

## **RECORD OF PROCEEDINGS**

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### **MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SKY RANCH COMMUNITY AUTHORITY BOARD (“CAB”) HELD AUGUST 14, 2020**

The special meeting of the Board of Directors (referred to hereafter as the “Board”) of the Sky Ranch Community Authority Board (referred to hereafter as the “CAB”) was convened on Friday, the 14th day of August, 2020, at 8:30 a.m. at Pure Cycle Corporation, 34501 E. Quincy Ave., Bldg. 34, Watkins, CO 80137. Due to the concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was also held virtually via Microsoft Teams and by conference call. The meeting was open to the public.

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#### **Directors In Attendance Were:**

Mark Harding  
Joe Knopinski  
Kevin McNeill  
Scott Lehman  
Dirk Lashnits

#### **Also In Attendance Were:**

Lisa Johnson, Thuy Dam and Cathee Sutton; CliftonLarsonAllen LLP  
Suzanne Meintzer, Esq.; McGeady Becher P.C.  
Barrett Marrocco; Independent District Engineering Services, LLC  
 (“IDES”)  
Rick Dinkel; Pure Cycle Corp.

#### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

#### **Disclosure of Potential Conflicts of Interest:**

Attorney Meintzer noted that a quorum was present and 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 requested members of the Board to 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 Meintzer noted that all Directors’ Disclosure Statements have been filed. No additional conflicts were disclosed at the meeting.

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### **ADMINISTRATIVE MATTERS**

#### **Agenda:**

Ms. Johnson distributed for the Board's review and approval a proposed Agenda for the CAB's Special Meeting.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Agenda was approved as amended.

#### **Location of Meeting and Posting of Meeting Notice:**

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board determined that due to the ongoing concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, certain Board members and consultants of the District would attend this meeting in person at the above-referenced location. However, certain other Board members and consultants of the District would attend this meeting via teleconference. The Board further noted that the notice of the time, date, location, and teleconference information for the meeting was duly posted and that no objections to the location or any requests that the meeting place be changed were received from taxpaying electors within the District's boundaries.

### **CONSENT AGENDA**

The Board considered the following actions:

#### **Approve the Minutes from the July 17, 2020 Special Meeting.**

**Ratify approval of Change Order No. 2 to the Landscape Improvements Contract for Phase III with Environmental Designs, Inc. ("EDI") in the amount of -\$4,690.89 for price adjustments reflecting market changes over time.**

**Ratify approval of a service agreement with Pure Cycle Corporation for 2020 Operations and Maintenance Services for Filing 1.**

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**Ratify approval of a Landscape Agreement by and between the CAB and Arapahoe County, recorded July 18, 2018, related to landscape and irrigation maintenance of certain tracts or medians in the public right of way.**

**Ratify approval of a Landscape Agreement by and between the CAB and Arapahoe County, recorded February 6, 2019, related to landscape and irrigation of certain tracts or medians in the public right of way.**

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board approved and/or ratified approval of the Consent Agenda items, amending to remove item F regarding the Quit Claim Deed.

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### **FINANCIAL MATTERS**

**June 30, 2020 unaudited financial statements, schedule of cash position, accounts receivable summaries, property tax schedules, and developer advance schedule:**

Ms. Sutton presented the Board with the financial information.

Following review and discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board approved the June 30, 2020 unaudited financial statements, schedule of cash position, accounts receivable summaries, property tax schedules, and developer advance schedule.

**Payables from July 18, 2020 through August 14, 2020 in the amount of \$639,046.27:**

The Board reviewed the payables.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved the payables from July 18, 2020 through August 14, 2020 in the amount of \$637,392.58.

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### **COMMUNITY MANAGEMENT**

**Community Manager's Update:**

The Board reviewed the Community Manager's report provided by Ms. Herman.

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### **CONSTRUCTION MATTERS**

#### **Project Manager's Report:**

Director Lashnits presented the Project Manager's Report.

#### **Task Order No. 4 to the Master Service Agreement ("MSA") with LSC Transportation Consultants, Inc. in the Amount of \$16,950.00 for SDP Traffic Impact Study:**

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Task Order No. 4 to the MSA with LSC Transportation Consultants, Inc. in the Amount of \$16,950.00 for SDP Traffic Impact Study.

#### **Drainage and Utilities:**

1. Change Order No. 24 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc. ("PEI") in the amount of \$3,182.74 for raising meter pits:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 24 to the Drainage and Utilities Contract with PEI in the amount of \$3,182.74 for raising meter pits.

2. Change Order No. 25 to the Drainage and Utilities Contract with PEI in the amount of \$8,374.19 for installing and removing a temporary sediment basin:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 25 to the Drainage and Utilities Contract with PEI in the amount of \$8,374.19 for installing and removing a temporary sediment basin.

3. Pay Application No. 27 to the Drainage and Utilities Contract with PEI in the amount of \$10,006.42:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 27 to the Drainage and Utilities Contract with PEI in the amount of \$10,006.42.

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### **Roadway Improvements:**

1. Pay Application No. 22 to the Roadway Improvements Contract with PEI in the amount of \$22,010.33:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 22 to the Roadway Improvements Contract with PEI in the amount of \$22,010.33.

### **Grading/Earthwork:**

There were no items presented for the Board's consideration.

### **Landscape Improvements:**

#### Phase I

1. Change Order No. 24 to the Landscape Improvements Contract with Environmental Designs Inc. ("EDI") in the amount of \$1,125.53 for substituting irrigation zones and adding drip irrigation to 4 (four) trees:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 24 to the Landscape Improvements Contract with EDI in the amount of \$1,125.53 for substituting irrigation zones and adding drip irrigation to 4 (four) trees.

2. Change Order No. 25 to the Landscape Improvements Contract with EDI in the amount of \$32,636.54 for landscape repairs, herbicide spraying, and Windsor wall construction:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 25 to the Landscape Improvements Contract with EDI in the amount of \$32,636.54 for landscape repairs, herbicide spraying, and Windsor wall construction.

3. Change Order No. 26 to the Landscape Improvements Contract with EDI in the amount of \$4,425.76 for herbicide spraying, irrigation generator fee, and adding dirt near a breezeway near 9<sup>th</sup> Drive:

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Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 26 to the Landscape Improvements Contract with EDI in the amount of \$4,425.76 for herbicide spraying, irrigation generator fee, and adding dirt near a breezeway near 9<sup>th</sup> Drive.

4. Pay Application No. 17 to the Landscape Improvements Contract with EDI in the amount of \$50,889.10:

Following discussion, upon motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 17 to the Landscape Improvements Contract with EDI in the amount of \$50,889.10.

### Phase II

1. Change Order No. 2 to the Landscape Improvements Contract with EDI in the amount of -\$17,670.60 for crediting irrigation and landscape items based on Tract BB revisions:

Following discussion, upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 2 to the Landscape Improvements Contract with EDI in the amount of -\$17,670.60 for crediting irrigation and landscape items based on Tract BB revisions.

2. Pay Application No. 3 to the Landscape Improvements Contract with EDI in the amount of \$32,530.08:

Following discussion, upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 3 to the Landscape Improvements Contract with EDI in the amount of \$32,530.08.

### Phase III

1. Change Order No. 4 to the Landscape Improvements Contract with EDI in the amount of -\$1,006.30 for a credit to pet waste stations:

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Following discussion, upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 4 to the Landscape Improvements Contract with EDI in the amount of -\$1,006.30 for a credit to pet waste stations.

2. Change Order No. 5 to the Landscape Improvements Contract with EDI in the amount of \$8,181.53 for adding polywrap and soil to irrigation and POC 5 and adding irrigation along Wall #6:

Following discussion, upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Change Order No. 5 to the Landscape Improvements Contract with EDI in the amount of \$8,181.53 for adding polywrap and soil to irrigation and POC 5 and adding irrigation along Wall #6.

3. Pay Application No. 3 to the Landscape Improvements Contract with EDI in the amount of \$120,174.42:

Following discussion, upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 3 to the Landscape Improvements Construction Contract with EDI in the amount of \$120,174.42.

### **Engineers Report:**

Mr. Marrocco presented the Engineer's Report to the Board.

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## **LEGAL MATTERS**

### **Other:**

Director Harding updated the Board on the Amended Service Plan process, noting that it was submitted on July 31, 2020. The County considers the application complete and they will now begin their review process which takes approximately 2 months and then will be added to a Board Of County Commissioners agenda for approval.

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## **OTHER BUSINESS**

### **Confirm Quorum for September 11, 2020 Board Meeting.**

The Board confirmed a quorum for the September 11, 2020 Board meeting at 8:30 a.m. to be held via teleconference.

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### **ADJOURNMENT**

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

Respectfully submitted,

By:    
Secretary for the Meeting