

RECORD OF PROCEEDINGS

**MINUTES OF
A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CANYON PINES METROPOLITAN DISTRICT
HELD
JULY 27, 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 27th day of July, 2022, at 10:00 a.m. This District Board meeting was held via Zoom, with all participants attending 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

Following discussion, upon motion duly made by Director Ellington, seconded by Director Nathan Laudick and, upon vote, unanimously carried, the absence of Director Thomas W. “Terry” Ten Eyck was excused.

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

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

Joy Tatton; Simmons & Wheeler, P.C.

Mitch Jones and Elesha Carbaugh-Gonzales; Independent District Engineering Services, LLC

Mike Ryan and Bianca Jones; Piper Sandler

Debra Wyatte and Kathy Burris, members of the public

**PUBLIC
COMMENTS**

There were no public comments.

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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. Solin 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 meeting.

ADMINISTRATIVE MATTERS

Agenda: Mr. Solin 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 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 June 22, 2022 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 June 22, 2022 Regular Meeting were approved, as presented.

FINANCIAL MATTERS

Claims: Ms. Solin reviewed with the Board, the payment of claims for the period ending July 31, 2022, in the amount of \$2,393,821.74.

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

2021 Audit: Ms. Tatton reviewed the 2021 Audit 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 2021 Audit, as presented, and authorize execution of Representations Letter.

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

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

Requisition No. 7 (under the Series 2021A-2 Bonds) authorizing payment to the City of Arvada for Canyon Pines/Ranson Pump Station, GMP Agreement 2:

2: The Board discussed and considered the approval of Requisition No. 7 (under the Series 2021A-2 Bonds) authorizing payment to the City of Arvada for Canyon Pines/Ranson Pump Station, GMP Agreement 2.

Following discussion, upon motion duly made by director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board approved Requisition No. 7 (under the Series 2021A-2 Bonds) authorizing payment to the City of Arvada for Canyon Pines/Ranson Pump Station, GMP Agreement 2, in the amount of \$5,778,031.00.

Requisition No. 8 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in July 2022:

2022: The Board discussed and considered approval of Requisition No. 8 (under the Series 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in July 2022.

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 2021A-2 Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in July 2022, in the amount of \$680,322.80

Requisition No. 13 (under the Series 2021A-1(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for Various Capital Costs paid in June 2022:

2022: The Board discussed and considered the approval of Requisition No. 13 (under the Series 2021A-1(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June 2022.

Following discussion, upon motion duly made by director Nathan Laudick, seconded by Director Ellington and, upon vote, unanimously carried, the Board approved Requisition No. 13 (under the Series 2021A-1(3) Bonds) authorizing payment to Canyon Pines Metropolitan District for various capital costs paid in June, in the amount of \$1,464,633.47.

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LEGAL MATTERS

Canyon Pines Special Improvement District (“SID”):

SID Collection Policies and Procedures: The Board deferred discussion.

Proposal from Special District Management Services, Inc. for Special Assessment Administrator Professional Services: The Board deferred discussion.

CONSTRUCTION MATTERS

Construction Status Report: Mr. Jones reviewed with the Board the Project Status Report dated July 27, 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. 15 to the Contract between the District and HEI Civil, Inc., for Dry Utility Survey Layout, in the amount of \$58,279.39.
- Consider approval of Task order No. 4 to the contract between the District and Ground Engineering Consultants, Inc., for Retaining Wall/Pipe Inspection, in the amount of \$33,795.00.

Following discussion, upon motion duly made by Director Nathan Laudick, 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


Attorney Ivey reported to the board that the Service Plan Amendment is in process with the City and scheduled for a September 19, 2022 public hearing. Mr. Ryan reported that the Series 2022 timeline has been adjusted to accommodate the planned Service Plan Amendment timing, and the transaction would be expected to be issued in September.

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.

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Respectfully submitted,

By  _____
Secretary for the Meeting