

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CANYON PINES METROPOLITAN DISTRICT HELD JUNE 28, 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 28<sup>th</sup> day of June, 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.

Brandon Collins; Independent District Engineering Services, LLC

#### 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 meeting in accordance with the statute. Attorney Ivey noted that all Directors’ Disclosure Statements had been filed. No additional conflicts were disclosed at the

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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.

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### **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 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 May 24, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Johnson and, upon vote, unanimously carried, the minutes of the May 24, 2023 Regular Meeting were approved, as presented.

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### **FINANCIAL MATTERS**

**Claims:** Ms. Tatton reviewed with the Board the payment of claims for the period ending June 28, 2023, in the amount of \$226,693.23.

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

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

**Requisition No. 19 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June 2023:** Ms. Tatton reviewed with the Board Requisition No. 19 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June 2023.

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Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Johnson 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 June 2023, in the amount of \$220,753.97.

**2022 Audit:** The Board deferred discussion.

**SID Fee Report:** Mr. Beckman reported that Public Alliance will distribute a report detailing the status of fees paid to date.

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### **LEGAL MATTERS**

There were no legal matters at this time.

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### **CONSTRUCTION MATTERS**

**Construction Status Report:** Mr. Collins reviewed with the Board the Project Status Report dated June 28, 2023. A copy of the report is attached hereto and incorporated herein by this reference.

**Contracts, Task Orders, Work Orders and Change Orders:** Mr. Collins reviewed the following Agreements, Contracts, Task Orders, Work Orders and Change Orders:

- Agreement for Consulting Services between the District and Norris Design, Inc.
- Task Order No. 3 to the Master Services Agreement with EV Studio for Retaining Wall Design for Detention Pond and Xcel Utility Station.
- Task Order No. 6 to the Master Services Agreement with Ground Engineering Consultants, Inc. for Material Testing Services for Highway 72.

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

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### **OTHER BUSINESS**

None.

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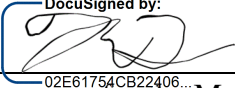
### **ADJOURNMENT**

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

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Respectfully submitted,

By  \_\_\_\_\_  
Secretary for the Meeting

# CANYON PINES METROPOLITAN DISTRICT

## Board Meeting Project Status

### June 28<sup>th</sup>, 2023

#### Canyon Pines Infrastructure Progress Updates

##### Earthwork and Erosion Control

- BMP monitoring and maintenance is ongoing.

##### Highway 72 Improvements

- Expecting comments from CDOT the week of June 19<sup>th</sup>.

##### Boulder Walls

- Contractor working on plan of repairs for the boulders walls that are moving.

##### Landscape and Irrigation

- Irrigation installation has started. Working on finalizing pricing for landscape installation. Landscape plantings planned for spring 2024.

#### Dry utility Coordination

- Xcel Gas and Regulator Station Walls and pad work have been completed. Gas waiting on completion of regulator station to tie in gas distribution.
- Data Service Lumen is currently working on correcting their pedestals.

#### Potential Change Orders

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









