

MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 5 (THE "DISTRICT")  
HELD  
JULY 17, 2025

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, July 17, 2025, at 9:00 a.m., at The Barn, 9150 Braemore Heights, Colorado Springs, 80927 and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Steve Langer, President  
Rhonda Weatherbie-McLouth, Secretary  
Joy Blum, Treasurer  
Jerry Cohen, Director  
James Dries, Director

Also, In Attendance Were:

Krista Baptist & Ashley Voss; CliftonLarsonAllen LLP ("CLA")  
Colin Mielke; Seter, Vander Wall & Mielke, PC  
J Larson; Finance Committee  
Chip Jamison, Jim Yost, Ginny Beteille, Jeanette Obrien; Members of the Public

ADMINISTRATIVE MATTERS

**Call to Order and Agenda:**

The meeting was called to order at 9:00 a.m. by Director Langer. Upon a motion duly made and seconded and, upon vote, unanimously carried, the Board reviewed and approved the Agenda, as presented.

**Disclosures of Potential Conflicts of Interest:**

The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Ms. Intara that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors. No additional conflicts were disclosed by the members of the Board at the meeting.

**Quorum, Location of Meeting, Posting of Meeting Notice:**

Ms. Baptist confirmed the presence of a quorum.

**Public Comment:**

Public comments were previously discussed during the Annual Meeting agenda.

**Minutes of May 15, 2025 Regular Meeting:**

Following review and discussion, upon a motion duly made, seconded and, upon a vote, unanimously carried, the Board approved the Minutes of the May 15, 2025 Regular Meeting, as presented.

**FINANCIAL MATTERS**

**July 2025 Cash Position Report, Schedule of Property Tax Collections and Interim Claims:**

The Finance Committee reviewed the March 31, 2025 Unaudited Financials and Cash Position Report with the Board. It was noted that the payment for the 2018A bonds was made on June 2<sup>nd</sup> since June 1 fell on a Sunday, and next payment is December 1<sup>st</sup> as expected (\$70,000 +\$188,743.75).

The 2018A Reserve and Surplus Funds are both over their maximum amounts, \$565,000 and \$658,000, respectively (the balances are earning interest, which is good). On Dec 15, we will make an interest payment of whatever excess cash we have at that date. It is important that any excess cash in all three of the 2018A funds be transferred to the 2018B fund to maximize that interest payment. 2018B is a cash flow bond, and any excess cash we have goes to pay interest. The Budget shows us paying about \$363,000 of interest on December 15<sup>th</sup>.

Interim Claims – Director Blum confirmed that these claims were invoices paid in May going back to 2024 and the 2024 budget amendment. There was no motion or vote to accept the report. The Board thanked the Finance Committee for providing great information with clarity and precision to the community.

**Draft 2024 Audit:**

The Finance Committee recommended waiting until the final version of the Audit is complete before approval.

**LEGAL MATTERS**

**2024 Annual Report Filing:**

Attorney Mielke reviewed his draft of the 2024 Annual Report with the Board as follows:

J Larson requested advisement to the Board on how to terminate IGAs with other governmental entities.

Attorney Mielke provided an update on the Farrington case that was settled in 2024 and noted it will be included this year.

Attorney Mielke informed the Board on the construction of public improvements noting that the conveyance includes the Barn (9150 Braemore) and pool (9120 Braemore), and perhaps the sales office (9158 Braemore). J Larson commented that the MD 1 report states there was no construction of public improvements during the year.

Attorney Mielke noted that the audit report will not be ready by July and an extension has been filed.

Following review and discussion, Attorney Mielke informed the Board that the final 2024 Annual Report will be sent to each Director.

### MANAGER MATTERS

#### **Manager's Report:**

No Manager's Report was provided.

### DIRECTOR MATTERS

#### **Finance Committee Updates:**

Ms. Larson provided updates from the Finance Committee as follows:

- A) The full committee met in June and July.
- B) No new funding requests received.
- C) Unable to review Financials in July, since the Board packet was received after the regularly scheduled finance committee meeting.
- D) March and May SRF received; OWL expenses received through May 2025; 2025 contracts were received through CORA and provided for MD 5 BOD.
- E) Completion of collecting major ones Mid July 2025.
- F) Key Metrics Report is still being revised. This is performance of CLA Accounting and MD 1 service provider which will be reported monthly to MD 5 BOD to send to MD 1 BOD and MD 1 Legal.
- G) 2024 Pre-Audit communication received July 8<sup>th</sup>
- H) MD 5 Board had its first 2025 Work Session on May 19<sup>th</sup>, and it concentrated on MD 5 financing. Handouts and results of the survey are posted to the Retreat BB service under Board Informational Documents/Finance/All Resident Meeting May 2025;
- I) Committee produced a number of new DRAFT work products/processes: 2026 Funding Request, MD 5 3 Year Forecast, Budget Variance Board Report, Reserve Study Analysis What If tracking/forecasting tool.
- J) SRF Database major revision, Electronic collection of major contracts, Liaison with Facilities Committee, FC Rep at Facilities Committee Meeting through Budget season.

- K) The FC forecasting indicates no more homes need to close to make 2025 Operating Budget. Any new homes closed will be used to offset unbudgeted expenses (ColoradoScapes) and build the Reserve Funding.
- L) Number of questions and explanations requested, Asking for written explanations on others. Still have not received.
- M) Special project implementation requiring substantial community involvement. Some Projects are now showing spending by mid year.
- N) MD 5 President, Board members and committee members are in periodic contact with community re: project status updates; OWL Staffing costs contain unexplained variances, Asset tracking needs to be implemented and is being coordinated with the Facilities Committee.
- O) As of end of May, 31% of the Events/Activities budget line item has been spent. Credit card payment option still not addressed.
- P) Question on if contracts contain provision for warranty- example: repair for damaged sprinkler heads, pool repairs. Standard contract provision for 2026 contracts.
- Q) Priorities for 2026 Budget, communication to community on 2026 Special Projects AND 2026 Funding request deadline

**Facilities and Safety Committee Updates:**

Barn and Pool: We will pay for maintenance, and repairs will go to Oakwood Homes.  
Gate Stickers: Every home will be permitted one sticker. Additional stickers and openers can be purchased.

**Oakwood Life Committee Updates:**

The OWL Committee no longer exists. They did have their first Barn Utilization Committee meeting with five members led by Director Weatherbie-Louth. They are continuing to meet, and expect the policies to be incorporated into the resident guide or a in a separate guide.

**Communications Committee Updates:**

There were no updates at this time.

**Update Regarding 2025 Special Projects:**

There were no updates at this time.

**OTHER MATTERS**

There were no other matters discussed.

**ADJOURNMENT**

There being no further business to come before the Board at this time, Director Langer adjourned the meeting at 10:25 a.m.

Respectfully submitted,

By \_\_\_\_\_  
Signed by:  
*Rhonda Weatherbie-McLouth*  
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Secretary for the Meeting