

**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:

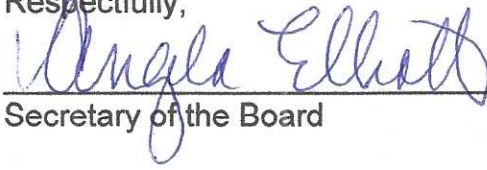
Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board excused Director Cross from the meeting.

ADJOURNMENT:

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

The foregoing minutes 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,

A handwritten signature in blue ink that reads "Angela Elliott". The signature is written in a cursive style and is positioned above a horizontal line.

Secretary of the Board