

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CANYON PINES METROPOLITAN DISTRICT HELD JULY 24, 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 24th day of July, 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

The following directors were absent (absence excused):

Todd Johnson, Treasurer  
Eric Pearson, Assistant Secretary

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

##### Also In Attendance Were:

AJ Beckman; Public Alliance, LLC.

Lance J. Ingalls, Esq.; Icenogle Seaver Pogue, P.C.

Brandon Collins; Independent District Engineering Services, LLC

Joy Tatton, Simmons & Wheeler, P.C.

#### 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

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requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting in accordance with the statute. Mr. Ingalls noted that all Directors' Disclosure Statements had been filed. No additional conflicts were disclosed at the meeting. Additionally, Mr. Ingalls 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 the law.

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

**Minutes:** The Board reviewed the minutes of the June 26, 2024 Regular Meeting.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Robert Laudick and, upon vote, unanimously carried, the minutes of the June 26, 2024 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 30, 2024, in the amount of \$99,037.66.

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.

Ms. Tatton then reviewed with the Board the payment of claims for the period ending July 24, 2024, in the amount of \$79,383.11.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved 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 July 2024 with the Board.

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

**Requisition No. 15 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June 2024:** Ms. Tatton reviewed with the Board Requisition No. 15 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June 2024.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved Requisition No. 15 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June 2024, in the amount of \$99,037.66.

**Requisition No. 16 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in July 2024:** Ms. Tatton reviewed with the Board Requisition No. 15 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in July 2024.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved Requisition No. 15 (under the Series 2022(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in July 2024, in the amount of \$72,550.35.

**2023 Audit Extension:** Ms. Tatton reported to the Board that an audit extension will need to be filed.

Following discussion, upon a motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote unanimously carried, the Board approved the request for extension of time to file 2023 Audit.

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### **LEGAL MATTERS**

**Arvada Pump Station Access Easement:** Mr. Ingalls reported to the Board that the City of Arvada is asking for language beyond what is required by the

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Intergovernmental Agreement with the City of Arvada. Mr. Ingalls noted that he will follow up with the City of Arvada.

### **CONSTRUCTION MATTERS**

**Construction Status Report:** Mr. Collins reviewed with the Board the Project Status Report dated July 24, 2024.

Director Ellington noted that the road will likely be maintained by the District as public access will be necessary.

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

*Request for Early Retention Release by Hudick Excavating, Inc.:* Mr. Collins noted that the request for early retention release by Hudick Excavating, Inc. is not complete, pending review of the City's punch list. No action was taken.

*Public Works Construction/Improvement Contract:* The Board discussed the Contract for Porter House Construction to construct a mailbox pad. Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board approved the Contract, as amended to make clear that 50% of the contract amount would be processed following execution of the contract.

*Change Order No. 4 to the Contract between the District and Rocky Mountain Custom Landscape, for hand watering:* Mr. Collins reviewed Change Order No. 4 to the Contract between the District and Rocky Mountain Custom Landscape, for hand watering.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 4 to the Contract between the District and Rocky Mountain Custom Landscape, for hand watering.

*Change Order No. 5 to the Contract between the District and Rocky Mountain Custom Landscape, for erosion control blanket for observation lookout:* Mr. Collins reviewed Change Order No. 5 to the Contract between the District and Rocky Mountain Custom Landscape, for erosion control blanket for observation lookout.

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the Board ratified

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approval of Change Order No. 5 to the Contract between the District and Rocky Mountain Custom Landscape, for erosion control blanket for observation lookout.

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### **OTHER BUSINESS**

Mr. Ellington reported that the District will be pursuing new financing with Piper Sandler.

Mr. Ellington requested that IDES follow up on signage bids.

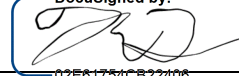
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### **ADJOURNMENT**

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

Respectfully submitted,

By \_\_\_\_\_

DocuSigned by:  
  
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Secretary for the Meeting