

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

**HELD:** Thursday, March 3, 2022, at 10:00 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. 11-57-211 and 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)  
Alex Carlson (by videoconference/phone)

Also, present by videoconference/phone: David Greher, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; and Angela Elliott, Teleos Management, District Manager; David Starnes (RMCS), Bill Cross and Dan Hubbard, members of the public.

**CALL TO ORDER:**

On behalf of the Board, District Counsel Greher called the meeting to order at 10:06 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 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 October 18, 2021, special meeting minutes. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the minutes of the October 18, 2021, special meeting.

**FINANCIAL MATTERS:**

**A. Ratification of Payment of Claims.**

District Accountant Wheeler presented the payment of claims, totaling \$71,672.10, from May 2021 through December 2021, for ratification.

Following discussion, upon motion made, seconded, upon vote and unanimously carried, the Board ratified the payment of claims in the amount of \$71,672.10.

Discussion followed on preparing a Master IGA to set up this district as the controlling district.

B. Financial Report ending December 30, 2021. Tabled

C. Approval of Audit Exemption. Following discussion, upon motion duly, seconded, upon vote and unanimously carried the Board approved the Audit Exemption.

**LEGAL MATTERS:**

A. Consider Resolution Authorizing TABOR Election.

District Counsel Greher discussed the Resolution calling for the Election on May 2, 2022.

Following discussion, upon motion made, seconded, and unanimously carried, the Board adopted the Resolution authorizing TABOR Election.

B. Consider Public Finance and Development Agreement Amendment.

District Counsel Greher discussed the amendments to the Agreement.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the Amendment to the Public Finance and Development Agreement, subject to finalization by District President and Legal Counsel.

c. Conduct Exclusion Agreement.

Following discussion, upon motion duly made. Seconded, upon vote and unanimously carried, the Board approved the Exclusion Agreement by and between Four Corners Business Improvement District and Erie Four Corners, LLC., subject to finalization by District President and Legal Counsel.

**DIRECTOR MATTERS:** None

**MANAGEMENT MATTERS:**

a. 2022 Designated Posting Place. Manager discussed the website is up and running and the address is fourcornersmetrodistrict.com.

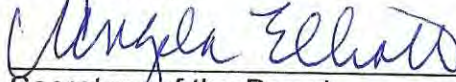
**OTHER BUSINESS:** None

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 10:30 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,

  
Secretary of the Board



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

**HELD:** Monday, May 2, 2022, at 8:30 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. 11-57-211 and 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)  
Alex Carlson (by videoconference/phone)  
Dan Hubbard (by videoconference/phone)  
David Starnes (by videoconference/phone)  
Bill Cross (by videoconference/phone)

Also, present by videoconference/phone: David Greher, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, Teleos Management, District Manager; David Lucas, Sherman and Howard, Bond Counsel; KC Veio, Kline Alvarado Veio; and, Akio Ohtake-Gordon, Piper Sandler Companies.

**CALL TO ORDER:**

On behalf of the Board, District Counsel Greher called the meeting to order at 8:36 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 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 March 3, 2022, special meeting minutes. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the minutes of the March 3, 2022, special meeting.

**DIRECTOR MATTERS:**

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the following board members were elected to the following offices:

President	David Waldner
Secretary/Treasurer	David Starnes
VP/Asst. Sec./Treasurer	Alex Carlson
VP/Asst. Secretary/Treasurer	Dan Hubbard
VP/Asst. Sec./Treasurer	Bill Cross

**FINANCIAL MATTERS:**

**A. Ratification of Payment of Claims.**

District Accountant Wheeler presented the payment of claims, totaling \$100,717.48, from April 2021 through March 2022, for ratification.

Following discussion, upon motion made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board ratified the payment of claims in the amount of \$100,717.48.

**B. Financial Report ending December 31, 2021.**

District Accountant Wheeler walked the Board through the December 31, 2021, financials. The General Fund and Debt Service Funds had zero balances as of December 31, 2021, and the Capital Fund had a balance of \$90,000.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board accepted the December 31, 2021

**C. Approval of Audit Exemption.** Following discussion, upon motion duly, seconded, upon vote and unanimously carried the Board approved the Audit Exemption.

**LEGAL MATTERS:**

**A. Consider Resolution Authorizing issuance of up to \$35,000,000 of Limited Tax Supported Revenue Bonds, Series 2022, and approval of Capital Pledge Agreement with Four Corners Metropolitan District and UMB Bank, n.a.**

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board approved the Resolution Authorizing issuance of up to \$35,000,000 of limited Tax Supported Revenue Bonds, Series 2022, and approval of Capital Pledge Agreement with Four Corners Metropolitan District and UIMB Bank.

**B. Discussion on Public Finance and Development Agreement Amendment.**



District Counsel Greher discussed the amendments to the Agreement that was approved by the Board, finalized by District President and Legal Counsel and approved by the Town Board on March 23, 2022.

C. Discussion on Boundary Adjustments and Final Exclusion Agreement.

District Counsel Greher discussed the adjustments to the boundary and final exclusion agreement that the Board approved and just waiting for acreage and adjusting the boundaries by end of the week.

D. Consider Master IGA with Four Corners Metropolitan District.

District Counsel Greher discussed the details of the Master IGA with the Four Corners Metropolitan District, creating the BID as the operating district.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board approved the Master Intergovernmental Agreement.

E. Consider Reimbursement Agreement with the Four Corners Metropolitan District, Toll Southwest LLC and Erie Four Corners, LLC

District Counsel Greher discussed the reimbursement agreement to be finalized by District President and Legal Counsel.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board approved the Reimbursement Agreement subject to Toll and Erie Four Corners review.

F. Resolution For Online Posting.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board approved the Resolution for Online Posting.

District Counsel Greher discussed the Oaths of Office.

**MANAGEMENT MATTERS:** None

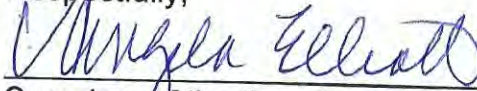
**OTHER BUSINESS:** None

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 9:12 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

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

**HELD:** Monday May 16, 2022 at 1:00 p.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. 11-57-211 and 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)  
Alex Carlson (by videoconference/phone)  
David Starnes (by videoconference/phone)  
Dan Hubbard (by videoconference/phone)  
Bill Cross (by videoconference/phone)

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

**CALL TO ORDER:**

On behalf of the Board, District Counsel Greher called the meeting to order at 1:10 p.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 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 May 2, 2022, special meeting minutes. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the minutes of the May 2, 2022, special meeting.

**FINANCIAL MATTERS:** None

**LEGAL MATTERS:**



A. Consider Acquisition & Reimbursement Agreement between the District, Four Corners Metropolitan District and Erie Four Corners, LLC.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Carlson, upon vote and unanimously carried, the Board approved the Acquisition & Reimbursement Agreement between the District, Four Corners Metropolitan District and Erie Four Corners, LLC., subject to any final comments approved by District President and Legal Counsel.

**DIRECTOR MATTERS:** None

**MANAGEMENT MATTERS:**

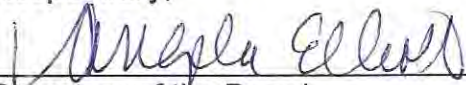
**OTHER BUSINESS:** None

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 1:13 p.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,

  
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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 August 18, 2022, at 10:30 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. 11-57-211 and 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)  
Alex Carlson (by videoconference/phone)  
David Starnes (by videoconference/phone)  
Dan Hubbard (by videoconference/phone)  
Bill Cross (by videoconference/phone)

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

**CALL TO ORDER:**

On behalf of the Board, District Counsel Greher called the meeting to order at 10:45 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 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 May 16, 2022, special meeting. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the minutes of the May 16, 2022, special meeting.

**DIRECTOR MATTERS:** None

**FINANCIAL MATTERS:** None

**LEGAL MATTERS:**

A. Review and approve Operating Reimbursement Agreement between Four Corners Metropolitan District and Erie Four Corners, LLC.

Following discussion, upon motion duly made by Director Starnes, seconded by Director Waldner, upon vote and unanimously carried, the Board approved the Operating Reimbursement Agreement between Four Corners Metropolitan District and Erie Four Corners, LLC., subject to changes discussed memorializing advances by W. Pounds.

B. Update on Bond transaction and consider ratification and approval of any related documents.

District Counsel Greher disclosed closing will be approaching and the need for additional meeting will most likely be scheduled in the near future.

**MANAGEMENT MATTERS:** None

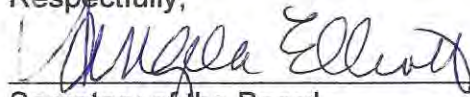
**OTHER BUSINESS:** None

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 10:50 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,

  
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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:** Friday, September 16, 2022, at 11:00 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)  
Vacant  
David Starnes (by videoconference/phone)  
Vacant  
Bill Cross (by videoconference/phone)

Also, present by videoconference/phone: David Greher and Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, Teleos Management, District Manager, Daniel Hubbard, H2 Development Services, LLC; Alex Carlson, Centennial Consulting Group, LLC; Andrew Hays, Jeff Nickless and Tim Westbrook, Toll Southwest, LLC; Allison Altaras, Otten Johnson Robinson Neff & Ragonetti, Legal Counsel to Toll Southwest, LLC; and Clint Waldron, White Bear Ankele Tanaka & Waldron, Legal Counsel to Toll Southwest, LLC.

**CALL TO ORDER:**

On behalf of the Board, District Manager Elliott called the meeting to order at 11:02 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

**ACKNOWLEDGE AND ACCEPT RESIGNATIONS OF DANIEL HUBBARD AND ALEX CARLSON:**

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board acknowledged and accepted the resignations of Daniel Hubbard and Alex Carlson.

**APPROVAL OF MINUTES:**

The Board reviewed the minutes of the August 18, 2022, special meeting. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the minutes of the August 18, 2022, special meeting.

**DIRECTOR MATTERS:**

Discussion followed on moving C. of III. Financial Matters under Legal Matters and to move IV. Legal Matters above Financial Matters to accommodate the Toll Southwest attendees.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Agenda was amended as stated above.

**LEGAL MATTERS:**

A. Review and approve Public Improvement Acquisition and Reimbursement Agreement with Toll Southwest, LLC., Four Corners Metropolitan District and Erie Four Corners, LLC

District Counsel Greher discussed the acquisition and reimbursement agreement among the parties and some provision may be subject to change between the two private parties.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Public Improvement Acquisition and Reimbursement Agreement was approved in its substantially final form and content, with such changes as approved by Director Waldner and District Counsel Greher.

B. Review and approve Designation and Acceptance Agreement with Toll Southwest LLC, (Four Corners Subdivision Filing #1 Development Agreement)

District Counsel Greher discussed the agreement whereby the Developer designates the Four Corners Business Improvement District to fund and construct certain improvements.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the Designation and Acceptance Agreement, in its substantially final form and content, with such changes as approved by Director Waldner and District Counsel Greher.

C. Consider adoption of Resolution Recommending Appointment of Directors to the Board of Directors of the Four Corners Business Improvement District

District Counsel Greher discussed the Resolution that the District recommends to the Town of Erie to appoint Tim Westbrook and Andrew Hays to fill the vacancies on the Board of Directors. The Town of Erie will make such appointments by Ordinance.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board adopted the Resolution Recommending Appointment of Directors to the Board.

D. Review and approve the Construction Agreement with Contractor.

District Counsel Joe Norris reviewed the standard form of the construction agreement used by Toll Southwest, LLC and added the Addendum (Exhibit F) that complies with statutory requirements for public construction. The breakdown of shared costs was provided to the Board, on which party pays what expense.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote, and unanimously carried, the Board approved the Construction Agreement and Addendum to the Construction Agreement.

E. Review and Consider approval of Construction Proposal with Claystone Construction, Inc.  
Daniel Hubbard discussed the publication process for bidding on the earthwork and underground work. Toll Southwest, LLC also published for bids. Claystone Construction, Inc. was the lowest bidder and preferred bidder.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the Construction Proposal with Claystone Construction, Inc.

F. Review and approve Addendum to Construction Agreement (Exhibit F)  
Discussed under IV. D.

**FINANCIAL MATTERS: None**

A. Ratification of payment of claims

District Accountant Wheeler discussed the claims as of September 15, 2022, in the amount of \$67,191.88. She further discussed some of the claims were paid by the Cost of Issuance from the District's Series 2022 Bonds.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board ratified the payment of claims in the amount of \$67,191.88.

B. Financial Report, if available

District Accountant Wheeler walked the Board through the June 20, 2022, financials.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board accepted the June 20, 2022 financials.

C. Conduct Public Hearing on the proposed 2023 Operating Plan and Budget for the Fiscal year 2023 and consider adoption of Resolutions to adopt the 2023 Budget and Appropriate Sums of Money.

District Counsel Greher opened the public hearing on the proposed 2023 Operating Plan and Budget for the fiscal year 2023.

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

District Accountant Wheeler walked the Board through the 2023 Budget. The adoption of the Resolution to Set Mill Levies and Appropriate Sums was tabled.

**MANAGEMENT MATTERS:**

Manager discussed the setting the next meeting of the Four Corners Business Improvement District prior to September 30.



Following discussion, the Board will hold their next meeting on September 28, 2022 at 10:30 a.m. via video conferencing.

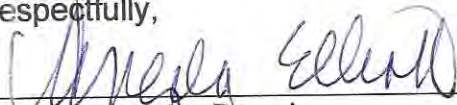
**OTHER BUSINESS:** None

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 11:38 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,

  
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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:** Wednesday, September 28, 2022, at 10:30 a.m. via video 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 by video conference in compliance with C.R.S. 24-6-402-(1)(b), with the following directors present and acting:

David Waldner (by videoconference/phone)  
Vacant  
David Starnes (by videoconference/phone)  
Vacant  
Bill Cross (by videoconference/phone)

Also, present by videoconference/phone: David Greher and Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, Teleos Management, District Manager, Daniel Hubbard, H2 Development Services, LLC; Alex Carlson, Centennial Consulting Group, LLC; Andrew Hays and Tim Westbrook, Toll Southwest, LLC.

**CALL TO ORDER:**

On behalf of the Board, District Manager Elliott called the meeting opened at 10:30 and was called to order at 10:50 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 September 16, 2022, special meeting. Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the minutes of the September 16, 2022, special meeting.

**DIRECTOR MATTERS:** None

**FINANCIAL MATTERS:** None

**LEGAL MATTERS:**

A. Acknowledgement of Public Hearing for 2023 Budget Held on September 16, 2022.

District Counsel Greher acknowledged the public hearing was published for and held on September 16, 2022.

B. Consider Adoption of the Resolution to adopt the 2023 Budget, Set Mill levies and Appropriate Sums of Monday.

District Counsel Greher discussed the Resolution with the Board.

Following discussion, the Board considered the Resolution to adopt the 2023 Budget, Certify Mill Levies and Appropriate Sums of Money. Upon motion duly made by Director Waldner, seconded by Director Starnes and unanimously carried, the District approved such Resolution, a copy of which is attached and authorized Director Waldner as President to sign the necessary documentation, and directed District Manager to file the 2023 budget with the Division of Local Government prior to January 30, 2023.

C. Approval and ratification of Services Agreement for Owner's Representative services with H2 Development Services, LLC.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved and ratified the Services Agreement for Owners Representative services with H2 Development Services, LLC.

D. Approval and ratification of Services Agreement for erosion control and maintenance services with Pase Environmental.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved and ratified Services Agreement for erosion control and maintenance services with Pase Environmental.

E. Approval and ratification of Services Agreement for construction observation and material testing services with CTL Thompson, Inc.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved and ratified the Services Agreement for construction observation and material testing services with CTL Thompson, Inc.

F. Approval and ratification of Services Agreement for surveying services with ESE Consultants, Inc.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved and ratified Services Agreement for surveying services with ESE Consultants, Inc.

**MANAGEMENT MATTERS:**

Manager discussed the Board originally set a meeting for November 10, 2022. Following discussion, the Board will meet on that date for general business. Manager was directed to poll the board for monthly meeting dates and times in 2023.

**OTHER BUSINESS:** None



**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 11:17 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,

*Angela Elliott*

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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, November 10, 2022, 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)

Also, present by videoconference/phone: Joe Norris, Cockrel Ela Glesne Greher & Ruhland, PC, District Counsel; Diane Wheeler, Simmons and Wheeler, District Accountant; Angela Elliott, Teleos Management, District Manager, Daniel Hubbard, H2 Development Services, LLC; and Andrew Hays and Tim Westbrook, Toll Southwest, LLC. Clint Waldron 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 9:43 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 by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the agenda as presented.

**APPROVAL OF MINUTES:**

The Board reviewed the minutes of the September 28, 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 September 28, 2022, special meeting.

**DIRECTOR MATTERS:** None

**FINANCIAL MATTERS:**

A. Adoption of Resolution Ratifying Pay Request #1 and Requisition Nos. 1-5 of Project Funds in the amount of \$1,012,849.93.

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 #1 and Requisition of Project Funds in the amount of \$1,012,849.93.

B. Payment of Claims.

District Accountant Wheeler reviewed the payment of claims, noting \$40,634.50 will come from cost of issuance and also removing the \$5000 check payable to H2 Development Services.

Following discussion, on motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously carried, the Board ratified the claims through November 2, 2022, in the amount of \$13,400.43.

**LEGAL MATTERS:**

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

Upon motion duly made by Director Waldner, seconded by Director Starnes, 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 Starnes, 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).

**MANAGEMENT MATTERS:**

Manager Elliott confirmed holding meetings for the Four Corners Business Improvement District monthly scheduled for the 1<sup>st</sup> Thursday of every month, commencing December 1, 2022.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Starnes, upon vote and unanimously carried, the Board approved the meeting dates of



the 1<sup>st</sup> Thursday of every month, commencing December 1, 2022 and ending December 7, 2023, at 9:30 a.m.

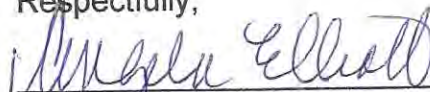
**OTHER BUSINESS:** Director Waldner noted the upcoming groundbreaking ceremony for the development and encouraged everyone to come.

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 9:53 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,

  
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, December 1, 2022, 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)  
Vacant  
David Starnes (by videoconference/phone)  
Vacant  
Bill Cross (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, Teleos Management, District Manager, Daniel Hubbard, H2 Development Services, LLC; Andrew Hays and Tim Westbrook, Toll Southwest, 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 9:33 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

**APPROVAL OF MINUTES:**

The Board reviewed the minutes of the November 10, 2022, special meeting. Following discussion, upon motion duly made by Director Starnes, seconded by Director Waldner, upon vote and unanimously carried, the Board approved the minutes of the November 10, 2022, special meeting.

**APPROVAL OF AGENDA:**

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

**DIRECTOR MATTERS:** None

**FINANCIAL MATTERS:**

A. Adoption of Resolution Ratifying Pay Request #2 and Requisition Nos. 6, 7, and 8 of Project Funds in the amount of \$41,234.54.

Following discussion, upon motion duly made by Director Waldner, seconded by Director Cross, upon vote and unanimously seconded, the Board adopted the Resolution Ratifying Pay Request #1 and Requisition of Project Funds in the amount of \$41,234.54.

**LEGAL MATTERS:** NONE

**MANAGEMENT MATTERS:** Manager asked if documents from last meeting was circulated and signed. Mr. Norris will send over documents to Manager for posting.

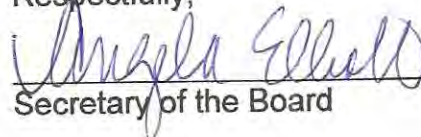
**OTHER BUSINESS:**

**ADJOURNMENT:**

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

  
Secretary of the Board