

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF

THE CANYONS METROPOLITAN DISTRICT NO. 3

Held: Friday, October 28, 2022, at 9:00 a.m. via Zoom  
Teleconference

**Attendance**

The special meeting of the Board of Directors (the “Board”) of The Canyons Metropolitan District No. 3, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Board, were in attendance:

Jonathan Alpert  
Darren Everett

Director Brian Alpert was absent and excused.

Also present were: Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Kaitlin Crandell, Alpert Companies; and Mark Nickless, OMSC, LLC.

**Call to Order**

Director Jonathan Alpert called the meeting to order.

**Declaration of  
Quorum/Director  
Qualifications**

Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda as amended.

**Public Comment**

None.

## **Consent Agenda**

The Board reviewed the items on the consent agenda. Ms. Murphy advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- February 23, 2022 Special Meeting Minutes; and
- September 26, 2022 Special Meeting Minutes.

## **Construction Matters**

Update on Canyons Parcel No. 1 Fill Placement & Subdivision Filing No. 2 Improvements

Mr. Nickless provided an update to the Board on the progress of construction.

Consider Approval of Change Order No. 6 to Fiore Contract

Mr. Nickless presented Change Order No. 6 to Fiore Contract to the Board. Following discussion and upon motion duly made, seconded and unanimously carried, the Board approved Change Order No. 6.

Update on Eastern Loop Water Line (Bids Due Monday - November 7, 2022 @ 2:00 pm) and Associated Easements

Mr. Nickless provided an update noting that the project is currently out to bid and six different contractors requested bid documents. Mr. Nickless also noted that he is continuing to work on easements for this project.

Update on Canyonside Filing No. 4 - Havana Road Relocation and Castle Pines Parkway Improvements

Ms. Murphy noted that legal counsel is working on an Intergovernmental Agreement with the City of Castle Pines, North Canyons, LLP and the District to relocate Havana Road.

Other Construction Matters

None.

## **Legal Matters**

Other Legal Matters

None.

## **Financial Matters**

Other Financial Matters

None.

## **Other Business**

None.

## Adjourn

There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting

*Brian Alpert*

Brian Alpert (Feb 16, 2023 13:58 MST)

---

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 13th day of February, 2023.