemi and Hubert voted “yes”, Directors Smith, Cass and Giddens voted “no”. No other action was taken.

Establishment of Facilities Committee: Director Smith discussed the purpose of having a facilities committee. Discussion ensued regarding conducting a reserve study.

Ms. Baptist noted that The Barn is a Banning Lewis Ranch Metropolitan District No. 1 project and that The Retreat was in progress to be ready for the Cooperation Committee meeting and this year’s Budget preparation. Following discussion, upon a motion duly made by Director Cass, seconded by Director Hubert and, upon vote, unanimously carried, the Board approved the formation of a Facilities Committee.

Handbook Taskforce: Discussion items were handled prior in the meeting. No actions were taken.

Snow Removal Performance: Director Cass discussed the snow removal and the unsatisfactory services from the previous storms. Director Cass noted that service had improved in the most recent snow event. The Board discussed and fielded public comments regarding snow removal. A general consensus regarding the recent improvements of the snow removal process was found.

2023 Board of Directors Election: Director Cass discussed the 2023 election, self-nomination forms, and the seats that will be up for election. No actions were taken.

Other: None.

OTHER BUSINESS

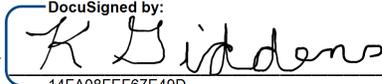
Other: None.

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ADJOURNMENT

There being no further business to come before the Board at this time,
Director Cass adjourned the meeting at 10:46 a.m.

Respectfully submitted,

By 
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 Secretary for the Board