

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MOUNTAIN BROOK METROPOLITAN DISTRICT HELD AUGUST 26, 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 26th day of August, 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
Dale Bruns, 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

Chad O’Connor; Multi-Family Development

Rebecca Lettner; 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 Bruns, seconded by Director Mulshine and, upon vote unanimously carried, the agenda was approved, as amended, and the absences of Directors Smith and Soloman were excused.

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 Bruns, seconded by Director Mulshine 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 June 24, 2024 Regular Meeting: The Board reviewed the Minutes of the June 24, 2024 Regular Meeting.

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

PUBLIC COMMENTS There were no public comments at this time.

FINANCIAL MATTERS

Claims: Ms. Wheeler reviewed the payment of claims for the period ending August 20, 2024 in the amount of \$58,898.82.

Following discussion, upon motion duly made by Director Mulshine seconded by Director Bruns, and upon vote the Board ratified the payment of claims for the period ending August 20, 2024 in the amount of \$58,898.82.

Unaudited Financial Statements and Cash Position Statement: Ms. Wheeler reviewed with the Board the unaudited financial statements for the period ending June 30, 2024 and the cash position statement through the period ending June 30, 2024, updated as of August 20, 2024.

Following discussion, upon motion duly made by Director Mulshine, seconded by Director Spencer and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending June 30, 2024 and the cash position statement through the period ending June 30, 2024, updated as of August 20, 2024.

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LEGAL MATTERS

Amendment to Annual Administrative Matters Resolution: The Board reviewed the Amendment to the Annual Administrative Matters to address payment of Director fees.

Following discussion, upon motion duly made by Director Mulshine, seconded by Director Spencer and, upon vote, unanimously carried, the Board adopted the Amendment to the Annual Administrative Matters to address payment of Director fees.

CAPITAL IMPROVEMENT MATTERS

None.

OTHER BUSINESS

2024/2025 Snow Services Agreement between the District and Environmental Designs LLC: The Board reviewed the 2024/2025 Snow Services Agreement between the District and Environmental Designs LLC.


Following discussion, upon motion duly made by Director Mulshine, seconded by Director Bruns and, upon vote, unanimously carried, the Board approved the 2024/2025 Snow Services Agreement between the District and Environmental Designs LLC.

Operations of Amenity Center: The Board discussed the operations of the amenity center. The Board gave direction to management to draft the rules and operations.

ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting