



## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SKY RANCH COMMUNITY AUTHORITY BOARD (“CAB”) HELD JANUARY 14, 2022

A regular meeting of the Board of Directors (referred to hereafter as the “Board”) of the CAB convened on Friday, the 14<sup>th</sup> day of January 2022, at 8:30 a.m. at Pure Cycle Corporation, 34501 E. Quincy Ave., Bldg. 34, 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  
Joe Knopinski, Vice President  
Kevin McNeill, Treasurer  
Scott Lehman, Secretary  
Dirk Lashnits, Assistant Secretary

**Also in Attendance Were:**

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

Members of the Public:

Ashley Clement, Tanya Scott, Ryan Funk, Katherine Funk, Blair Bates, Carla MacMillan, Jessica Gardner, Kelyn Lanier, and Robyn Zamarripa.

**ADMINISTRATIVE  
MATTERS**

**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. Ms. Johnson 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 confirmed the presence of a quorum. The Board reviewed a proposed agenda for the CAB’s special meeting.



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Following discussion, upon a motion duly made by Director McNeill, 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.

Upon a motion duly made by Director McNeill, seconded by Director Lashnits 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.

**Designation for posting of meeting notices:** Upon discussion, it was determined by the Board that the designated posting place would be the CAB/District website at least 24 hours in advance of Board meetings.

**Public Comment:** Katherine Funk requested that the Sky Ranch Citizens Advisory Committee ("CAC") Matters be heard after the Consent Agenda during CAB Board meetings moving forward. The Board agreed to this request. Ms. Funk also informed the Board that additional trash pick-up services were needed in the mailbox area. The Board directed Ms. Terrell to coordinate with the service provider and with Ms. Funk, as needed, to address the areas where additional trash services may be necessary. Ms. Funk requested the Board to consider providing additional snow removal services on streets that she acknowledged are the County's responsibility to maintain. The Board directed staff to investigate this request.

### CONSENT AGENDA

The Board considered the following items under the Consent Agenda:

- **Ratify approval of Pure Cycle Corporation to purchase, install and remove seasonal lights for an amount not to exceed \$7,500, plus the cost of lights.**

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



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### MEETING MINUTES

The Board discussed the Minutes from the December 10, 2021 Special Meeting, and requested staff to make edits. Following review, upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved the Minutes from the December 10, 2021 Special Meeting, subject to revisions as discussed.

### FINANCIAL MATTERS

**Schedule of Cash Position through September 30, 2021, Updated as of January 5, 2022, and Accounts Receivable Summaries, Tax Schedules, and Developer Advance Schedule:** Following a presentation by Ms. Sutton, upon a motion duly made by Director Knopinski, seconded by Director McNeill and, upon vote, unanimously carried, the Board accepted the schedule of cash position through September 30, 2021, updated as of January 5, 2022, and accounts receivable summaries, tax schedules and developer advance schedule.

**Payables through January 7, 2022 in the Amount of \$1,638,136.99:** Following review, upon a motion duly made by Director Knopinski, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved the payables through January 7, 2022 in the amount of \$1,638,136.99.

### SKY RANCH CITIZENS ADVISORY COMMITTEE MATTERS ("CAC")

**Confirmation of New Member to the CAC:** The Board reviewed the letter of interest from Katherine Funk. Upon a motion by Director Harding, seconded by Director Knopinski, the Board confirmed appointment of Katherine Funk to the CAC.

**CAC Recommendations to the CAB Board:** None.

**Other:** Kelyn Lanier asked if the 2022 budget for the CAC was approved by the CAB Board, and what the process was to document expenditures made by the CAC. Staff responded that the 2022 Budget adopted by the CAB Board included a \$12,000 line item for CAC-related events. Ms. Terrell and Ms. Funk outlined the procedure for payment, which is to provide proposed events and the associated projected budgets to Ms. Terrell for review and approval. The event items that are approved may be submitted to Ms. Terrell for payment by the CAB. If vendors for events require payment at time of service, then CAC members may submit a request for reimbursement by providing receipt and/or proof of payment for the service to the CAB through Ms. Terrell.

### CONSTRUCTION MATTERS

**Project Manager's Report:** Director Lashnits reviewed the Project Manager's Report with the Board.

**Task Order No. 6 to the Master Services Agreement ("MSA") with KT Engineering, LLC for Sleeving Stakes, Lots East of School Staking, Miscellaneous**



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**Design Changes in an Amount Not to Exceed \$7,975.00:** Following discussion, upon a motion duly made by Director Harding, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Task Order No. 6 with KT Engineering, LLC in an amount not to exceed of \$7,975.00.

**Engineers Report:** Mr. Marrocco presented the Engineer's Report to the Board. Mr. Marrocco also introduced Mr. Fowler, who is a new team member with IDES and will be working with the District.

### **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 2 (FILING NO. 4) CONSTRUCTION MATTERS:**

**Grading/Earthwork:**

**Change Order No. 7 to the Construction Contract with Bemas Construction Inc. for Costs Related to Borrowing Material to Complete Grading in an Amount Not to Exceed \$95,530.92:** Upon a motion duly made by Director Knopinski, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved Change Order No. 7 with Bemas Construction Inc. in an amount not to exceed \$95,530.92.

**Pay Application No. 7 to the Construction Contract with Bemas Construction Inc. in the amount of \$158,333.24:** Upon a motion duly made by Director Harding, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 7 with Bemas Construction Inc.



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in an amount of \$158,333.24.

### **Drainage and Utilities:**

**Pay Application No. 7 to the Construction Contract with Nelson Pipeline Constructors, LLC in the Amount of \$170,739.40:** Upon a motion duly made by Director Lashnits, seconded by Director McNeill and, upon vote, unanimously carried, the Board approved Pay Application No. 7 to the Construction Contract with Nelson Pipeline Constructors, LLC in the amount of \$170,739.40.

**Pay Application No. 8 to the Construction Contract with Nelson Pipeline Constructors, LLC in an Amount not to Exceed \$250,000:** Mr. Marrocco presented Pay Application No. 8 and noted that there would likely be a change in the amount to be paid versus the amount listed on the agenda. Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Pay Application No. 8 to the Construction Contract with Nelson Pipeline Constructors, LLC in an amount not to exceed \$250,000.00.

**Erosion Control:** None.

### **Roadway Improvements:**

#### *Paving/Asphalt:*

**Change Order No. 3 to the Construction Contract with Martin Marietta Materials, Inc. for costs related to changing the roadway sections and balancing private alleys in an amount no to exceed -\$694,072.65:** Upon a motion duly made by Director Knopinski, seconded by Director Lashnits, the Board approved Change Order No. 3 to the Construction Contract with Martin Marietta Materials, Inc. in an amount not to exceed -\$694,072.65.

**Pay Application No. 2 to the Construction Contract with Martin Marietta Materials, Inc. in the Amount of \$171,427.23:** Upon a motion duly made by Director Harding, seconded by Director McNeill, the Board approved Pay Application No. 2 to the Construction Contract with Martin Marietta Materials, Inc. in the amount of \$171,427.23.



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Concrete/Striping/Signage:

**Change Order No. 1 to the Construction Contract with Premier Earthworks & Infrastructure, Inc. (“PEI”) for costs related to reimbursing bonds and insurance at face value in an amount no to exceed \$34,009.63:** Upon a motion duly made by Director Knopinski, seconded by Director Lashnits, the Board approved Change Order No. 1 to the Construction Contract with PEI in an amount not to exceed \$34,009.63.

**Pay Application No. 2 to the Construction Contract with PEI in the amount of \$457,308.32:** Upon a motion duly made by Director Harding, seconded by Director McNeill, the Board approved Pay Application No. 2 to the Construction Contract with PEI in an amount of \$457,308.32.

### LEGAL MATTERS

**Resolution No. 2022-01-01 of the Board of Directors of Sky Ranch Community Authority Board Regarding the Imposition of Operations and Maintenance Fees (Sky Ranch Metropolitan District No. 3 / Sky Ranch Subdivision Filing No. 4):** Attorney Meintzer reviewed Resolution No. 2022-01-01 with 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 adopted Resolution No. 2022-01-01, Resolution of the Board of Directors of Sky Ranch Community Authority Board Regarding the Imposition of Operations and Maintenance Fees (Sky Ranch Metropolitan District No. 3 / Sky Ranch Subdivision Filing No. 4).

**Resolution No. 2022-01-02 of the Board of Directors of Sky Ranch Community Authority Board Regarding the Imposition of Alleyway Operations and Maintenance Fees:** Attorney Meintzer reviewed Resolution No. 2022-01-02 with the Board. Following review and discussion, upon a motion duly made by Director Lashnits, seconded by Director McNeill and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-01-02, Resolution of the Board of Directors of Sky Ranch Community Authority Board Regarding the Imposition of Alleyway Operations and Maintenance Fees.

**Intergovernmental Subdivision Improvements Agreement with Additional Restriction on Access Permits Subdivision Exemption Plat, Sky Ranch Academy Subdivision, by and Among the Board of County Commissioners of Arapahoe County, Colorado, PCY Holdings, LLC, and the CAB (“Intergovernmental Subdivision Improvements Agreement”):** Attorney Meintzer reviewed the Intergovernmental Subdivision Improvements Agreement with the Board. Following review and discussion, upon a motion duly made by Director Knopinski, seconded by



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Director Lehman and, upon vote, unanimously carried, the Board approved the Intergovernmental Subdivision Improvements Agreement.

**Resolution No. 2022-01-03 of the Board of Directors of the Sky Ranch Community Authority Board Appropriating, Encumbering and Committing Funds for Public Roadway Improvements for Sky Ranch Academy Subdivision, County Case No. PX21-002:** Attorney Meintzer reviewed Resolution No. 2022-01-03 with the Board. Following review and discussion, upon a motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-01-03, Resolution of the Board of Directors of the Sky Ranch Community Authority Board Appropriating, Encumbering and Committing Funds for Public Roadway Improvements for Sky Ranch Academy Subdivision, County Case No. PX21-002.

**Approval of Sidewalk and Landscape Easement Agreement from PCY Holdings, LLC, as Grantor to the CAB, as Grantee:** Attorney Meintzer reviewed the Sidewalk and Landscape Easement Agreement with the Board. Following review and discussion, upon a motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved the Sidewalk and Landscape Easement Agreement from PCY Holdings, LLC, as Grantor to the CAB, as Grantee.

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

COMMUNITY  
MANAGEMENT /  
COVENANT  
CONTROL /  
OPERATIONS

**Community Manager's Report:** The Board reviewed the Community Manager's Report.

**Costs Related to Community Security Services:** Director Harding requested that Ms. Saya and Attorney Meintzer present the information they found related to security services. Ms. Saya noted that a summary was included in the meeting packet and that the summary contained a comparison of the costs between two private security providers and the County Sheriff's office. Attorney Meintzer reiterated that the County Sheriff is the entity that provides security services in the area, and that pursuant to statute, while it is possible for the CAB to provide security services, the CAB could do so only after consent from the County Sheriff, an intergovernmental agreement regarding same, and a Service Plan amendment. Director Harding summarized the importance of this issue to the community and stated that, given the on-going costs over the entire lifespan of the entire community, and given the amount by which the Operations and Maintenance Fee would need to be increased to cover these services, he is not comfortable with the CAB taking on the responsibility of providing security services. Attorney Meintzer noted there would also be additional legal costs related to the Service Plan amendments for all of the Sky Ranch Metropolitan Districts. Director Knopinski agreed with Director



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Harding's concerns.

The Board discussed the information presented. It was determined that the CAB and community members would continue to communicate with law enforcement regarding the concerns of crime within the community.

OTHER BUSINESS    **Quorum for February 11, 2022 Board Meeting:** The Board confirmed a quorum for the February 11, 2021 Board meeting.

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 McNeill and, upon vote, unanimously carried, the Board adjourned the meeting at 9:52 a.m.

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

DocuSigned by:  
*Lisa Johnson*  
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**Certificate Of Completion**

Envelope Id: DC2F75B40EED45629290D6F9716EA0D4	Status: Completed
Subject: Please DocuSign: Sky Ranch CAB - Minutes - 1-14-2022 Regular Mtg (revised final).pdf	
Client Name: Sky Ranch CAB	
Client Number: 011-045658-OS09-2022	
Source Envelope:	
Document Pages: 8	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Cindy Jenkins
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 South 6th Street
	Suite 300
	Minneapolis, MN 55402
	Cindy.Jenkins@claconnect.com
	IP Address: 165.225.10.178

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2/22/2022 2:58:48 PM	Cindy.Jenkins@claconnect.com	

**Signer Events**

Lisa Johnson  
 Lisa.Johnson@claconnect.com  
 District Manager  
 Security Level: Email, Account Authentication (None)

**Signature**

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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/22/2022 3:03:08 PM
Certified Delivered	Security Checked	2/22/2022 3:03:50 PM
Signing Complete	Security Checked	2/22/2022 3:04:00 PM
Completed	Security Checked	2/22/2022 3:04:00 PM
Payment Events	Status	Timestamps
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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [BusinessTechnology@CLAconnect.com](mailto:BusinessTechnology@CLAconnect.com)

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To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [BusinessTechnology@CLAconnect.com](mailto:BusinessTechnology@CLAconnect.com) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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- Until or unless you notify CliftonLarsonAllen LLP as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by CliftonLarsonAllen LLP during the course of your relationship with CliftonLarsonAllen LLP.