

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MOUNTAIN BROOK METROPOLITAN DISTRICT HELD APRIL 22, 2024

The Regular meeting of the Board of Directors of the Mountain Brook Metropolitan District (referred to hereafter as the “Board”) and upon noting that a quorum was present a meeting was convened on Monday, the 22nd day of April, 2024, at 9:00 a.m. The District Board meeting was held in person at Ken Pratt Boulevard and via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Kevin Mulshine, President
Kenneth Spencer, Treasurer
Conley Smith, Secretary
Dale Bruns, Assistant Secretary
Mark Solomon, Assistant Secretary

Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

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

Diane Wheeler; Simmons & Wheeler, P.C.

Don Burchett; City of Longmont

Cyndi Castro, Homeowner

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Ms. Ripko 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. Ms. Ripko requested that the Directors consider whether they had any additional conflicts of interest to disclose. Ms. Ripko 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 of the agenda for the District’s meeting.

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

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 Spencer, seconded by Director Smith 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.

Minutes of February 26, 2024 Regular Meeting: The Board reviewed the Minutes of the February 26, 2024 Regular Meeting.

Following review and discussion, upon motion duly made by Director Spencer, seconded by Director Smith, and upon vote unanimously carried, the Board approved the Minutes, as amended.

PUBLIC COMMENTS There were no public comments at this time.

FINANCIAL MATTERS

Claims: Ms. Wheeler reviewed the payment of claims in the amount of \$97,933.80 for ratification.

Following discussion, upon motion duly made by Director Smith seconded by Director Mulshine, and upon vote the Board ratified the payment of claims in the amount of \$97,933.80.

Unaudited Financial Statements: Ms. Wheeler reviewed with the Board the unaudited financial statements for the period ending March 31, 2024.

Following discussion, upon motion duly made by Director Mulshine, seconded by Director Smith and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2024, as presented.

2023 Audit: Ms. Wheeler reviewed the 2023 Audit with the Board.

Following discussion, upon motion duly made by Director Spencer, seconded by Director Mulshine, and upon vote unanimously carried, the Board approved the

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2023 Audit, subject to final legal review, no material changes other than price of Splashtacular and authorized execution of the Representations Letter.

LEGAL MATTERS

Resolution Adopting Technology Accessibility Statement and Technical Standards: The Board reviewed Resolution Adopting Technology Accessibility Statement and Technical Standards.

Following discussion, upon motion duly made by Director Mulshine, seconded by Director Spencer and, upon vote, unanimously carried, the Board adopted Resolution Regarding Technology Accessibility Statement and Technical Standards.

Use of Signage Easement Area: Mr. Pogue advised the Board with regard to the landowner's permitted use of the area within the District's signage easement. Mr. Pogue stated that the landowner's use requires the District's consent. The Board discussed communicating the consent requirement to the landowner and acknowledging that the District would work with the landowner on consent to the landowner's use of the easement area, so long as such use does not interfere with the District's use of the easement area.

Following discussion, upon motion duly made by Director Spencer, seconded by Director Smith and, upon vote, unanimously carried, the Board directed Mr. Pogue and the President to communicate to the landowner the District's position regarding landowner use of the easement area and directed the President to execute the District's consent to the landowner's use of the easement area, following receipt of design plans from the landowner and provided that landowner's proposed use of the easement area will not interfere with the District's use of the area.

CAPITAL IMPROVEMENT MATTERS

There were no capital improvement matters at this time.

OTHER BUSINESS

Pet Stations in the Community: The Board discussed adding pet stations in the community.

Following discussion, upon motion duly made by Director Solomon, seconded by Director Mulshine and, upon vote, unanimously carried, the Board approved adding up to 5 pet stations in the community.

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Rules & Regulations for the Community: The Board reviewed the Rules & Regulations for the community.

Following discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board approved the Rules & Regulations for the community, subject to District Manager, President and legal counsel final review.

ADJOURNMENT

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

Respectfully submitted,

By: _____



Secretary for the Meeting