

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CANYON PINES METROPOLITAN DISTRICT HELD OCTOBER 26, 2022

A regular meeting of the Board of Directors of the Canyon Pines Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, the 26th day of October, 2022, at 10:00 a.m. This District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Chad Ellington, President
Todd Johnson, Treasurer
Nathan Laudick, Secretary
Robert Laudick, Assistant Secretary
Thomas W. “Terry” Ten Eyck

Also In Attendance Were:

Peggy Ripko and Larry Loften; Special District Management Services, Inc.

Jennifer L. Ivey, Esq. (for a portion of the meeting) and Alicia Corley; Icenogle Seaver Pogue, P.C.

Joy Tatton; Simmons & Wheeler, P.C. (via Zoom)

Mitch Jones and Brandon Collins; Independent District Engineering Services, LLC (via Zoom)

PUBLIC COMMENTS

There were no public comments.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Ripko noted that a quorum was present and requested members of the Board 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

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meeting in accordance with the statute. Attorney Ivey noted that all Directors' Disclosure Statements had been filed. No additional conflicts were disclosed at the meeting. Additionally, Attorney Ivey noted prior to action on the items that pursuant §§ 24-18-109(3)(b) and 24-18-110, C.R.S. the directors had complied with the voluntary disclosure requirements related to their conflicts of interest and that participation of the directors in the vote on various matters is necessary to enable the Board of Directors to act.

ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko distributed, for the Board's review and approval, a proposed agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Johnson and, upon vote, unanimously carried, the agenda was approved, as presented.

Minutes: The Board reviewed the minutes of the September 28, 2022 and October 17, 2022 Special Meetings.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Johnson and, upon vote, unanimously carried, the minutes of the September 28, 2022 and October 17, 2022 Special Meetings were approved, as presented.

FINANCIAL MATTERS

Claims: Ms. Ripko reviewed with the Board the payment of claims for the period ending October 31, 2022, in the amount of \$678,709.59.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Johnson and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

Expense Tracking Report (ETR) and District Expenditures Verification: Mr. Jones reviewed the Expense Tracking Report and District Expenditures Verification for October 2022, with the Board.

Following discussion, upon motion duly made by Director Ten Eyck, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved the District Expenditures Verification Report for October 2022, as presented.

Requisition No. 11 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in October 2022: The Board discussed and considered approval of Requisition No. 11 (under

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the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in October 2022.

Following discussion, upon motion duly made by director Nathan Laudick, seconded by Director Ten Eyck and, upon vote, unanimously carried, the Board approved Requisition No. 11 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in October 2022, in the amount of \$633,420.08.

LEGAL MATTERS

There were no legal matters at this time.

CONSTRUCTION MATTERS

Construction Status Report: Mr. Jones reviewed with the Board the Project Status Report dated October 26, 2022. A copy of the report is attached hereto and incorporated herein by this reference.

Contracts, Task Orders, Work Orders and Change Orders: Mr. Jones discussed the following Agreements, Contracts, Task Orders, Work Orders and Change Orders:

- Consider approval of Change Order No. 22 to the Contract between the District and HEI Civil, Inc., for dry stack boulder wall repair, in the amount of \$662,969.57.

Following discussion, upon motion duly made by Director Ten Eyck, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved (or ratified approval of, as appropriate) the Agreements, Contracts, Change Orders, Task Orders and Work Orders listed above.


OTHER BUSINESS

There was no other business at this time.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Nathan Laudick, seconded by Director Ten Eyck and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By  _____
Secretary for the Meeting