

CUMBERLAND GREEN METROPOLITAN DISTRICT

REGULAR MEETING MINUTES

May 10, 2021 – 5:30 PM

HELD: As Teleconference using Zoom and Zoom Conference Dial in Number for residents and Board members.

The meeting was called to order and 5:30 p.m. All Board members were present.

ATTENDEES:

President Terry Wherry, Directors, Michel Takatz, Shawn Simmons, Brian Self, and Thomas Garside were present. Also, in attendance was District Manager Jim McGrady, Auditor Ty Holman Haynie and Company, Superior Landscape owner Devon Agee.

APPROVAL OF AGENDA:

A motion to approve the agenda was made by Director Garside. The motion was duly seconded by Director Takatz. A vote was taken, and the motion passed unanimously.

DISCLOSURE OF CONFLICTS: None

QUORUM: Present

Presentation by Ty Homan, Haynie and Company, Cumberland Green Metropolitan District's 2020 Audited Financial Report.

Haynie and Company Audited the District Financial Statements. They offered an Unmodified Opinion. There were no estimates except for depreciation. The audit did not reveal anything unusual. According to Mr. Holman there were only one or two minor audit adjustments. No material weakness. There were no management issues. Everything we reviewed was in good order. Mr. Holman stated that this was a smooth audit. For the year ended 1.97 million in total assets. Bulk of that was in cash and investments. The major liability was \$5.7 Million in bonds payable. Net Negative position of approximately \$4,391,000M. Change in net position +293K. On a fund basis Ending fund balance was

\$1,171,436. This fund balance is trending up by approximately. The increase in fund balance was \$274,000

Below is a summary of the future maturities of the Series 2015 Bonds Long Term Liabilities from page 14 of the audit:

Principal Interest Total for the next five years:

2021 \$ 50,000 \$ 297,938 \$ 347,938

2022 \$75,000, \$295,313, \$370,313

2023 \$80,000, \$291,375, \$371,375

2024 \$90,000, \$287,175, \$377,175

2025 \$95,000, \$282,450, \$377,450

Expenditures were all within budget and there was no need for to issue a revised 2020 budget. There are new standards but those changes should not affect Cumberland Green.

CONSENT AGENDA: These items are to be acted upon as a whole and approved with one motion. There will be no separate discussion, unless a specific item is called upon for discussion by a Board member or citizen.

a) Approval of Board Meeting Minutes: April 12, 2021.

b) Financial Reports/Cash Analysis,

A motion to approve the Consent Agenda as amended was made by Director Garside. The motion was duly seconded by President Wherry. A vote was taken. The motion carried unanimously

ACTION ITEMS:

A. Approve payables – April, 2021

i. General Fund 2021 Expenses	\$	8,737.26
ii. Debt Service Fund	\$	148,968.75

iii. Capital Improvement Fund	\$	-0-
iv. Total Expenditures	\$	<u>157,706.01</u>

A motion to approve the April 2021 payables in the amount of \$157,706.01 was made by President Wherry. The motion was duly seconded by Director Garside. A vote was taken. The motion carried unanimously.

- B. Review and Consider Approval of a Proposal to install Electrical Outlets for Holiday Lighting between the Cumberland Green Metropolitan District and the City of Fountain’s Electric Department in the amount of \$3,189.92 and authorize Director Simmons to provide a notice to proceed. (enclosure).

\$3,869.28 is the new amount with additional street light plugs added. There is a total of 12 light poles on which plugs will be installed by Fountain Utilities Electric Department. West and east side of Jimmy Camp.

A motion to approve an expenditure of \$3,869.28, including 3 additional outlets, was made by President Wherry. The motion was duly seconded by Director Garside. A vote was taken. The motion carried unanimously.

- C. Review and Consider Approval of the District’s 2020 Audited Financial Statements and direct Haynie and Company to File the District’s 2020 Audit with the State of Colorado.

Motion to approve the 2020 Audit was made by Director Garside with one caveat. On Page 11 of the audit Director Garside was curious about the difference in beginning fund balances. Mr. McGrady as directed to ask Ty Holman about this and make sure there wasn’t a mistake before authorizing Mr. Holman to file the audit. The motion was duly seconded by President Wherry. A vote was taken. The carried unanimously.

OLD BUSINESS:

Design Review Committee (DRC) update. (Ms. Ellis)

Director Simmons pointed out that the District’s Covenants are not up to date. There are now plastic storage sheds available at a reasonable price at Costco

compared to wooden sheds. One can purchase storage buildings from Costco. President Wherry was in favor of allowing Plastic sheds but was concerned about the damage to these sheds that may occur from a hail storm. The Board asked about colors, and it was pointed out it is unlikely that the plastic sheds will match the color combination on the home. It was decided that the plastic sheds should be earth tone in color which is all that is available, even if they don't match the house. Sheds need to be in the back of the house not on the side of the house. Director Simmons recommendation is that plastic sheds should be allowed because people cannot afford a wooden shed.

A motion to allow plastic sheds with Neutral colors, even if they don't match the color of the home was made by President Wherry. The motion was modified to add that the plastic shed does not need to match the color of the house. A further addition was made to the motion that this is an addendum to the covenants to allow a plastic shed and the district is not changing the covenants. The motion was duly seconded by Director Garside. A vote was taken. The motion carried unanimously.

Covenant Enforcement update.

Follow up on lawns. Many are in poor condition. Fountain has imposed stringent watering restrictions. Ms. Ellis should discuss lawn violations with Mr. Rowley the District's attorney. Mr. McGrady pointed out that there are 300 people with violations. It was suggested that Mr. McGrady should ask Mr. Kennedy to post a link to the City of Fountain's Xeriscape replacement program on the District's website.

NEW BUSINESS:

Summer Meeting schedule and locations. July 12th 3:30 – 5:00 at the Eagleside Elementary School. Meet in June at the Park or Via Zoom depending on the agenda and weather forecast

Presentation by Devon Agee Superior Landscaping Cumberland Green Metropolitan District's Irrigation System concerns. Trash and policing. Mr. Agee has found a number of hyperemic needles. Smoking pot near park. He has found about two dozen needles. Mr. Agee stated that his crews will be doing native mowing the last week in May. First application of preemergent has not been made. His fertilization contractor, Integrated Lawn Care, is a bit behind. The Board discussed the condition of the current irrigation system along Squirrel Creek Road. The Current system is made of Netafim, which is not well suited for irrigation of plants and shrubs. He estimates there are 147 dead bushes and

trees. There needs to be a corrective plan for Squirrel Creek and the corner of Link and Squirrel Creek Road. The corner was damaged during construction. The lateral lines need to be repaired. The Sim card in the Rainbird IQ may be becoming obsolete and to replace the card is approximately \$3,000 Will need to upgrade to 4G. 1-13 zones along Squirrel Creek are 1" Rainbird valves. Replace neoprene with drip system. Need to repair irrigation system. Mr. Agee was directed to provide pricing for irrigation system repairs. The quote to repair the intersection of Squirrel Creek and Link Road should be separate from the rest of the work Squirrel Creek. Mr. McGrady suggested we focus on irrigation repairs in 2021 and tree and shrub replacement in 2022 after the irrigation system was up and running. It was suggested we also need to look at Jimmy Camp as well given the long-standing issue of lost trees and shrubs in that area. Mr. Agee indicated he would submit an estimate to the district for this additional work.

MANAGERS'S REPORT:

None.

BOARD DISCUSSIONS:

The district needs to follow up on Silt Fences. Mr. McGrady was directed to call City Engineer, Brandy Williams to set up meeting for President Wherry Terry and Director Self for June 2nd or 3rd to discuss trash issues, possible criminal activity at the Frisbee Disc Course, silt fencing, irrigation repairs at Link Road etc.

It was suggested that various families may like to sponsor a new tree.

Does the Board wish to sponsor a separate picnic or support the group picnic and participate in that activity? No decision was made.

COUNSEL REPORT: None

PLANNED COMMUNICATIONS:

Normal Website updates.

OTHER ACTION ITEMS: None

EXECUTIVE SESSION:

Executive Session §24-6-402(4)(b) Legal Advice. None

ADJOURNMENT: Having no other actions to come before the Board, a motion to adjourn the meeting was made by President Wherry. The motion was duly seconded by Director Garside. The motion carried unanimously and the meeting was adjourned at 7:43 p.m.

NEXT SCHEDULED REGULAR BOARD MEETING

June 14, 2021 5:30 p.m.

**Zoom Video Conference for Board Members and Staff and Conference Dial in
Number for Residents**

<http://cumberlandgreenmetro.org/home>