

CUMBERLAND GREEN METROPOLITAN DISTRICT

REGULAR MEETING MINUTES

December 8, 2025 – 6:00 PM

HELD: Zoom Meeting. The Board meeting was called to order at 6:01 p.m.

ATTENDEES:

All Board members were present except for President Wherry whose absence was excused

QUORUM: Present

DISCLOSURE of CONFLICTS: None

APPROVAL OF AGENDA:

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

PUBLIC COMMENT

Pat Heath 9364 Castle Oaks Drive attended the meeting

PUBLIC HEARING 2026 CUMBERLAND GREEN METROPOLITAN DISTRICT BUDGET

The Public Hearing was Opened at 6:05 p.m. by Director Simmons. Mr. McGrady presented the 2026 budget to the Board and asked if there were any questions from the Board or members of the public. Hearing none the Public Hearing was closed at 6:25 p.m.

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 14, 2025.
- b) Financial Reports/Cash Analysis

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

ACTION ITEMS:**A. Approve Payables November, 2025**

| | | |
|-------------------------------|----|---------------------|
| i. General Fund 2025 Expense | \$ | 15,284.54 |
| ii. General Fund 2026 Expense | \$ | 12,746.42 |
| iii. Debt Service Payments | \$ | 236,225.00 |
| iv. Additional Principal | \$ | 1,655,000.00 |
| v. Capital Fund | \$ | 101,237.50 |
| vi. Conservation Trust Fund | \$ | 5,480.00 |
| vii. Total Expenditures | \$ | <u>2,025,973.46</u> |

A motion to approve the November, 2025 payables in the amount of \$2,025,973.46 was made by Director Simmons. The motion was duly seconded by Director Green. A vote was taken. The motion carried unanimously.

B. Review and Consider Resolution 2025-01, a Resolution of the Cumberland Green Metropolitan District Board of Directors adopting the district's Annual Administrative Resolution. (enclosure)

Motion to Approve Resolution 2025-01, a Resolution of the Board of Directors of the Cumberland Green Metropolitan District was made by Director Simmons. The motion was duly seconded by Director Randle. A vote was taken. The motion carried unanimously.

C. Review and Consider Approval of Resolution 2025-02, a Resolution of the Cumberland Green Metropolitan District Certifying the District's Mill Levy and Approving the District's 2026 Budget for Calendar Year 2026 and Authorization for the District Manager and District Accountant to file all documents as needed with El Paso County and the State of Colorado. (enclosure)

Motion to Approve Resolution 2025-02, a Resolution of the Board of Directors of the Cumberland Green Metropolitan District was made by Director Simmons. The motion was duly seconded by Director Walsh. A vote was taken. The motion carried unanimously.

D. Review and Consider Resolution 2025-03, a resolution of the Cumberland Green Metropolitan District Amending and Restating a Digital Accessibility Policy and Designating a Compliance Officer. (enclosure)

Motion to Approve Resolution 2025-03, a Resolution of the Board of Directors of the Cumberland Green Metropolitan District was made by Director Simmons. The motion was duly seconded by Director Green. A vote was taken. The motion carried unanimously.

E. Review and Consider an engagement letter for legal Services between the Cumberland Green Metropolitan District and WBA. Said engagement letter provides the terms upon which WBA, PC ("WBA") will provide legal services to the district and is intended to formalize our retention/continued engagement as general counsel, as required by the applicable Rules of Professional Conduct. This letter is intended to replace the prior engagement letter and reflect WBA's representation of the District. (enclosure)

Motion to Approve an Engagement letter for Legal Services between the Cumberland Green Metropolitan District and WBA to engage as General Counsel, as required by the applicable Rules of Professional Conduct. This letter is intended to replace the prior engagement letter and reflect WBA's representation of the district, was made by Director Simmons. The motion was duly Seconded by Director Green. A vote was taken. The motion carried unanimously.

F. Review and Consider Approval of an Audit Engagement Letter between the Cumberland Green Metropolitan District and Haynie and Company to perform the district's 2025 Financial Audit. (enclosure)

Motion to Approve an Audit Engagement Letter between the Cumberland Green Metropolitan District and Haynie and Company to perform the district's 2025 Financial Audit was made by director Simmons. The motion was duly seconded by Director Green. A vote was taken. The motion carried unanimously.

G. Review and Consider an Agreement for Landscape Maintenance Services between the Cumberland Green Metropolitan District and F&B Landscaping in the approximate amount of \$37,271.58, payable in 12 monthly payments of \$3,105.07.

Motion to Approve an agreement for Landscape Maintenance Services between the Cumberland Green Metropolitan District and F&B Landscaping to perform the district's 2026 Landscape Maintenance Services was made by Director Simmons. The motion was duly seconded by Director Walsh. A vote was taken. The motion carried unanimously.

OLD BUSINESS:**Design Review Committee Update:**

Design Review Committee (DRC) update

Five submittals to include roof replacements, front yard upgrade, back yard patio tiles, window replacements, one turf replacement.

Covenant enforcement:

Decrease in enforcement activities due to colder weather. Grass is going into dormancy. Landscaping enforcement way down 53 violations total. 12 second notices. 23 courtesy notices. There have been 7,050 fines January through November.

Ms. Howard is submitting 4 additional liens to the Cumberland Green HOA Attorney. The district received \$2,400 payment at closing during refinancing of loan from a lien that had been filed. The owner is still accruing fines.

NEW BUSINESS:

None

COUNSEL REPORT: None

BOARD DISCUSSION AND UPDATES: None

MANAGER'S REPORT: None

PLANNED COMMUNICATIONS:

Director Simmons reported that the Cumberland Facebook seems to be working. The following is growing with 113 followers. One out of five Cumberland Green Metropolitan District residents have joined the Facebook page.

OTHER ACTION ITEMS:**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 Director Simmons. The meeting was adjourned at 6:52 p.m.

NEXT SCHEDULED REGULAR BOARD MEETING

February 9, 2025 at 6:00 p.m.

By Zoom Only as the Community Room was not available.

<http://cumberlandgreenmetro.org/home>