

**MINUTES OF A SPECIAL MEETING OF
THE BOARDS OF DIRECTORS OF THE
PAN-ARK ESTATES METROPOLITAN DISTRICT
HELD August 15, 2023**

A special meeting of the Boards of Directors (the “Boards”) of the Pan-Ark Estates Metropolitan District (the “District”) was held on Tuesday, August 15, 2023, at 5:30 p.m. exclusively by means of Zoom webinar. The meeting was open to the public.

Attendance: In attendance were Board members:
Shelley Hall
David Galinis
Kevin Kirsner
Dell Skluzak

Not in attendance:
Joseph Burnham

Also in attendance were:

Nikolas Wagner – Centennial Consulting Group
Joseph Norris – CEGR, District General Counsel
Jeff Johnson and Paul Terranova – MEWA
Jake Tomley – Lake County Code Enforcement
8 Residents: Stephanie Wagner, Jeff Sprouse, Oleary, Grant V. Macklem, Benjamin Wood,
397515, Dwright, and David C.

I. Call to Order/Declaration of Quorum - Director Conflict of Interest Disclosure

Mr. Wagner called the meeting to order. A quorum of the Boards was confirmed. Mr. Wagner reported that disclosures of potential conflicts of interest were filed for all directors 72 hours in advance of the meeting if applicable and that the Agenda had been posted on the Districts’ website at least 24 hours in advance of the meeting.

II. Approval of Minutes

Following consideration, upon a motion duly made by Director Skluzak, seconded by Director Hall, and upon vote, unanimously carried, the Board approved the May 2, 2023, special meeting minutes.

III. a) Unaudited Financial Statements

The Board discussed operating costs and the speed of processing payments for vendors. Following discussion, upon a motion duly made by Director Skluzak, seconded by Director Hall, and upon vote, unanimously carried, the Board approved the unaudited financial statements for the period ending July 31, 2023.

III. b) Ratify Payables

Following consideration, upon a motion duly made by Director Hall, seconded by Director Skluzak, and upon vote, unanimously carried, the Board ratified the payables for the period April 1, 2023, through July 31, 2023.

IV. a) Assignment and Assumption Agreement for Transfer of the Loader Lease

Mr. Norris and Mr. Wagner presented the Assignment and Assumption Agreement for Transfer of the Loader Lease from Pan-Ark Estates Metro District to MEWA. Mr. Wagner informed the Board that MEWA had reviewed and approved of the document. Following discussion and consideration, upon a motion duly made by Director Hall, seconded by Director Kirsner, and upon vote, unanimously carried, the Board approved the Assignment and Assumption Agreement for Transfer of the Loader Lease from Pan-Ark Estates Metropolitan District to Mt. Elbert Water Association.

IV. b) Approval of Quitclaim Deed to Transfer Pavilion Property

Mr. Norris presented to the Board the proposal for transfer of the Pavilion property to MEWA. Mr. Norris described that the District is prevented from giving away public assets without due consideration. Therefore, the proposed quitclaim deed has included deed restrictions ensuring the Pavilion remains available to the District and that the Pavilion will be retained on the property by MEWA. If MEWA fails to satisfy the conditions, the District has a reverter to take-back the property for public use. Jeff Johnson of MEWA commented that they have solicited bids to repair the pavilion. Once MEWA is out of water court for obtaining new water shares, they can investigate installing a well on the southwest corner of the property and start making repairs. The new well is not going to impact the Pavilion itself. The Board discussed with Jeff on the intentions of repairs and what could be expected. Mr. Johnson reported that repairs would include new fascia, updated bathrooms, partitions, and catch basins for fuel tanks. Following discussion and consideration, upon a motion duly made by Director Skluzak, seconded by Director Hall, and upon vote, unanimously carried, the Board approved the Quitclaim Deed to Transfer Pavilion Property from Pan-Ark Estates Metropolitan District to Mt. Elbert Water Association.

V. a) Creation of Road Rules and Regulations

Mr. Norris discussed and recommended that the Board start with the County road regulations for creating regulations applicable to the District's roads. Mr. Wagner supplied that a committee could be formed to review the County regulations to begin creating a set of regulation for the District. Following discussion and consideration, upon a motion duly made by Director Hall, seconded by Director Galinis, and upon vote, unanimously carried, the Board approved the creation of the Road Regulations Committee consisting of the following members:

- Dell Skluzak
- Shelley Hall

- Jeff Sprouse
- Joan Weber
- A representative from MEWA as available

Following discussion regarding road rules, the Board directed management to pen a letter to the owner of Perry Peak lot that damaged the road during construction and installed a retention wall that was protruding into roadway.

V. b) Purchase of Street Signs / Poles for Replacements

Mr. Wagner presented options for replacing two street signs in the District. Mr. Johnson mentioned using Colorado Barricade for sign purchases for a better price. Following consideration, upon a motion duly made by Director Skluzak, seconded by Director Kirsner, and upon vote, unanimously carried, the Board approved the purchase of street signs not to exceed \$250.

VI. Next Board Meeting

The next Board meeting is set for October 26, 2023, at 6:30 PM.

VII. Public Comment - None.

VIII. Other Matters


Mr. Wagner presented a note from Bill Todd regarding the use of sand from Box Creek Mine. Following discussion, the Board directed management to talk to Werderitch Services for potential use.

Mr. Wagner presented information from a homeowner as follows: Resident on La Plata Dr. informed of two very large boulders were placed on the corner of La Plata and Pan Ark Dr. The homeowner felt that the boulders served no purpose other than to conceal vehicles descending south bound on Pan Ark Dr.

IX. Adjournment

As there were no further matters to discuss, upon a motion duly made by Director Skluzak, seconded by Director Kirsner, and upon vote, unanimously carried, the Boards adjourned the meeting.

Respectfully submitted,


Joseph B. Williams (Nov 1, 2023 12:39 MDT)

Secretary






PAEMD 8-15-23 Minutes - final

Final Audit Report

2023-11-01

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