

## RECORD OF PROCEEDINGS

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### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SKY RANCH COMMUNITY AUTHORITY BOARD (“CAB”) HELD NOVEMBER 8, 2019

The regular 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 8th day of November, 2019, at 8:30 a.m., at the offices of McGeady Becher P.C., 450 East 17th Avenue, Suite 400, Denver, Colorado 80203. The meeting was open to the public.

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**Directors In Attendance Were:**

Mark Harding  
Joe Knopinski  
Dirk Lashnits  
Scott Lehman

**Also In Attendance Were:**

Lisa A. Johnson; Special District Management Services, Inc.

MaryAnn McGeady, Esq. and Andrew Rippey, Esq.; McGeady Becher P.C.

Cathee Sutton and Thuy Dam; CliftonLarsonAllen LLP

Rick Dinkel; Pure Cycle Corporation

Barrett Marrocco, Greg Toler and Wes Back; Independent District Engineering Services, LLC (“IDES”)

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**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

**Disclosure of Potential Conflicts of Interest:** Attorney McGeady 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 McGeady 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 McGeady noted that all Directors’ Disclosure Statements have been filed. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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### ADMINISTRATIVE MATTERS

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

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

**Approval of Meeting Location:** The Board entered into a discussion regarding the requirements of §32-1-903(1), C.R.S., concerning the location of the CAB's Board meeting. Following discussion, upon motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within the CAB's boundaries or within the county in which the CAB is located, or within 20 miles from the CAB's boundaries to conduct this meeting, the meeting would be held at the above-stated location. The Board further noted that notice of this meeting was duly posted and that they have not received any objections to the location or any requests that the meeting place be changed by taxpaying electors within the CAB's boundaries.

**Resolution Establishing Regular Meeting Dates, Time and Location, Establishing District Website and Designating Location for Posting of 24-hour Notices:** Following discussion, upon motion duly made by Director Harding, seconded by Director Lashnits and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-11-01; Resolution Establishing Meeting Dates, Time and Location, Establishing District Website and Designating Location for Posting of 24-hour Notices and appointed Special District Management Services, Inc. as the representative to post such Notices. A copy of the Resolution is attached hereto and incorporated herein by this reference.

**Board Vacancy:** The Board discussed the vacancy on the Board of Directors. No action was taken.

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**CONSENT AGENDA** The Board considered the following actions:

- Approve Minutes of the October 25, 2019 Special Meeting.

Following review, upon motion duly made by Director Lehman, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved the above actions.

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## RECORD OF PROCEEDINGS

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### FINANCIAL MATTERS

**Unaudited Financial Statements:** The Board reviewed the unaudited financial statements through the periods ending August 31, 2019 and September 30, 2019.

Following review and discussion, upon motion duly made by Director Lehman, seconded by Director Lashnits and, upon vote, unanimously carried, the Board accepted the unaudited financial statements through the periods ending August 31, 2019 and September 30, 2019.

**Claims:** The Board considered approval of the payment of claims for the period beginning September 14, 2019 through November 8, 2019, as follows:

General Fund:	\$	7,128.51
Debt Service Fund:	\$	-0-
Capital Projects Fund:	\$	<u>1,224,589.50</u>
<b>Total:</b>	\$	<b>1,231,718.01</b>

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board approved the payment of claims.

**2020 Budget Preparation:** The Board discussed the preparation of the 2020 Budget.

Following discussion, upon motion duly made by Director Lashnits, seconded by Director Knopinski and, upon vote, unanimously carried, the Board ratified appointment of the District Accountant to prepare the 2020 Budget.

### **SECOND READING:**

**2020 Budget Hearing:** President Harding opened the public hearing to consider the proposed 2020 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2020 Budget and the date, time, and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing.

No public comments were received and the public hearing was closed.

Ms. Dam reviewed the estimated 2019 expenditures and proposed 2020 expenditures.

The Board discussed the mill levy and determined that no mill levy will be certified.

## RECORD OF PROCEEDINGS

---

Following discussion, the Board considered the adoption of the Resolution to Adopt the 2020 Budget and Appropriate Sums of Money. Upon motion duly made by Director Knopinski seconded by Director Lehman and, upon vote, unanimously carried, the Resolution was adopted, as discussed, and execution of the Certification of Budget was authorized, subject to finalization by CliftonLarsonAllen (“CLA”). Ms. Johnson was authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2020. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

**2021 Budget Preparation:** The Board discussed the preparation of the 2021 Budget.

Following discussion, upon motion duly made by Director Lehman, seconded by Director Knopinski and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2021 Budget.

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### **LEGAL MATTERS**

**Amendment to the Operations and Maintenance Fees Resolution:** The Board entered into discussion regarding an amendment to the Operations and Maintenance Fees Resolution to confirm the fees will be billed on a quarterly basis.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board adopted an Amendment to the Operations and Maintenance Fees Resolution as discussed.

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### **CONSTRUCTION MATTERS**

**Project Managers Report:** The Board reviewed the Project Manager’s Report. Director Lashnits gave an update on the Project. A copy of the Project Manager’s Report, dated November 8, 2019, is attached hereto and incorporated herein by this reference.

**Task Order No. 4 from CVL of Colorado, Inc. under the Master Services Agreement:** The Board reviewed Task Order No. 4 under the Master Services Agreement with CVL of Colorado, Inc.

Following review and discussion, upon motion duly made by Director Harding, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved Task Order No. 4 under the Master Services Agreement with CVL of Colorado, Inc. for GDP application extension, in the amount of \$22,000.00.

**Change Order No. 17 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc.:** Mr. Marrocco presented to the Board Change Order No. 17 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc.

## RECORD OF PROCEEDINGS

---

Following discussion, upon motion duly made by Director Harding, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Change Order No. 17 to the Drainage and Utilities Improvements Contract with Premier Earthworks & Infrastructure, Inc., in the amount of \$22,336.10 for storm and sanitary sewer changes including manhole and valve box protection.

Change Order No. 18 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc.: Mr. Marrocco presented to the Board Change Order No. 18 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board approved Change Order No. 18 to the Drainage and Utilities Improvements Contract with Premier Earthworks & Infrastructure, Inc., in the amount of \$1,142.26 for meter pit modifications.

Pay Application No. 17 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc.: Mr. Marrocco presented to the Board Pay Application No. 17 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Pay Application No. 17 to the Drainage and Utilities Contract with Premier Earthworks & Infrastructure, Inc., in the amount of \$111,573.92.

### **Roadway Improvements:**

Change Order No. 12 to the Roadway Improvements Contract with Premier Earthworks & Infrastructure, Inc.: Mr. Marrocco reviewed with the Board Change Order No. 12 to the Roadway Improvements Contract with Premier Earthworks & Infrastructure, Inc.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 12 to the Roadway Improvements Contract with Premier Earthworks & Infrastructure, Inc., in the amount of \$29,598.29 for traffic control and balancing streets.

## RECORD OF PROCEEDINGS

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Pay Application No. 12 to the Roadway Improvements Contract with Premier Earthworks & Infrastructure, Inc.: Mr. Marrocco reviewed with the Board Pay Application No. 12 to the Roadway Improvements Contract with Premier Earthworks & Infrastructure, Inc.

Following discussion, upon motion duly made by Director Harding, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved Pay Application No. 12 to the Roadway Improvements Contract with Premier Earthworks & Infrastructure, Inc., in the amount of \$1,377,300.29.

### Landscape Improvements:

Change Order No. 14 to the Landscape Improvements Contract with Environmental Designs, Inc. ("EDI"): Mr. Marrocco reviewed with the Board Change Order No. 14 to the Landscape Improvements Contract with EDI.

Following discussion, upon motion duly made by Director Harding, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved Change Order No. 14 to the Landscape Improvements Contract with EDI, in the amount of \$42,240.79 for Tract H and Tract Z change from seed to sod between Northern Monument and 10th Street.

Pay Application No. 7 to the Landscape Improvements Contract with EDI: Mr. Marrocco reviewed with the Board Pay Application No. 7 to the Landscape Improvements Contract with EDI.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board approved Pay Application No. 7 to the Landscape Improvements Contract with EDI, in the amount of \$348,262.59.

Partial Retainage Release: The Board considered partial release of retainage and initial acceptance of the playground improvements for the Park.

Following discussion, upon motion duly made by Director Harding, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved initial acceptance of the playground improvements of the Park and directed staff to publish a notice of final payment to allow for release of partial retainage. The Board also directed staff to contact the CAB's insurance provider and add property coverage to include the playground Improvements.

## RECORD OF PROCEEDINGS

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**Engineers Report:** Mr. Marrocco presented to the Board the Engineer's Report. A copy of the Engineer's Report, dated November 8, 2019, is attached hereto and incorporated herein by this reference.

**Consulting Agreements:** The Board determined there were no matters to discuss.

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### **COMMUNITY MANAGEMENT**

**Community Manager's Report:** There were no new matters to discuss, but it was noted that there are eleven (11) homeowners as of October 31, 2019.

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### **OTHER MATTERS**

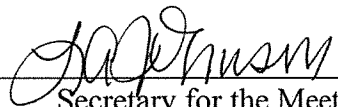
There were no other matters to discuss.

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### **ADJOURNMENT**

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

Respectfully submitted,

By:   
Secretary for the Meeting