

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
THE PIONEER COMMUNITY AUTHORITY BOARD
HELD
SEPTEMBER 16, 2024**

A Regular Meeting of the Board of Directors (the “Board”) of The Pioneer Community Authority Board (the “CAB”) was held in accordance with applicable statutes of the State of Colorado on Monday, September 16, 2024, at 2:00 p.m. This meeting was held via Zoom and was open to the public.

ATTENDANCE

Directors in Attendance Were:

Joel Farkas (Representative for Pioneer Metropolitan District Nos. 1, 3, 6 and Pioneer Regional Metropolitan District)

Toni Serra (Representative of Pioneer Metropolitan District Nos. 2 and 4)

Also Present Were:

Paula Williams, Esq., Eric Trout, Esq., and Lisa Jacoby; McGeady Becher P.C.

Paul Wilson; CliftonLarsonAllen LLP

Michel Wolfersperger; Independent District Engineering Services, LLC (“IDES”)

Justin Hay; Stacklot, L.L.C.

Ned Skoglund; member of the public

ADMINISTRATIVE MATTERS

Confirmation of Quorum:

Ms. Jacoby confirmed a quorum.

Disclosure of Potential Conflicts of Interest:

Ms. Jacoby discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board to the Secretary of State. The members of the Board (the “Directors”) were requested to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting. Those applicable disclosures made by the Directors prior to this meeting in accordance with statute, were noted for the record. It was noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

Agenda:

The Board reviewed the Agenda for the CAB’s regular meeting. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the Agenda, and excused the absence of Director Fehr.

Meeting Location and Posting of Notices:

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S.,

concerning the location of the Board meeting.

Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board determined to meet by video teleconference. Notice of this meeting providing the date, time and location, including participation information, was duly posted and no taxpaying electors within the CAB's service area objected or requested that the means of hosting the meeting be changed.

Public Comment:

There were no public comments.

Minutes of the July 15, 2024, Regular Meeting:

The Board reviewed the Minutes of the July 15, 2024, Regular Meeting. Upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the Minutes.

FINANCIAL MATTERS

Claims:

The Board reviewed the claims for the period ending September 16, 2024. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the payment of claims for the period ending September 16, 2024, in the amount of \$101,704.79

Schedule of Cash Position / Project Fund Reconciliation:

Mr. Wilson reviewed with the Board the updated Schedule of Cash Position inclusive of Project Fund Reconciliation, as of December 31, 2023, updated as of September 13, 2024.

Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board accepted the updated Schedule of Cash Position inclusive of Project Fund Reconciliation.

Public Hearing on Amendment to 2023 Budget:

Ms. Jacoby opened the public hearing to consider an amendment to the 2023 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2023 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 the public hearing.

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

Following discussion, it was determined that no Budget Amendment was necessary.

2023 Audit:

Mr. Wilson presented the 2023 Audit.

Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the 2023 Audit and authorized the execution of the Representations Letter.

Cost Certification Report #60:

The Board reviewed the updated Cost Certification Report #60 prepared by IDES, dated September 16, 2024, certifying Eligible Verified Costs for public improvements.

Following discussion, upon motion duly made by Director Serra, seconded by Director Farkas, and upon vote unanimously carried, the Board accepted the Eligible Verified Costs in Engineer's Cost Certification Report #60, updated in the amount of \$579,333.86.

Reimbursement under Project Fund Requisition Certificate No. 26:

Following discussion, upon motion duly made by Director Fehr, seconded by Director Farkas, and upon vote unanimously carried, the Board authorized reimbursement under Project Fund Requisition Certificate No. 26, pursuant to Special Revenue Bonds, Series 2020A, Indenture of Trust, dated November 25, 2020, in the amount of \$579,333.96.

LEGAL / PROJECT MATTERS

Public Service Company of Colorado v. Pioneer Holdco, LLC, et. al., Case No. 2024CV30307, District Court, Weld County Colorado (the "Condemnation Lawsuit"):

Director Farkas reported that drafts of settlement agreements are being reviewed by legal counsel.

Development of Regional Improvements:

Director Farkas reported that the Town of Keenesburg hearing related to Filing 1, 2, 3 and 4 is scheduled for tonight.

Notice of Award and Contract for Design, Build, Finance, Operate and Maintain ("DBFOM") Integrated Project Delivery Method for Completion of Water and Sewer Infrastructure (Pioneer Village):

Attorney Williams reported that negotiations are very close.

Assignment of Strategic Site Designs, LLC Agreement/Task Orders(s):

This matter was deferred.

Design Construction Standards and Specifications for Resource Colorado Water and Sanitation Metropolitan District and the CAB:

Director Farkas reported that this matter is under review.

Request from Spriggs Excavation for Spoils Storage License:

Mr. Hay reported that he would follow up on this matter.

OTHER BUSINESS

Confirmation of a Quorum for the October 21, 2024, Regular Meeting:

Following discussion, the Board determined to schedule a special meeting for Monday, September 30, 2024 for a time to be determined.

No action was taken regarding confirmation of the October 21, 2024 Regular Meeting.

ADJOURNMENT

There being no other business to come before the Board, the meeting was adjourned.

The foregoing record constitutes a true and correct copy of the Minutes of the above-referenced meeting.

Lisa Jacoby

Secretary for the meeting