

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MOUNTAIN BROOK METROPOLITAN DISTRICT HELD JUNE 27, 2022

The regular meeting of the Board of Directors of the Mountain Brook Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, the 27th day of June, 2022, at 9:00 a.m. The District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Kevin Mulshine, President
Kenneth Spencer, Treasurer
Conley Smith, Secretary

Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Attorney Pogue noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Pogue requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Pogue noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes. It was noted that disclosure statements had been timely filed for all Directors.

ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko distributed for the Board’s review and approval a proposed agenda for the District’s meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote unanimously carried, the agenda was approved, as presented.

RECORD OF PROCEEDINGS

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of §32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board determined this District Board Meeting was held via Zoom. The Board further noted that notice of this meeting format was duly posted and that it has not received any objections to the meeting format or any requests that the meeting format be changed by taxpaying electors within the District boundaries.

CONSENT AGENDA **Consent Agenda:** The Board considered the following actions:

- Approve the Minutes of the May 4, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Mulshine, seconded by Director Spencer and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

PUBLIC COMMENTS There were no public comments.

FINANCIAL MATTERS **Claims:** The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending
General	\$ 140,772.46
Debt	\$ -0-
Capital	\$ -0-
Total	\$ 140,772.46

Following discussion, upon motion duly made by Director Spencer, seconded by Director Smith and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims, as presented.

Requisition No. 2 (under the Series 2021 Bonds) authorizing payment to Mountain Brook Metropolitan District for Engineering Services: The Board discussed the approval of Requisition No. 2 (under the Series 2021 Bonds) authorizing payment to Mountain Brook Metropolitan District for Engineering Services related to Public Improvements paid in May 2022 in the

RECORD OF PROCEEDINGS

amount \$29,100.00.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board ratified the approval of Requisition No. 2 (under the Series 2021 Bonds) authorizing payment to Mountain Brook Metropolitan District for Engineering Services related to Public Improvements paid in May 2022 in the amount \$29,100.00.

Requisition No. 3 (under the Series 2021 Bonds) authorizing payment to Mountain Brook Metropolitan District for Engineering Services: The Board discussed the approval of Requisition No. 3 (under the Series 2021 Bonds) authorizing payment to Mountain Brook Metropolitan District for Engineering Services related to Public Improvements paid in May 2022 in the amount \$127,722.47.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board ratified the approval of Requisition No. 3 (under the Series 2021 Bonds) authorizing payment to Mountain Brook Metropolitan District for Engineering Services related to Public Improvements paid in May 2022 in the amount \$127,722.47.

LEGAL MATTERS

Construction Agreement with Splashtacular LLC: The Board discussed the approval of the Construction Agreement with Splashtacular LLC for construction and installation of sprayground equipment.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board ratified the approval of the Construction Agreement with Splashtacular LLC for construction and installation of sprayground equipment.

Preconstruction Services Agreement with Landmark Homes for the Amenity Center: The Board discussed the approval of the Preconstruction Services Agreement with Landmark Homes for the Amenity Center.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board ratified the approval of the Preconstruction Services Agreement with Landmark Homes for the Amenity Center.

RECORD OF PROCEEDINGS

**CAPITAL
IMPROVEMENT
MATTERS**

Project Status Report: The roads will start being paved on July 1, 2022 and home lots will be delivered to builders.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Smith, and seconded by Director Spencer, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: Conley Smith
Secretary for the Meeting

TITLE	Mountain Brook Minutes
FILE NAME	12.08.21 Minutes.pdf and 3 others
DOCUMENT ID	1b276968617e1278b9bc383db01387abde478ec8
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Signed

Document History



SENT

08 / 29 / 2022

00:01:21 UTC

Sent for signature to Conley Smith
 (conley.bouldersbestbid@gmail.com) from pripko@sdmsi.com
 IP: 50.78.200.153



VIEWED

08 / 30 / 2022

22:31:26 UTC

Viewed by Conley Smith (conley.bouldersbestbid@gmail.com)
 IP: 209.97.232.19



SIGNED

08 / 30 / 2022

22:34:37 UTC

Signed by Conley Smith (conley.bouldersbestbid@gmail.com)
 IP: 209.97.232.19



COMPLETED

08 / 30 / 2022

22:34:37 UTC

The document has been completed.