

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF BRIGHTON CROSSING METROPOLITAN DISTRICT NO. 4

HELD  
September 10, 2019

The Special Meeting of the Board of Directors of Brighton Crossing Metropolitan District No. 4 was held at the Venture Center, 5225 Longs Peak, Brighton, Colorado at 6:30 p.m. on Tuesday, September 10, 2019. Notice of the meeting was duly posted.

### ATTENDANCE

#### Directors in Attendance:

Jeffrey Schum, Secretary  
John Strider, Treasurer  
Chris Petro, Assistant Secretary

#### Directors not in Attendance:

Ashley Taruffelli, President – excused absence

#### Also, in Attendance:

Chelsey Green, Molly Janzen, Crystal Clemens, Carol VanBeber; Pinnacle Consulting Group, Inc.  
Blair Dickhoner, Esq.; White Bear Ankele Tanaka & Waldron, P.C.

### CALL TO ORDER

The Special Meeting of the Board of Directors of Brighton Crossing Metropolitan District No. 4 was called to order at 6:45 p.m. by Ms. Green, noting that a quorum was present. Each of the Directors confirmed their qualifications to serve on the Board. Ms. Green also confirmed that prior to the meeting each of the Directors had been notified of the meeting.

### CONFLICTS OF INTEREST DISCLOSURE

Attorney Dickhoner noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State's Office, disclosing that potential conflicts of interest may exist, as certain Board Members are employees of Brookfield Residential, which is associated with the primary developer of land within the District. Attorney Dickhoner 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 Directors present was necessary to obtain a quorum or otherwise enable the Board to act.

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## AGENDA

The Board considered the agenda as presented. Following review, upon a motion duly made by Director Schum, seconded by Director Petro, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

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## BOARD VACANCY

The Board received letters of intent from Susan Sandoval, David Dibbern, and Dewayne Davis for the Board vacancy . Upon a motion duly made by Director Petro, seconded by Director Schum, and upon vote, unanimously carried, it was

**RESOLVED** to appoint David Dibbern to the Office of Secretary.

## APPROVAL OF MINUTES

The minutes of the June 11, 2019 Regular Meeting and ratification of actions taken at the June 11, 2019 Regular Board Meeting were presented. Following review, upon a motion duly made by Director Petro, seconded by Director Strider, and upon vote, unanimously carried, it was

**RESOLVED** to approve the minutes of the June 11, 2019 Regular Meeting and ratify actions taken at the June 11, 2019 Regular Board Meeting, as presented.

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## PUBLIC COMMENT

Ken Guindry of 894 Willow Oak, thanked Pinnacle Consulting Group for taking care of the weeds. Mr. Guidry also stated the culvert landscaping was an eyesore and the detention pond along 168<sup>th</sup> Street had standing water and was in need of maintenance.

David Dibbern of 4700 Mt. Shavano, thanked Pinnacle Consulting Group for the increased resident's communication efforts including the new website, email blasts, and physically mailed newsletters and HOA Delegate Election content. Mr. Dibbern noted residents need to be further educated and engaged on Brighton Crossings operations, community meetings, board meetings, and resident committees.

Kathy Davis of 858 Willow Oak Street, stated she cannot complete the online form for landscaping because it will not accept the date format.

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## CAPITAL INFRASTRUCTURE MATTERS

Project Status Report: Ms. Green reviewed the Project Status Report with the Board and answered questions.

District Capital Infrastructure Report: Ms. Green reviewed the District Capital Infrastructure Report with the Board and answered questions.

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District Engineer's Report: Ms. Green reviewed the written Engineer's Report with the Board and answered questions.

### FINANCIAL MATTERS

Ratification of payment of claims for period ended September 1, 2019: Ms. Janzen reviewed with the Board the payables listing dated June 2, 2019 through September 1, 2019 totaling \$477,671.78. Following review and discussion, upon motion duly made by Director Petro, seconded by Director Schum, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the payments made in the total amount noted above.

Financial Report: Ms. Janzen reviewed with the Board the unaudited financial statements for the period ended June 30, 2019 and cash position statement for the period ended August 31, 2019 and answered questions. Following review and discussion, upon a motion duly made by Director Petro, seconded by Director Schum, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited financial statements for the period ended June 30, 2019 and cash position statement for the period ended August 31, 2019.

Discuss Status of 2018 Audit: Ms. Janzen explained to the Board she should be receiving the draft of the 2018 Audit any day. The Board will review the Audit at the December 2019 meeting.

Discuss 2020 Budget Work Session Scheduled for October 23, 2019: Ms. Green informed the Board that the 2020 draft budget will be delivered to the Board on October 15, 2019. The October 23, 2019 budget work session will allow the Board the opportunity to review and revise the budget prior to final adoption in December.

### LEGAL MATTERS

Consider Approval of Resolution Concerning Imposition of Infrastructure Fee, Park Development Fee and System Development Fee: Mr. Dickhoner presented to the Board for consideration of approval of the Resolution Concerning Imposition of Infrastructure Fee, Park Development Fee and System Development Fee. Following review and discussion, upon motion duly made by Director Petro, seconded by Director Schum, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Concerning Imposition of Infrastructure Fee, Park Development Fee and System Development Fee, as presented.

Consider Approval of Quitclaim Deed to Brighton Crossings Operations Board. Mr. Dickhoner presented to the Board for consideration the Approval of Quitclaim Deed to Brighton Crossings Operations Board. Following review and discussion, upon

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motion duly made by Director Petro, seconded by Director Schum, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Quitclaim Deed to Brighton Crossings Operations Board, as presented.

Consider Adoption of Resolution Regarding Electronic Posting of Meeting Notices. Mr. Dickhoner presented to the Board for consideration and Approval of the Resolution Regarding Electronic Posting of Meeting Notices. Following review and discussion, upon motion duly made by Director Petro, seconded by Director Schum, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution Regarding Electronic Posting of Meeting Notices, as presented.

DIRECTOR'S  
ITEMS

There were no director's items presented to the Board.

OTHER MATTERS

There were no other matters presented to the Board.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Petro, seconded by Director Schum, and upon unanimous vote, the meeting was adjourned at 7:42 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

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Crystal Clemens, Recording Secretary for the Meeting