



RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SKY RANCH COMMUNITY AUTHORITY BOARD (“CAB”) HELD SEPTEMBER 9, 2022

A regular meeting of the Board of Directors (referred to hereafter as the “Board”) of the CAB convened on September 9, 2022 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:

Joe Knopinski, Vice President
Kevin McNeill, Treasurer
Scott Lehman, Secretary
Dirk Lashnits, Assistant Secretary

Absent and excused was Director Mark Harding.

Also in Attendance Were:

Lisa Johnson, Celeste Terrell, and Cathee Sutton (for a portion of the meeting);
CliftonLarsonAllen LLP (“CLA”)
Suzanne Meintzer, Esq.; McGeady Becher P.C.
Stan Fowler; Independent District Engineering Services, LLC (“IDES”)
Cyrena Finnegan and Deb Saya; Pure Cycle Corporation
Lori Sutter; National Heritage Academy

Members of the Public:

Katherine Funk

**ADMINISTRATIVE
MATTERS**

Ms. Johnson called the meeting 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. Ms. Johnson 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: Ms. Johnson



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confirmed the presence of a quorum. The Board reviewed a proposed agenda for the CAB's regular meeting.

Following discussion, upon a motion duly made by Director Knopinski, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved the agenda, as presented, and excused the absence of Director Harding.

The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the CAB's Board meeting.

Upon a motion duly made by Director Knopinski, seconded by Director McNeill and, upon vote, unanimously carried, 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 and that no objections to the means of hosting the meeting were received from taxpaying electors.

Presentation from National Heritage Academy: Ms. Sutter from National Heritage Academy presented information about the new school that is planned in the Sky Ranch community for grades K-7. Open enrollment is occurring now through November 2022 and Ms. Sutter summarized the process and priority for evaluation of requests to enroll. Ms. Sutter noted that she is working within the community to introduce the new Academy and is available to answer any questions. Capacity will be about 625 students for the first year. Discussion ensued regarding tours of other facilities in the area. Ms. Sutter reported that the facility is set to open in August of 2023.

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

- Approve Minutes of the August 12, 2022 Regular Meeting and Minutes of the August 19, 2022 Special Meeting

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

PUBLIC COMMENT There were no public comments.



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CITIZENS ADVISORY COMMITTEE ("CAC") MATTERS

CAC Presentation on Recommendations: Ms. Funk presented the following recommended action items to the Board for consideration.

Replacement of Dead Trees: The Board discussed the process to evaluate and replace dead trees in the community. Ms. Johnson will contact Brightview Landscape Services, Inc. to solicit a proposal to remove and replace the dead trees.

2023 Budget for CAC Events: A proposed budget for the CAC for 2023 in the amount of \$13,000 was presented to the Board. Upon review, the Board acknowledged and approved the 2023 Budget.

Movie Licensing: The Board discussed the licensing contract for Movie Night. The Board directed Ms. Terrell to work with the CAC to finalize the license and pay the fees.

FINANCIAL MATTERS

Unaudited Financial Statements as of June 30, 2022, Schedule of Cash Position, Accounts Receivable Summaries, Tax Schedules, and Developer Advance Schedule: Following a presentation by Ms. Sutton, upon a motion duly made by Director McNeill, seconded by Director Lashnits and, upon vote, unanimously carried, the Board accepted the Unaudited Financial Statements as of June 30, 2022, the Schedule of Cash Position, the accounts receivable summaries, tax schedules and developer advance schedule.

Payables through September 7, 2022: The Board reviewed the updated payables through September 7, 2022. Following review, upon a motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved the updated payables through September 7, 2022, in the amount of \$581,721.75.

CONSTRUCTION MATTERS

Project Manager's Report: The Board reviewed the Project Manager's Report.

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

Bids for Filing No. 5 Wet Utilities: Mr. Fowler discussed the status of the six bids that were received. IDES will provide a recommendation to the Board after completing its evaluation.

Following discussion, the Board appointed Directors Lashnits and Lehman to serve on a committee to review and authorize the Award of Contract for the Filing 5 Wet



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Utilities, to be ratified at the next meeting.

Task Order No. 8 to the Master Services Agreement with CTL Thompson, Inc. for Carrie Street Pavement Design in the Amount of \$5,400.00: Director Lashnits presented Task Order No. 8 to the Board. Following review and discussion, upon a motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Task Order No. 8 to the Master Services Agreement with CTL Thompson, Inc. for Carrie Street pavement design in the amount of \$5,400.00.

Cost Certification Report No. 4 – Filing Nos. 4-7 by Independent District Engineering Services, LLC (“IDES”) in the Amount of \$4,258,426.14: Mr. Fowler presented Cost Certification Report No. 4 to the Board. Following review and discussion, upon a motion duly made by Director Knopinski, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Cost Certification Report No. 4 – Filing Nos. 4-7 by IDES for an amount of \$4,258,426.14.

PHASE 1 (FILING NOS. 1, 2 AND 3) CONSTRUCTION MATTERS:

Drainage and Utilities: None.

Roadway Improvements: None.

Grading/Earthwork: None.

Landscape Improvements:

Phase 1: None.

Phase 2: None.

Phase 3: None.

PHASE II (FILING NO. 4) CONSTRUCTION MATTERS:

Grading/Earthwork:

Change Order No. 9 to the Construction Contract with Bemas Construction, Inc. for Costs Associated with the Sub-Excavation of Carrie Street in the Amount of \$31,981.28: Following discussion, upon a motion duly made by



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Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Change Order No. 9 to the Construction Contract with Bemas Construction, Inc. for costs associated with the sub-excavation of Carrie Street in the amount of \$31,981.28.

Pay Application No. 10 to the Construction Contract with Bemas Construction, Inc. in the Amount of \$31,981.28: Following discussion, upon a motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Pay Application No. 10 to the Construction Contract with Bemas Construction, Inc., in the amount of \$31,981.28.

Drainage and Utilities: None.

Erosion Control: None.

Roadway Improvements:

Paving/Asphalt:

Pay Application No. 9 to the Construction Contract with Martin Marietta Materials, Inc. in the Amount of \$40,791.58: Following discussion, upon a motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Pay Application No. 9 to the Construction Contract with Martin Marietta Materials, Inc. in the amount of \$40,791.58.

Concrete/Striping/Signage:

Change Order No. 3 to the Construction Contract with Premier Earthworks & Infrastructure (“PEI”) for Costs Associated with Contractors Down Time During Redesign Efforts and to Cover the Cost of Additional Work at the Intersection of Monaghan Rd. and 6th Ave. in the Amount of \$16,579.41: Following discussion, upon a motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Change Order No. 3 to the Construction Contract with Premier Earthworks & Infrastructure (“PEI”) for costs associated with contractors down time during redesign efforts and to cover the cost of additional work at the intersection of Monaghan Rd. and 6th Ave. in the amount of \$16,579.41.



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Pay Application No. 10 to the Construction Contract with Premier Earthworks & Infrastructure, Inc. ("PEI") in the Amount of \$196,942.03:

Following discussion, upon a motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Pay Application No. 10 to the Construction Contract with Premier Earthworks & Infrastructure, Inc. ("PEI") in the amount of \$196,942.03.

LEGAL MATTERS

Executive Session: The Board determined that an Executive Session was not necessary.

Other: The Board discussed corporate sponsorship of CAB events. Ms. Meintzer advised on possible liability and First Amendment matters, and recommended further analysis.

**COMMUNITY
MANAGEMENT /
COVENANT
CONTROL /
OPERATIONS**

Community Manager's Report: The Board reviewed the Community Manager's Report. No action was taken.

OTHER BUSINESS

Quorum for October 14, 2022 Board Meeting: The Board confirmed a quorum for the October 14, 2022 Board meeting. Director Knopinski reported that he will not be available.

ADJOURNMENT

There being no further business to come before the Board at this time, following a motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board adjourned the meeting at 9:36 a.m.

Respectfully submitted,

By: _____
Secretary for the Meeting

DocuSigned by:
Scott Lehman
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