

**1RECORD OF PROCEEDINGS
MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, December 14, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A regular meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone) excused
Tim Westbrook (by videoconference/phone) excused

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; and, Angela Elliott, District Manager, Lucie Stuchlikova and Marlene Pappas, Teleos Management. No members of the public were present.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:31 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the November 9, 2023, special meeting. Following discussion, upon motion duly made by Director Starnes, seconded by Director Cross upon vote and unanimously carried, the Board approved the minutes of the November 9, 2023, special meeting.

DIRECTOR MATTERS: None

LEGAL MATTERS: None

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #14 and Requisition Nos. 75-81 of Project Funds in the amount not to exceed \$572,797.07.

Following discussion, upon motion duly made by Director Starnes, seconded by Director Cross, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #14 and Requisition of Project Funds in an amount not to exceed \$572,797.07.

B. Payment of Claims

Following discussion, upon motion duly made by Director Starnes, seconded, by Director Cross, upon vote and unanimously carried, the Board approved the claims in the amount of \$2,531.25.

MANAGEMENT MATTERS:

A. DLG Map for Filing

Manager discussed needing current maps for both districts with the recent inclusions and exclusions by December 15. Director Starnes and District Counsel Norris stated they would work together preparing the current maps as soon as possible. The map should indicate current boundaries as they exist today.

OTHER BUSINESS:

Discussion followed on timing of the replat and the exclusion.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:40 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by
David Starnes

29DJC4BA292C450

Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, November 9, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler and Kelsey Mitchell, Simmons and Wheeler, District Accountant; and, Angela Elliott, District Manager and Marlene Pappas, Teleos Management; Megan Murphy, White Bear Ankele Tanaka and Waldron; Dan Hubbard and members of the public Cameron Grant and Walter Pounds).

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:31 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the October 12, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross

upon vote and unanimously carried, the Board approved the minutes of the October 12, 2023, special meeting.

DIRECTOR MATTERS: None

LEGAL MATTERS:

A. Consider Adoption of Exclusion of Workers Compensation Coverage Resolution.

Upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously carried, the Board adopted the Resolution Excluding Workers Compensation.

B. Approval of Renewal of Property and Liability Schedule and Limits, SDA Membership.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously carried, the Board approved the renewal of Property and Liability Schedule and Limits, and membership to the Special District Association (SDA).

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #13 and Requisition Nos. 69, 70, 71, 72, 73, and 74 of Project Funds in the amount not to exceed \$685,470.93.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #13 and Requisition of Project Funds in an amount not to exceed \$685,470.93.

B. Payment of Claims

Following discussion, upon motion duly made by Director Waldner, seconded, by Director Cross, upon vote and unanimously carried, the Board approved the claims in the amount of \$5,529.00.

C. Financial Statements if available – Tabled

D. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolutions to adopt the 2024 Budget, Set Mill Levies and Appropriate Sums of Money. District Accountant Wheeler walked the Board through the 2024 Budget.

Director Waldner opened the public hearing on the proposed 2024 Operating Plan and Budget for the fiscal year 2024.

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

There being no comments from the public, the public hearing was closed.

Following discussion, the Board considered the Resolutions to adopt the 2024 Budget, Set Mill Levies and Appropriate Sums of Money.

Upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously carried, the District (1) approved the 2024 budget as presented, (2) approved the appropriation and expenditure of funds as detailed therein, (3) approved and adopted a mill levy of 10.000 mills to be certified by the District for collection in 2024, (4) authorized Director Waldner as President to sign the necessary documentation, and (5) directed District Accountant Wheeler to submit the certification of tax levy to the Board of County Commissioners of Boulder County no later than December 15, 2023 and District Manager to file the 2024 budget with the Division of Local Government prior to January 30, 2024.

E. Conduct Public Hearing on the Amendment to the 2023 Budget.

The Board noted it is not necessary to amend the 2023 Budget.

F. Discussion and possible action on 2023 Audit Fee Agreement.

District Accountant Wheeler discussed she has not received the 2023 Audit Fee Agreement

MANAGEMENT MATTERS:

A. DLG Map for Filing

Manager discussed the filing of the DLG Map and needed a current map with the recent inclusions and exclusions by December 15.

B. 2024 Meetings Dates

Manager Elliott confirmed holding meetings for the Four Corners Business Improvement District monthly scheduled for the 2st Thursday of every month, commencing January 11, 2024 at 9:30 a.m.

OTHER BUSINESS:

Discussion followed on timing of the replat and the exclusion.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:55 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by:

David Starnes

29D0C4BA252C456
Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, October 12, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone) *
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone) (excused)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler and Kelsey Mitchell, Simmons and Wheeler, District Accountant; and, Angela Elliott, District Manager and Marlene Pappas, Teleos Management; Megan Murphy, White Bear Ankele Tanaka and Waldron: and Dan Hubbard.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:33 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

*Director Cross joined meeting.

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the September 14, 2023, special meeting. Following discussion, upon motion duly made by Director Starnes, seconded by Director Hays upon vote and unanimously carried, the Board approved the minutes of the September 14, 2023, special meeting.

DIRECTOR MATTERS: None

LEGAL MATTERS:

A. Appoint and ratify officers of the Board.

Discussion followed the current list of officers and if there was a need to modify.

Following discussion, upon motion made by Director Waldner, seconded by Director Hays, upon vote and unanimously carried, the Board appointed and ratified the officers of the Board:

David Waldner, President

David Starnes, Secretary

Tim Westbrook and Andrew Hays – Assistant Secretary

Bill Cross - Director

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #12 and Requisition Nos. 61, 62, 63, 64, 65, 66, 67, and 68 of Project Funds in the amount not to exceed \$722,923.61.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #12 and Requisition of Project Funds in an amount not to exceed \$722,923.61.

B. Payment of Claims

Following discussion, upon motion duly made by Director Waldner, seconded, by Director Hays, upon vote and unanimously carried, the Board approved the claims in the amount of \$9,688.50.

C. Review and Consider approval and award of contract for Landscaping and Site Furnishings to BrightView Landscape Development, Inc.

Following discussion, upon motion duly made by Director Waldner, seconded, by Director Hays, upon vote and unanimously carried, the Board approved the contract for Landscaping and Site Furnishings to BrightView Landscape Development, Inc.

D. Approve the 2024 Operating Plan

Discussion followed on the incorrect year of bonds and need to update the 2024 budget.

Following discussion, upon motion duly made by Director Waldner, seconded, by Director Starnes, upon vote and unanimously carried, the Board approved the 2024 Operating Plan, subject to those changes.

E. Discuss preliminary 2024 budget.

District Accountant Wheeler discussed the draft 2024 budget at 10 mills and the assessed valuation decreased significantly because of the exclusions and the budget was prepared on spending \$6M next year.

Director Waldner will meet with District Accountant to discuss the preliminary budget prior to the November 9, 2023, budget hearing date.

MANAGEMENT MATTERS: None

OTHER BUSINESS: None

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:49 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by:

David Starnes

29D0C4BA252C450
Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, September 14, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler and Kelsey Mitchell, Simmons and Wheeler, District Accountant; and, Angela Elliott, District Manager and Marlene Pappas, Teleos Management, and Dan Hubbard.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:31 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the August 10, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously carried, the Board approved the minutes of the August 10, 2023, special meeting.

DIRECTOR MATTERS:

LEGAL MATTERS: None

A. Discuss BID exclusion petition sent to Town.

Discussion followed on the progress of the petition for exclusion of two parcels from the Business Improvement District to Metro District for residential properties, effective when the Town formally approves the petition. The 2 parcels will need to be replatted with possible reconfiguration of the roundabout.

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #11 and Requisition Nos. 53, 54, 55, 56, 57, 58, 59, and 60 of Project Funds in the amount not to exceed \$224,608.05.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #11 and Requisition of Project Funds in an amount not to exceed \$224,608.05.

B. Payment of Claims

Following discussion, upon motion duly made by Director Waldner, seconded, by Director Starnes, upon vote and unanimously carried, the Board approved the claims in the amount of \$13,104.50.

MANAGEMENT MATTERS: None

OTHER BUSINESS: None

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:41 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by:

David Starnes

Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, August 10, 2023, at 11:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (excused)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; and, Angela Elliott, District Manager and Marlene Pappas, Teleos Management.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 11:30 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the July 13, 2023, special meeting. Following discussion, upon motion duly made by Director Starnes, seconded by Director Cross, upon vote and unanimously carried, the Board approved the minutes of the July 13, 2023, special meeting.

DIRECTOR MATTERS:

A. Election of Secretary to Board

Discussion followed on the Statute for Business Improvement Districts is different from metropolitan districts and the Board is required to elect a secretary.

Following discussion, upon motion duly made by Director Hays, seconded by Director Cross, the Board elected Director Starnes as secretary to the board.

LEGAL MATTERS: None

A. Review and approve Resolution Ratifying Prior Actions

Following discussion, upon motion duly made by Director Starnes, seconded by Director Cross, upon vote and unanimously carried, the Board approved the Resolution ratifying Prior Actions.

B. Review and approve Resolution Designating the Official Custodian of Records and Adopting a Policy on Responding to Open Records Requests

Following discussion, upon motion duly made by Director Hays, seconded by Director Cross, upon vote and unanimously carried, the Board approved Resolution Designating the Official Custodian of Records and Adopting a Policy on Responding to Open Records Requests.

C. Discuss possible boundary changes - Tabled

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #10 and Requisition Nos. 47, 48, 49, 50, 51, and 52 of Project Funds in the amount not to exceed \$169,536.19.

Following discussion, upon motion duly made by Director Starnes, seconded by Director Cross, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #10 and Requisition of Project Funds in an amount not to exceed \$169,536.19.

B. Financial Statements

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the financials as of June 30, 2023.

MANAGEMENT MATTERS: None

OTHER BUSINESS:

Next meeting at regular time of 9:30 am

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 11:45 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by:

David Starnes

29DC4BA25264F0

Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, July 13, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting: meeting call to order at 9:31 no legal counsel

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone)
Tim Westbrook (excused)

Also, present by videoconference/phone: Diane Wheeler, Simmons and Wheeler, District Accountant; and, Angela Elliott, District Manager and Marlene Pappas, Giovanni Tarolla, Teleos Management.

CALL TO ORDER:

On behalf of the Board, District Manager Elliott called the meeting to order at 9:31 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the June 8, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the minutes of the June 8, 2023, special meeting

DIRECTOR MATTERS:

A. Election of Secretary to Board - Tabled

LEGAL MATTERS: None

A. Ratification Resolution - Tabled

B. Discuss possible boundary changes - Tabled

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #9 and Requisition Nos. 40, 41, 42, 43, 44, 45 and 46 of Project Funds in the amount not to exceed \$645,118.89.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Hays, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #9 and Requisition of Project Funds in an amount not to exceed \$645,118.89.

B. Ratification and Approval of Payment Claims.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the claims in the amount of \$3,307.50 and ratified the payment of claims in the amount of \$5,096.50.

MANAGEMENT MATTERS: None

OTHER BUSINESS:

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:37 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,
DocuSigned by:

David Starnes

29D0C2BA252C450
Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, June 8, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (excused)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone)
Tim Westbrook (excused)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, District Manager and Marlene Pappas, Teleos Management; Megan Murphy, White Bear Ankele.; and Dan Hubbard, Project Manager.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:32 a.m. and noted for the record that a quorum was present.

Following discussion, upon motion duly made, seconded, and unanimously carried, the Board excused Directors Waldner and Westbrook were excused.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the May 11, 2023, special meeting. Following discussion, upon motion duly made by Director Starnes, seconded by Director Hays, upon vote and unanimously carried, the Board approved the minutes of the May 11, 2023, special meeting, as presented by District Counsel Norris.

LEGAL MATTERS: None

DIRECTOR MATTERS: None

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #8 and Requisition Nos. 34, 35, 36, 37, 38 and 39 of Project Funds in the amount not to exceed \$1,456,202.22.

Following discussion, upon motion duly made by Director Starnes, seconded by Director Cross, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #8 and Requisition of Project Funds in an amount not to exceed 1,456,202.21.

B. Ratification and Approval of Payment Claims.

District Accountant Wheeler presented the payment of claims for ratification in the amount of \$3,853.30 and claims for release in the amount of \$3996.10. Discussion followed on the \$150 invoice from Spencer Fane.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved and ratified the payment of claims in the amount of \$3,853.30, and claims for release in the amount of \$3996.10. less \$150, totaling \$3,846.50.

C. District Account Wheeler presented the financial statements as of March 31, 2023. Following discussion, the Board reviewed and accepted the financial statements.

MANAGEMENT MATTERS: None

OTHER BUSINESS:

Dan Hubbard, Project Manager gave a brief summary of the construction progress within the district.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:42 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by:
David Starnes

29D0C4BA262C460...

Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, May 11, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (absent)
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, District Manager and Marlene Pappas, Teleos Management; and Megan Murphy, White Bear Ankele.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:32 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the agenda as presented.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the April 13, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the minutes of the April 13, 2023 special meeting, as corrected by District Counsel Norris.

LEGAL MATTERS: None

DIRECTOR MATTERS: None

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #7 and Requisition Nos. 28, 29, 30, 31, 32, and 33 of Project Funds in the amount not to exceed \$903,960.81.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #7 and Requisition of Project Funds in an amount not to exceed \$903,960.81.

B. Ratification and Approval of Payment Claims.

District Accountant Wheeler presented the payment of claims for approval totaling \$4,033.30 as of May 11, 2023. District Accountant Wheeler discussed Ranger Engineering of \$1524.30 should be paid from the bond requisitions. District Counsel Norris will confirm if Ranger Engineering invoices can and should be included in the bond requisitions as eligible project costs.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved and ratified the payment of claims in the amount of \$4,033.30 subject to confirmation of the Ranger invoice in the amount of \$1524.30 to possibly be paid out of the bond requisitions as eligible project costs.

MANAGEMENT MATTERS: None

OTHER BUSINESS: None

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:40 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,
DocuSigned by:

David Starnes

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Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, April 13, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (excused)
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler and Kelsey Mitchell, Simmons and Wheeler, District Accountant; Angela Elliott, District Manager and Marlene Pappas, Teleos Management; and Dan Hubbard, H2 Development Services.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:33 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board amended the agenda as discussed to change ratification of claims to Financial Statements under Financial Matters.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the March 9, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the minutes of the March 9, 2023 special meeting.

LEGAL MATTERS:

A. Consider adoption of Resolution Approving Pipeline Relocation and Removal Agreement with Kerr-McGee Gathering LLC

District Counsel Norris discussed the Resolution. Further discussion followed on the correct entity.

Following discussion, upon motion duly by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the Resolution Approving Pipeline Relocation and Removal Agreement, subject to confirmation of entity.

DIRECTOR MATTERS: None

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #6 and Requisition Nos. 22 23, 24, 25, 26 and 27, of Project Funds in the amount not to exceed \$686,656.36.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #6 and Requisition of Project Funds in an amount not to exceed \$686,656.36.

B. Review and Acceptance of December 31, 2022 Financial Statements.

District Accountant Wheeler presented the financial statements as of December 31, 2022.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the December 31, 2022 financial statements.

District Accountant Wheeler discussed Simmons and Wheeler is working with the auditors to prepare the 2022 audit for the BID.

MANAGEMENT MATTERS: None

OTHER BUSINESS:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board excused Director Cross from the meeting.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:48 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,

DocuSigned by:

David Starnes

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Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, March 9, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (excused)
Andrew Hays (by videoconference/phone)
Tim Westbrook (excused)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, District Manager and Marlene Pappas, Teleos Management.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:31 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

District Manager Elliott discussed the Pay Request #4 is incorrect and should be Pay Request #5. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board amended the agenda as discussed.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the February 9, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the minutes of the February 9, 2023 special meeting.

DIRECTOR MATTERS:

A. Consider approval of Recommendation to Award Site Contract Bid to Three Sons Construction in the amount to \$546,389.98.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously accepted, the Board awarded the Site Contract Bid to Three Sones Construction in the amount of \$546,389.98.

B. Consider approval of Recommendation to Award Asphalt Bid to Asphalt Specialties in the amount of \$899,412.05.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Hays, upon vote and unanimously accepted, the Board awarded the Asphalt Bid to Asphalt Specialties in the amount of \$899,412.05.

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #5 and Requisition Nos. 17, 18, 19, 20 and 21 of Project Funds in the amount not to exceed \$2,147,829.55.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously accepted, the Board adopted the Resolution Ratifying Pay Request #5 and Requisition of Project Funds in an amount not to exceed \$2,147,829.55.

B. Ratification and Approval of Payment Claims.

District Accountant Wheeler presented the payment of claims for approval totaling \$4,375.19 as of March 9, 2023.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved and ratified the payment of claims in the amount of \$4,375.19.

LEGAL MATTERS: None

MANAGEMENT MATTERS: None

OTHER BUSINESS: None

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:40 a.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,
DocuSigned by:

David Starnes

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Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, February 9, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (by videoconference/phone)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, District Manager and Marlene Pappas, Teleos Management; and Megan Murphy, White Bear Ankele Tanaka and Waldron.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:32 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF AGENDA:

District Manager Elliott discussed amending the date of meeting minutes to be approved from January 1 to January 5 under Administrative Matters and to add under Financial Matters, item B. Ratify and Approve Claims as of February 3, 2023. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board amended the agenda as discussed.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the January 5, 2023, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously carried, the Board approved the minutes of the January 5, 2023 special meeting.

DIRECTOR MATTERS: None

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #4 and Requisition Nos. 13, 14, 15 and 16 of Project Funds in the amount not to exceed \$1,900,000.00.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously seconded, the Board adopted the Resolution Ratifying Pay Request #4 and Requisition of Project Funds in an amount not to exceed \$1,900,000.00.

B. Ratification and Approval of Payment Claims.

District Accountant Wheeler presented the payment of claims for approval totalling \$16,646.25 as of February 3, 2023.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved and ratified the payment of claims in the amount of \$16,646.25.

LEGAL MATTERS: None

MANAGEMENT MATTERS: Discussion followed on moving the monthly meetings to the 2nd Thursday of each month.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved moving the monthly meetings to the 2nd Thursday of each month.

OTHER BUSINESS: None

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:41 a.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,
DocuSigned by:

David Starnes

29D0C4BA252C450
Secretary of the Board

**RECORD OF PROCEEDINGS
MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FOUR CORNERS BUSINESS IMPROVEMENT DISTRICT**

HELD: Thursday, January 5, 2023, at 9:30 a.m. via telephone conference

ATTENDANCE:

A special meeting of the Board of Directors of the Four Corners Business Improvement District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado; a conference telephone was in use at the meeting location in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)
David Starnes (by videoconference/phone)
Bill Cross (by videoconference/phone)
Andrew Hays (excused)
Tim Westbrook (by videoconference/phone)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, District Manager and Marlene Pappas, Teleos Management; Daniel Hubbard, H2 Development Services, LLC; and Megan Murphy, White Bear Ankele Tanaka and Waldron.

CALL TO ORDER:

On behalf of the Board, District Counsel Norris called the meeting to order at 9:31 a.m. and noted for the record that a quorum was present.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

The Board noted that disclosure statements had been filed on behalf of two of the members of the Board of Directors with the Office of the Colorado Secretary of State and with the Board of Directors of the District. Upon motion duly made, seconded, and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT: None

APPROVAL OF MINUTES:

The Board reviewed the minutes of the December 1, 2022, special meeting. Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the minutes of the December 1, 2022, special meeting.

APPROVAL OF AGENDA:

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the agenda as presented.

DIRECTOR MATTERS: None

FINANCIAL MATTERS:

A. Adoption of Resolution Ratifying Pay Request #3 and Requisition Nos. 9, 10, 11 and 12 of Project Funds in the amount not to exceed \$126,497.00.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously seconded, the Board adopted the Resolution Ratifying Pay Request #3 and Requisition of Project Funds in an amount not to exceed \$126.497.00, and subject to review and approval by H2 Development.

LEGAL MATTERS:

A. Consider Adoption of Resolution Designating 2023 official Posting Place.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously seconded, the Board adopted the Resolution Designating 2023 Posting Place as the website and if internet is not available, the physical posting is at: wooden post at the northeast corner of the property located at the intersection of Erie Parkway and County Line Road.

MANAGEMENT MATTERS: None

OTHER BUSINESS:

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:44 a.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Four Corners Business Improvement District.

Respectfully,
DocuSigned by:

David Starnes

29D0C4BA252C450
Secretary of the Board