

RECORD OF PROCEEDINGS

MINUTES OF SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MOUNTAIN BROOK METROPOLITAN DISTRICT HELD October 27, 2025

The Special 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 27th day of October, 2025, at 9:15 a.m. The District Board meeting was held via Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Conley Smith
Kenneth Spencer
Matt Berg
Rishi Loona
Blake Gudahl

Also In Attendance Were:

Diane Wheeler; Simmons & Wheeler, P.C.
Alan D. Pogue, Esq.; Icenogle Seaver Pogue, P.C.
Geol Scheirman, Taylor Tarpley; Cohere Life
Kevin Mulshine; HMS Development
Don Burchett; Planning Manager for City of Longmont

ADMINISTRATIVE MATTERS

Call to Order and Declaration of Quorum: It was noted that a quorum of the Board was present, and the meeting was called to order at 9:16 am.

Conflict of Interest Disclosures: All Board Members confirmed their qualifications to serve on the Board. Attorney Pogue noted that notices of potential conflict of interest statements for each of the Directors were filed with the Colorado Secretary of State’s office at least seventy-two hours in advance of the meeting, disclosing that potential conflicts of interest may exist. Attorney Pogue advised the Board that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was

RECORD OF PROCEEDINGS

necessary to obtain a quorum or otherwise enable the Board to act.

Approval of Agenda: Mr. Scheirman presented the agenda to the Board for consideration. Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried, the Board approved the agenda with no additions or modifications.

Approval Consent Agenda Items: The following items on the consent agenda were considered routine or administrative. Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried, the Board took the following actions:

- 1) Review and approve the Minutes of the August 25, 2025, Regular Meeting.
- 2) Review and approve the 2026 Annual Administrative Matters Resolution.
- 3) Review and approve the 2026 Meeting Resolution, with the regular meetings on the forth Monday of even months at 3:30pm and the Annual Meeting August 24, 2026 at 3:15pm.
- 4) Review and approve the Second Amendment to the Public Records Policy.

PUBLIC COMMENT

Kevin Mulshine, Developer, discussed the request from Veteran's Community Project to have a 15 x 20 storage unit by the District's stormwater pond. Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried, the board authorized Cohere and Legal to finalize with VCP and the City of Longmont to have the storage unit installed.

Barbara Rosenberg, Resident, inquired about the landscaping of the native ditch between the park and the homes along S. Flat Cir. The Board discussed that work in the area and removals are on hold due to pending approvals from developer and City. The area does have some easement restrictions and may require permission from ditch authorities. Board will revisit in Spring of 2026.

Kevin Mulshine, Developer, and Rishi Loona, Board Member, stated that the parcel for the condo development will begin construction in 2025.

FINANCIAL MATTERS

Claims: Ms. Wheeler reviewed the payment of claims.

Following discussion, upon motion, duly made by Director Smith seconded by

RECORD OF PROCEEDINGS

Director Spencer, and upon vote, unanimously carried, the Board ratified the payment of claims as presented.

Unaudited Financial Statements: Ms. Wheeler reviewed the financial statements were presented from September 30, 2025.

Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried, the Board accepted the unaudited financial statements from September 30, 2025.

Consider engagement for preparation of 2025 Audit: Ms. Wheeler discussed Hiratsuka & Associates for the 2025 audit engagement.

Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried the approval for Hiratsuka & Associates for the 2025 audit engagement subject to 2025 fee not to exceed 10% year over year increase. If higher than 10% then Ms. Wheeler will return with alternatives.

2025 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2025 Budget and discuss related issues at 9:48 a.m.

Ms. Wheeler noted that publication of Notice stating that the Boards would consider adoption of a Resolution to Amend the 2025 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District.

No written objections were received prior to or at this public hearing. No public comments were received and the President closed the public hearing at 9:49 a.m.

Following discussion, upon motion, duly made by Director Smith seconded by Director Loona, and upon vote, unanimously approved the 2025 budget amendment to increase the Debt Service Trustee Fees from \$6,000 to \$8,000 and the amended total for Debt Service to \$555,152.00.

2026 Budget Hearing: The President opened the public hearing to consider the proposed 2026 Budget and discuss related issues at 9:55am.

Ms. Wheeler noted that publication of Notice stating that the Board would consider adoption of the 2026 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District.

RECORD OF PROCEEDINGS

Mr. Wheeler reviewed the estimated year-end 2025 revenues and expenditures and the proposed 2026 estimated revenues and expenditures.

No written objections were received prior to or at this public hearing. No public comments were received, and the President closed the public hearing at 9:56 a.m.

Following discussion, the Board considered the adoption of the 2026 Budget and Appropriate Sums of Money and to Set Mill Levies (for the General Fund at 23.379 mills and the Debt Service Fund at 31.506 mills, for a total of 54.885 mills). Upon motion duly made by Director Spencer, seconded by Director Smith and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2025. Legal was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Douglas County and the Division of Local Government not later than December 10, 2025. Legal was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2026.

LEGAL MATTERS

Fifth Amendment to Improvement Acquisition, Advance and Reimbursement Agreement between the District and Mountain Brook Partner, LLC: The Board reviewed the Fifth Amendment to Improvement Acquisition, Advance and Reimbursement Agreement between the District and Mountain Brook Partner, LLC.

Following discussion, upon motion duly made by Director Smith, seconded by Director Spencer and, upon vote, unanimously carried, the Board approved the Fifth Amendment to Improvement Acquisition, Advance and Reimbursement Agreement between the District and Mountain Brook Partner, LLC.

MANAGEMENT MATTERS

Management Updates: Mr. Scheirman and Mrs. Tarpley updated the Board for management and operational items. These included the 2025 Management update on community events, community clubs, newsletter communications, facility reservations, covenant compliance, and the 2025 Community Life survey results.

2025 Holiday Lighting: Mr. Scheirman presented proposal for holiday lighting for the community.

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

RECORD OF PROCEEDINGS

Chilly Lighting for holiday lighting.

2025-2026 Snow Season Removal Services: Mr. Scheirman presented Custom Lawn's proposal for snow services for the 2025-2026 snow season.

Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried, the Board approved Custom Lawn's proposal for snow services for the 2025-2026 snow season.

2026 Landscape Services: Mr. Scheirman presented Custom Lawn's proposal for the 2026 landscaping season. Increase of roughly 30% due to additional areas and services.

Following discussion, upon motion, duly made by Director Spencer seconded by Director Berg, and upon vote, unanimously carried, the Board approved Custom Lawn's proposal for landscaping services for the 2026 landscaping season.

2026 Pool Maintenance Services: Mr. Scheirman presented Aqua Pro's proposal for the 2026 pool season. Increase proposal from 2025 with to weekly vacuuming services and estimated chemical usage.

Following discussion, upon motion, duly made by Director Smith seconded by Director Spencer, and upon vote, unanimously carried, the Board approved Aqua Pro's proposal for the 2026 pool season.

2026 Cleaning Services: Mr. Scheirman presented PBC LLC cleaning proposal for 2026. There was a small increase from 2025 as we increased scope to include dog waste stations for the community.

Following discussion, upon motion, duly made by Director Smith seconded by Director Gudahl, and upon vote, unanimously carried, the Board approved PBC for 2026 cleaning services

2026 HVAC Services: Mr. Scheirman presented IMS Heating and Air's proposal for 2026 HVAC preventive maintenance servicing.

Following discussion, upon motion, duly made by Director Spencer seconded by Director Berg, and upon vote, unanimously carried, the Board approved IMS Heating and Air's proposal for preventative maintenance for the HVAC in 2026.

2026 Playground Inspection Services: Mr. Scheirman presented Rocky Mountain Playground Services' proposal for 2026 playground inspection services.

RECORD OF PROCEEDINGS

Following discussion, upon motion, duly made by Director Spencer seconded by Director Berg, and upon vote, unanimously carried, the Board approved Rocky Mountain Playground Services' proposal for playground inspection services for 2026.

2026 Fitness Equipment Services: Mr. Scheirman relayed that the vendor did not have the updated 2026 pricing to present and will present once received.

Reserve Study Services: Mr. Scheirman presented proposals for reserve study services.

Following discussion, upon motion, duly made by Director Smith seconded by Director Berg, and upon vote, unanimously carried, the Board approved Association Reserves to complete a full reserve study.

**CAPITAL
IMPROVEMENT
MATTERS**

Board briefly discussed apartment timeline and to begin work in 2026.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Spencer, the meeting was adjourned at 10:28 am.