

# CUMBERLAND GREEN METROPOLITAN DISTRICT

## REGULAR MEETING MINUTES

December 11, 2023 – 4:00 PM

**HELD:** The meeting was conducted at 230 South Main Street in the Fountain Public Library, Fountain, CO 80817

The meeting was called to order and 4:00 p.m.

### **ATTENDEES:**

Board members who were present were President Wherry, Directors Michele Takatz, Shawn Simmons, Lonny Randle. Director Garside was absent. His absence was excused.

**QUORUM:** Present

**DISCLOSURE of CONFLICTS:** None

### **APPROVAL OF AGENDA:**

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

### **PUBLIC COMMENT:**

The homeowner of 9505 Castle Oaks Drive addressed the board regarding an artificial turf project they undertook. The turf was taken from a football field and installed. In the process the number 3 was installed as this turf cam from a football field. The owner assured the board that the 3 will be removed. She also asked if an enclosure to hide their trash can could be built on the side of the home. The board indicated that an application should be sent to the DRC.

Cooper Boehme is a resident of Cumberland Green was at the meeting to learn more about the District.

### **Public Hearing 2024 Budget**

The Public hearing was opened by President Wherry at 4:16 p.m. Mr. McGrady discussed the proposed 2024 District Budget wit the Board. There were no public comments made. The Public Hearing was closed by President Wherry at 4:24

**DESIGN REVIEW/COVENANT ENFORCEMENT APPEAL HEARING:** None

**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 Regular Board Meeting Minutes: October 10, 2023.

b) Financial Reports/Cash Analysis

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

**ACTION ITEMS:**

A. Approve Payables November, 2023

i. General Fund 2023 Expenses	\$	10,813.67
ii. General Fund	\$	9,971.00
iii. Debt Service Fund	\$	-0-
iv. Capital Improvement Fund	\$	-0-
v. Conservation Trust Fund	\$	
vi. Total Expenditures	\$	<u>20,784.67</u>

A motion to approve the November 2023 payables in the amount of \$18,709.67 was made by President Wherry. The motion was duly seconded by Director Simmons. A vote was taken. The motion carried unanimously.

As part of this motion Mr. McGrady and President Wherry were asked to work with Ms. Susie Ellis to obtain documents from her tenure as Covenant Control Officer. Assuming she provides the documentation the board authorized Ms. Fromm to pay Ms. Elis \$2,075 for work done in April 2023.

B. Review and Consider Resolution 2023-04, Record of Proceeding, a resolution of the Cumberland Green Board of Directors, adopting 2024 Budget, Certifying the 2024 Mill Levy, Appropriating 2024 Expenditures relating to the Cumberland Green Metropolitan District El Paso County, Colorado. (Enclosure).

As a result of a Special session of the State Legislature, the District's Mill Levy could not be set because the assessed valuation of the district could not be calculated, therefore this item was tabled until January 2024 when the district's final valuation will be available. President Wherry made a motion to table this item. The motion was duly seconded by Director Randle. A vote was taken. The motion carried unanimously.

- C. Review and Consider Resolution 2023-05, Annual Administrative Resolution of the Cumberland Green Metropolitan District El Paso County, Colorado. (Enclosure).

A motion to approve Resolution 2023-05, Annual Administrative Resolution, was made by President Wherry. The Motion was duly Seconded by Director Simmons. A vote was taken. The motion carried unanimously.

- D. Review and Consider Approval on the Audit Engagement letter between the Cumberland Green Metropolitan District and Haynie and Company to provide Audit Services, in the amount of \$9,000.00 to complete the district's 2023 Financial Statements.

A motion to approve the Audit Engagement Letter for between the Cumberland Green Metropolitan District and Haynie and Company was made by President Wherry. The Motion was duly Seconded by Director Randle. A vote was taken. The motion carried unanimously.

- E. Review and consider Landscape Maintenance Proposals as submitted by F&B Landscaping in the estimated amount of \$32,924.00.

John Hentemann with F&B Landscaping presented to the Board. After hearing Mr. Hentemann presentation, a discussion ensued regarding swing set inspections. F&B does not do safety inspections on swing sets. Mr. Hentemann indicated he will work with Mr. McGrady to find someone to evaluate and certify the swing sets.

There being no further discussion A motion to award the 2024 landscape maintenance to F&B Landscaping was made by President Wherry. The motion was duly seconded by Director Randle. A vote was taken. The motion carried unanimously.

## **OLD BUSINESS:**

### **Design Review Committee Update:**

This month there were six or seven DRC applications filed. The applications included a patio, hot tub, sheds, and a swing set.

### **Covenant enforcement:**

Ms. Howard passed out a report showing violations in October and November. During that period of time 118 violations occurred with trash cans being the most prevalent violation. Ms. Howard stated that landscape violations will not be enforced until April 2024. During the October - November timeframe the district received \$600.00 in fines.

## **NEW BUSINESS:**

President Wherry discussed the possibility of installing up to four cameras around the district. These cameras would be installed on Jimmy Camp Road, Squirrel Creek Road and on Watchman. A camera may also be installed at a later date near the park give the possibility of vandalism occurring at that location. Mr. McGrady will work with Mr. Wherry to implement this program.

Mr. McGrady was directed to obtain a sign for the park delineating park rules and hours of operation. F&B Landscaping will install the sign once it has been obtained.

Director Simmons is working with Director Takatz to find a contractor to install a curb cut and apron. The city has asphalt millings they will supply for a proposed. Mr. McGrady ensured that adequate funding for this project is available in the proposed 2024 budget.

**COUNSEL REPORT:** None

## **DISCUSSION ITEMS:**

Manager's Report:

Mr. McGrady suggested a Special meeting to approve the district's 2024 budget on January 3, 2024 via Zoom that was previously tabled in item B above.

**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 Takatz. The motion carried unanimously and the meeting was adjourned at 5:24 p.m.

**NEXT SCHEDULED REGULAR BOARD MEETING**

**February 12, 2024 4:00 p.m.**

**230 South Main Street**

**Fountain Public Library  
Community Conference Room  
Fountain, Colorado 80817**

**Zoom Meeting to Certify the Mill Levy and Approve the 2024 Budget will be held  
on January 3, 2024**

**<http://cumberlandgreenmetro.org/home>**