

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CANYON PINES METROPOLITAN DISTRICT HELD FEBRUARY 28, 2024

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 28th day of February, 2024 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  
Nathan Laudick, Secretary  
Robert Laudick, Assistant Secretary

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the absences of Directors Todd Johnson and Eric Pearson were excused.

#### Also In Attendance Were:

AJ Beckman and Mark McGarey; Public Alliance, LLC.

Jennifer L. Ivey, Esq. and Lance J. Ingalls, Esq.; Icenogle Seaver Pogue, P.C.

Brandon Collins; Independent District Engineering Services, LLC

Joy Tatton, Simmons & Wheeler, P.C.

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

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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. Ms. Ivey noted that all Directors' Disclosure Statements had been filed. No additional conflicts were disclosed at the meeting. Additionally, Ms. 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. Mr. Beckman confirmed that the meeting notices with the location of the meeting and agenda items were posted in accordance with law.

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

**Minutes:** The Board reviewed the minutes of the January 24, 2024 Regular Meeting.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the minutes of the January 24, 2024 Regular Meeting were approved, as presented.

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### **FINANCIAL MATTERS**

**Claims:** Mr. Beckman reviewed with the Board the payment of claims for the period ending December 31, 2023, in the amount of \$1,030,182.33.

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

Mr. Beckman then reviewed with the Board the payment of claims for the period ending February 29, 2023, in the amount of \$219,300.19.

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

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**Expense Tracking Report and District Expenditures Verification:** Mr. Collins reviewed the Expense Tracking Report and District Expenditures Verification for February 2024 with the Board.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board approved the Expense Tracking Report and District Expenditures Verification for February 2024, as presented.

**Requisition No. 8 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in January 2024:** Ms. Tatton reviewed with the Board Requisition No. 8 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in December 2023.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board approved Requisition No. 8 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in December 2023, in the amount of \$1,023,943.10.

**Requisition No. 10 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in February 2024:** Ms. Tatton reviewed with the Board Requisition No. 10 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in February 2024.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board approved Requisition No. 10 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in February 2024, in the amount of \$208,842.63.

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**LEGAL MATTERS**

None.

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**CONSTRUCTION MATTERS**

**Construction Status Report:** Mr. Collins reviewed with the Board the Project Status Report dated February 28, 2024. A copy of the report is attached hereto and incorporated herein by this reference.

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

Notice of Award, Contract with International Mountain Bicycling Association, and Notice to Proceed for Canyon Pines Neighborhood Trails Construction Project: Ms. Ivey reviewed with the Board. Ms. Ivey noted that minor revisions to the form agreement are in process.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board approved the Notice of Award, Contract with International Mountain Bicycling Association, and Notice to Proceed for Canyon Pines Neighborhood Trails Construction Project, subject to finalization by legal counsel.

Change Order No. 1 to the Contract between the District and Rocky Mountain Custom Landscape, for additional landscape plantings: Mr. Collins reviewed Change Order No. 1 to the Contract between the District and Rocky Mountain Custom Landscape, for additional landscape plantings.

Following discussion, upon motion duly made by Director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 1 to the Contract between the District and Rocky Mountain Custom Landscape, for additional landscape plantings.

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**OTHER BUSINESS**

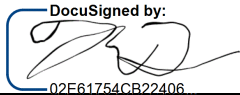
None.

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**ADJOURNMENT**

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

Respectfully submitted,

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