**RECORD OF PROCEEDINGS**

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

WINDLER PUBLIC IMPROVEMENT AUTHORITY

Held: Thursday, December 1, 2022, at 12:15 p.m., 5750 DTC Parkway, Suite 210, Greenwood Village, Colorado and via zoom link.

Attendance The regular meeting of the Board of Directors (the “Board”) of the Windler Public Improvement Authority (the “Authority”) was called and held as shown in accordance with the Colorado law. The following directors confirmed their qualification to serve on the Board:

Chris Fellows

Tim O’Connor

Tom Kaufman (via Zoom)

Also present were Matt Ruhland of Cockrel Ela Glesne Greher & Ruhland, P.C.; Diane Wheeler of Simmons & Wheeler, P.C.; Barney Fix of Merrick & Company (via Zoom); Megan Murphy of White Bear Ankele Tanaka & Waldron; Clint Waldron of White Bear Ankele Tanaka & Waldron (via Zoom); Dustin Anderson; and members of the public including: Kevin Collins (via Zoom).

Call to Order President Fellows noted that a quorum of the Board was present and the directors confirmed their qualifications to serve.

Disclosure Matters Mr. Ruhland advised the Board that, pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. Mr. Ruhland reported that written disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State prior to the meeting. The Board reviewed the agenda for the meeting, following which each director confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required by Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Approval of Agenda Following discussion and upon motion made by President Fellows, seconded by Director O’Connor and unanimously carried, the Board approved the agenda as amended.

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Public Comment None.

Meeting Minutes The Board reviewed the October 27, 2022 Meeting Minutes. Following discussion and upon motion made by President Fellows, seconded by Director O’Connor and unanimously carried, the Board approved the Minutes from the October 27, 2022 Meeting as presented.

Financial Report Ms. Wheeler presented the September 30, 2022 financials. Upon motion duly made by President Fellows, seconded by Director O’Connor and unanimously carried, the Board accepted the September 30, 2022 financials as presented.

Ms. Wheeler presented the claims in the amount of $559,126.75 for payment. Upon motion duly made by President Fellows, seconded by Director O’Connor and unanimously carried, the Board approved the payment of claims as presented.

Mr. Fix presented the Board with the Engineer’s Report and Project Fund Requisition No. 17 in the amount of $80,648. Following discussion and upon motion made by President Fellows, seconded by Director O’Connor and unanimously carried, the Board ratified the Resolution Accepting Engineer’s Report and Requesting Requisition of Funds No. 17.

Resolution Accepting Engineer’s Report and Requesting Requisition of Funds No. 17

Mr. Fix presented the Board with the Engineer’s Report and Project Fund Requisition No. 18 in the amount of $553,321.43 (a total certified amount of $971,208.34 with a contribution from GVP Windler, LLC in the amount of $417,886.91). Following discussion and upon motion made by President Fellows, seconded by Director O’Connor and unanimously carried, the Board ratified the Resolution Accepting Engineer’s Report and Requesting Requisition of Funds No. 18.

Resolution Accepting Engineer’s Report and Requesting Requisition of Funds No. 18

Mr. Fix presented the Board with the Services Agreement with Ground Engineering regarding Materials Testing and Special Inspection Services for 36” Water Relocation. Following discussion, a motion duly made by President Fellows, seconded by Director O’Connor, the Board ratified the Services Agreement with Ground Engineering for Materials Testing and Special Inspection Services regarding 36” Water Relocation.

Services Agreement with Ground Engineering regarding Materials Testing and Special Inspection Services for 36” Water Relocation

Mr. Ruhland discussed the 2023 Property and Liability coverage with the Board. Following discussion, a motion duly made by President Fellows, seconded by Director O’Connor, the Board approved the renewal of the Property and Liability coverage for 2023

2023 Property and Liability Insurance Renewal

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Integrated Project Delivery Tabled.
Proposals

Construction Update President Fellows provided an update on the construction.

Other Matters None.

Adjournment There being no further business to come before the Board the meeting was adjourned.

 

 Secretary for the Meeting