

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CANYON PINES METROPOLITAN DISTRICT HELD MAY 24, 2023

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 24th day of May, 2023 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
Eric Pearson, Assistant Secretary

Also In Attendance Were:

AJ Beckman; Public Alliance, LLC.

Jennifer Ivey, Esq.; Icenogle Seaver Pogue, P.C.

Joy Tatton; Simmons & Wheeler, P.C.

Mitch Jones and Brandon Collins; Independent District Engineering Services, LLC

Debra Wyatte, Member of the Public

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. Mr. Beckman 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 to §§ 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: Mr. Beckman 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 Johnson, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the agenda was approved, as presented.

May 2, 2023 Election: Mr. Beckman updated the Board on the results of the May 2, 2023 Election. There were not more candidates than there were open positions, so all candidates were deemed elected, and the election was cancelled.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Johnson and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Chad Ellington
Treasurer	Todd Johnson
Secretary	Nathan Laudick
Assistant Secretary	Robert Laudick
Assistant Secretary	Eric Pearson

Minutes: The Board reviewed the minutes of the April 26, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the minutes of the April 26, 2023 Regular Meeting were approved, as presented.

FINANCIAL MATTERS

Claims: Ms. Tatton reviewed with the Board the payment of claims for the period ending May 24, 2023, in the amount of \$111,215.68.

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

Unaudited Financial Statements: Ms. Tatton reviewed with the Board the unaudited financial statements for the period ending March 31, 2023.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2023.

Expense Tracking Report and District Expenditures Verification: Mr. Collins reviewed the Expense Tracking Report and District Expenditures Verification for May 2023, with the Board.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved the Expense Tracking Report and District Expenditures Verification for May 2023, as presented.

Requisition No. 18 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in May 2023: Ms. Tatton reviewed with the Board Requisition No. 18 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in May 2023.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved Requisition No. 18 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in May 2023, in the amount of \$106,774.18.

LEGAL MATTERS

There were no legal matters at this time.

CONSTRUCTION MATTERS

Construction Status Report: Mr. Collins reviewed with the Board the Project Status Report dated May 24, 2023. A copy of the report is attached hereto and incorporated herein by this reference. Mr. Collins asked for input on the irrigation design and an engagement of a contractor. Director Nathan Laudick reported that the initial design prepared by Norris Design should be sufficient for contact bidding

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purposes. Discussion ensued regarding Lumen pedestal locations. Director Ellington requested that IDES direct the installation crews to situate pedestals within twenty feet of driveway entrances.

Contracts, Task Orders, Work Orders and Change Orders: Attorney Ivey requested that going forward task orders, work orders and change orders be noted on the agenda and included in the meeting packet prior to board meetings.

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

- Consider approval of Canyon Pines Neighborhood Trails Construction Contract with McGill Trail Fabrication LLC.
- Consider approval of Change Order No. 30 to the Contract between the District and HEI Civil, Inc., for Regulator Station Pad and Walls, in the amount of \$302,839.58.
- Consider approval of Contract for Highway 72 Retaining Wall Design Review between the District and Geowall.
- Consider approval of Task Order No. 1 to the contract between the District and Geowall, in the amount of \$7,200.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Ellington 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.

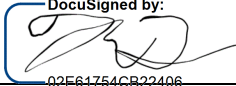
OTHER BUSINESS

Director Ellington asked about the timing for approval of HWY 72 retaining wall. Mr. Collins explained that Geowall has prepared a letter for submittal to CDOT which should be the final item needed for their submittal.

ADJOURNMENT

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

Respectfully submitted,

By  _____
Secretary for the Meeting

CANYON PINES METROPOLITAN DISTRICT

Board Meeting Project Status

May 24, 2023

Canyon Pines Infrastructure Progress Updates

Earthwork and Erosion Control

- BMP monitoring and maintenance is ongoing.

Walls

- EV Studio and Geo Wall coordinating with CDOT on comments for retaining walls along Highway 72.

Roadways

- No updates.

Landscape and Irrigation

- Coordinating start date for Irrigation Improvements.

Trails

- Contract being finalized with an estimated start date in July for Phase 1 of the trails.

Dry utility coordination is ongoing

- Xcel Gas Regulator Station Work for the building pad and walls has commenced.
- Xcel and Mears are working on the gas line reinforcement coming across HWY 72.
- Lumen New Data Service Lumen is currently working on correcting their pedestals.









Construction Contract Documents

Contractor Agreements

- None

Contractor Change Orders

- HEI
 - Regulator Station Pad and Walls - \$302,839.58

Potential Change Orders

- HEI
 - Fuel Increase - \$111,641.94
 - Material Increase – \$46,018.39

Consultant/Vendor Agreements & Task Orders

Consultant/Vendor Agreements

- Geowall for Highway 72 retaining wall design review

Task Orders and Work Orders

- Geowall Task Order 1- \$7200

Potential Task Orders

- None