



RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SKY RANCH COMMUNITY AUTHORITY BOARD (“CAB”) HELD APRIL 12, 2024

A regular meeting of the Board of Directors (referred to hereafter as the “Board”) of the CAB convened on April 12, 2024, at 8:30 a.m. at Pure Cycle Corporation, 34501 E. Quincy Ave., Bldg. 65, Suite A, Watkins, CO 80137. This CAB Board meeting was also held virtually via Microsoft Teams and by conference call. The meeting was open to the public.

Directors in Attendance Were:

Mark Harding, President
Marc Spezialy, Treasurer
Scott Lehman, Secretary
Dirk Lashnits, Assistant Secretary

Absent and excused was Director Joe Knopinski.

Also in Attendance Were:

Lisa Johnson, Alex Clem, Celeste Terrell, and Kaitlin Frey; CliftonLarsonAllen LLP (“CLA”)
Suzanne Meintzer, Esq., and Tim O’ Connor, Esq.; McGeady Becher P.C.
Stan Fowler; Independent District Engineering Services, LLC (“IDES”)
Deb Saya and Cyrena Finnegan; Pure Cycle Corporation

Members of the Public in Attendance:

Adam Haskin; Resident and Sky Ranch Metropolitan District No. 1 Board Member

**ADMINISTRATIVE
MATTERS**

The meeting was called to order.

Disclosure 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. Attorney Meintzer noted that all Directors’ Disclosure Statements were filed. Attorney Meintzer requested members of the Board to disclose any potential conflicts of interest regarding 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. No additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting, Posting of Meeting Notice and Agenda: The Board confirmed the presence of a quorum.



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The Board reviewed a proposed agenda for the CAB's regular meeting.

Following discussion, upon a motion duly made by Director Harding, seconded by Director Lashnits and, upon vote unanimously carried, the Board approved the agenda, as amended.

The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the CAB's Board meeting. The Board determined that certain Board members and consultants of the CAB would attend this meeting in person at the above-referenced location. However, certain other Board members and consultants of the CAB would attend this meeting via video conference or teleconference. The Board further noted that the notice of the time, date, location, and video conference/teleconference information for the meeting was duly posted.

CONSENT AGENDA The Board considered the following items under the Consent Agenda:

- Approve Minutes of the March 8, 2024 Regular Meeting.
- Ratify Change Order No. 4 to the Construction Contract with Earthworks & Infrastructure, Inc. ("PEI") to install throats for type R inlets located in Filing 5 in the amount of \$24,840.40.
- Ratify Westwood Professional Services, Inc. Task Order No. 2 for Filing 6 and Filing 7 re-lotting in the amount of \$81,800.00 [Note: this item was incorrectly listed as "Task Order No. 21" on the March 8, 2024 Agenda].

Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved the Consent Agenda.

PUBLIC COMMENT There were no public comments.

CITIZENS
ADVISORY
COMMITTEE
("CAC") MATTERS

CAC Presentation on Recommendations: None.

FINANCIAL
MATTERS

Schedule of Cash Position, Updated as of April 8, 2024, Accounts Receivable Summaries, Tax Schedules, and Developer Advance Schedule: Following review and discussion, upon a motion duly made by Director Spezialy, seconded by Director Lashnits and, upon vote unanimously carried, the Board accepted the Schedule of Cash Position, updated as of April 8, 2024, the Accounts Receivable Summaries, Tax Schedules, and Developer Advance Schedule.



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Payables through April 5, 2024: Ms. Johnson reviewed the payables through April 5, 2024 with the Board. Following review, upon a motion duly made by Director Spezialy, seconded by Director Lashnits and, upon vote unanimously carried, the Board approved the payables in the amount of \$1,712,102.64.

CONSTRUCTION MATTERS

Project Manager's Report: Director Lashnits presented the Project Manager's Report to the Board.

Engineer's Report: Mr. Fowler presented the Engineer's Report to the Board.

Bid Tabulation and Award of Contract for Filing 5 Fencing: Mr. Fowler presented the bid tabulation to the Board. Following review and discussion, upon a motion duly made by Director Harding, seconded by Director Lashnits and, upon vote unanimously carried, the Board approved awarding the Contract for Filing 5 Fencing to Pure Cycle Corporation as the lowest responsible bidder.

Bid Tabulation and Award of Contract for Filing 6 Wet Utilities: Mr. Fowler presented the bid tabulation to the Board. The Board confirmed that it wished to award a contract for materials only by the CAB and that the construction would be contracted directly by Pure Cycle Corporation. Director Harding explained that the Board hoped to achieve cost savings for the community by having the CAB contract for the materials and Pure Cycle Corporation contract for the construction.

Following review and discussion, upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved awarding the Contract for Filing 6 Wet Utilities to Premier Earthwork & Infrastructure, Inc., said contract to include materials only, subject to approval by the contractor.

Bids for Filing 5 Landscape Installation: The Board directed staff to solicit bids for the Filing 5 landscape installation.

PHASE 1 (FILING NOS. 1, 2 AND 3) CONSTRUCTION MATTERS: None.

PHASE II (FILING NO. 4) CONSTRUCTION MATTERS:

Grading/Earthwork: None.

Drainage and Utilities: None.

Erosion Control:



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Change Order No. 8 to the Erosion Control Contract with Pure Cycle Corporation: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Change Order No. 8 to the Erosion Control Contract with Pure Cycle Corporation for reduced costs to close out the remaining balance on the contract in the reduced amount of \$375,878.70.

Roadway Improvements:

Paving/Asphalt: None.

Concrete/Striping/Signage:

Change Order No. 29 to the Construction Contract with Premier Earthworks & Infrastructure, Inc. ("PEI"): Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Change Order No. 29 to the Construction Contract with PEI for additional probationary punch list items that were required for acceptance of the Right of Way in the amount of \$44,215.11.

Pay Application No. 24 to the Construction Contract with PEI: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 24 to the Construction Contract with PEI in the amount of \$2,701.07.

Landscape:

Change Order No. 11 to the Landscape Installation Contract with Consolidated Divisions Inc. ("CDI"): Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Change Order No. 11 to the Landscape Installation Contract with CDI for additional costs to install 3" borings and gate valves for the Filing 4 irrigation system in an amount not to exceed \$7,295.00.

Pay Application No. 13 to the Landscape Installation Contract with CDI: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 13 to the Landscape Installation Contract with CDI in the amount of \$215,401.03.

Fencing:



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Pay Application No. 10 to the Fencing Installation Contract with Pure Cycle Corporation: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 10 to the Fencing Installation Contract with Pure Cycle Corporation in the amount of \$25,652.23.

PHASE II (FILING NO. 5) CONSTRUCTION MATTERS:

Grading/Earthwork: None.

Drainage and Utilities:

Pay Application No. 10 to the Construction Contract with American West Construction, LLC: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 10 to the Construction Contract with American West Construction, LLC in the amount of \$58,425.00.

Erosion Control:

Change Order No. 3 to the Erosion Control Contract with Pure Cycle Corporation: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Change Order No. 3 to the Erosion Control Contract with Pure Cycle Corporation for additional erosion control costs from January 2024 to June 2024 in the amount of \$90,000.00.

Pay Application No. 3 to the Erosion Control Contract with Pure Cycle Corporation: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 3 to the Erosion Control Contract with Pure Cycle Corporation in the amount of \$80,021.35.

Roadway Improvements: None.

Paving/Asphalt: None.

Concrete/Striping/Signage: None.

Landscape: None.



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PHASE II (FILING NO. 6) CONSTRUCTION MATTERS:

Grading/Earthwork:

Change Order No. 13 to the Grading Contract with Bemas Construction, Inc.: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Change Order No. 13 to the Grading Contract with Bemas Construction, Inc. for costs associated with starting the second phase of the Sky Ranch Neighborhoods A&D in the amount of \$1,109,993.10.

Pay Application No. 1 to the Grading Contract with Bemas Construction, Inc.: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 1 to the Grading Contract with Bemas Construction, Inc. in the amount of \$287,498.84.

Drainage and Utilities: None.

Erosion Control:

Pay Application No. 1 to the Erosion Control Contract with Pure Cycle Corporation: Upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved Pay Application No. 1 to the Erosion Control Contract with Pure Cycle Corporation in the amount of \$19,831.25.

Roadway Improvements: None.

Paving/Asphalt: None.

Concrete/Striping/Signage: None.

Landscape: None.

LEGAL MATTERS

Executive Session: No Executive Session was needed at this time.

COMMUNITY MANAGEMENT / COVENANT CONTROL /

Community Manager's Update: Ms. Terrell presented the Community Manager's report to the Board.



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OPERATIONS

Proposals for Trash Removal Services: Ms. Terrell presented one proposal received from HBS Trash Services (“HBS”) to the Board. It was noted that HBS revised their proposal to include billing services directly to the residents and increased their per-home cost from \$14.50 to \$18.00 per month. Ms. Terrell and Mr. Clem will continue to solicit additional proposals and present them at a future meeting.

Alley Home Trash Storage: Ms. Terrell discussed with the Board several calls and emails that have been received from alley lot owners related to covenant violations regarding storage of their trash bins. They have indicated that they do not want to keep their bins in the garage due to odor, rodents, etc. No action was taken at this time.

Proposal from Nature’s Workforce, Inc. for Pet Waste Station Services: Following review and discussion, upon a motion duly made by Director Lashnits, seconded by Director Spezialy and, upon vote unanimously carried, the Board approved the proposal from Nature’s Workforce, Inc. and directed legal counsel to draft a change order for this work.

Dog Waste in Common Areas: Ms. Terrell has contacted Pet Scoop to solicit a proposal to enhance services due to recent pet waste complaints received from the community. It is anticipated the cost would increase from \$100 to \$200 per month. Pet waste issues will continue to be monitored for the time being.

Commercial Vehicles and Street Parking: Ms. Terrell presented the research her team completed related to Arapahoe County regulations on commercial vehicle parking on public streets. The Board directed Ms. Terrell to contact covenant enforcement counsel to discuss the issue and seek an opinion.

Accounts Receivable Report: The Board reviewed the Accounts Receivable Report. No action was taken.

OTHER BUSINESS

Quorum for May 10, 2024 Board Meeting: The Board confirmed a quorum for the May 10, 2024 Board meeting.



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ADJOURNMENT

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

Respectfully submitted,

By: _____
Secretary for the Meeting

DocuSigned by:
Scott E Lehman
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Client Number: A206873	
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Envelope Sent	Hashed/Encrypted	5/13/2024 8:31:16 PM
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