



**MAYBERRY, COLORADO SPRINGS
METROPOLITAN DISTRICT CAB and NOS. 1-8**
Regular Board Meeting
614 N. Tejon St., Colorado Springs, CO 80903
Tuesday, January 24, 2023 – 8:00AM

BOARD OF DIRECTORS

John Mick , President CAB & Districts 1-8	Term Expires May 2025 (1 & 3-8)
Jason Kvols , Treasurer CAB, Secretary Districts 1-8	Term Expires May 2025 (1 & 3-8)
Lee Merritt , Secretary CAB, Treasurer Districts 1-8	Term Expires May 2023 (1 & 3-8)
Vacancy , Director CAB & Districts 1-8	Term Expires May 2023
Vacancy , Director CAB & Districts 1-8	Term Expires May 2023

**** Please join the meeting from your computer, tablet or smartphone****

<https://video.cloudoffice.avaya.com/join/725613070>

You can also dial in using your phone.

United States: [+1 \(213\) 463-4500](tel:+12134634500)

Access Code: 725613070

AGENDA

- 1. ADMINISTRATIVE MATTERS:**
 - a. Call to order/Declaration of Quorum
 - b. Approval of Agenda
 - c. Approval of Minutes from November 22, 2022 and December 14, 2022
- 2. FINANCIALS:**
 - a. Acceptance of Unaudited Financial Statements and the schedule of cash position.
 - b. Ratification of Approved Payables.
- 3. MANAGEMENT MATTERS**
- 4. BUSINESS MATTERS**
 - a. Discussion of Billing/Fee Progress
- 5. LEGAL MATTERS**
- 6. PUBLIC COMMENT AND SIGN IN SHEET:**
(Limited to 3 minutes and only for items not on the agenda)
- 7. OTHER BUSINESS**
 - a. Next meeting February 28, 2023 at 8:00AM
- 8. ADJOURNMENT**





**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
MAYBERRY, COLORADO SPRINGS METROPOLITAN DISTRICTS 1-8
HELD DECEMBER 14, 2022, AT 3:30 P.M.**

Pursuant to posted notice, the special meeting of the Board of Directors of the Mayberry, Colorado Springs Metropolitan Districts 1-8 was held on Wednesday, December 14, 2022, at 3:30 PM, at 614 N Tejon St., Colorado Springs, CO 80903, and via electronic means and telephone conference call.

Attendance

In attendance were Directors:

John Mick, President
Jason Kvols, Secretary
Lee Merritt, Treasurer (Excused)

Also in attendance were:

Kevin Walker, WSDM District Managers
Adam Noel, WSDM District Managers
Pete Susemihl, Susemihl, McDermott, & Downie, P.C.

1. ADMINISTRATIVE MATTERS

- a. Call to Order/Declaration of Quorum: Mr. Noel called the meeting to order at 8:04 AM and confirmed a quorum with Director Merritt excused.
- b. Approval of Agenda: Director Kvols added item 4.a. Discussion on Landscape Easement. Director Kvols moved to approve the Agenda as amended; seconded by President Mick. Motion passed unanimously.

2. BUSINESS MATTERS

- a. Discussion of Transfer Fee Covenant
- b. Discussion of Landscape Easement
 - i. Establishment of Fee
- c. Discussion of Detention Pond Easement

3. MANAGEMENT MATTERS: The Board discussed the Service Plan Amendment process for next year to allow the mill levy increase to 15 mills for District 3 effective in 2024.

4. BUSINESS MATTERS

- a. Discussion on Landscape Easement: The Board discussed the landscape easement. Director Kvols presented the draft Grant of Easement document and supporting exhibits. The Board discussed the language that reflects the District will only maintain the architectural fencing on the sides of corner lots, and the homeowners will be responsible for the fence and gates in between the houses.

5. LEGAL MATTERS

- a. Review and Consider Approval of WSDM – District Managers Engagement Letter: Mr. Noel presented the WSDM District Managers Engagement Letter. Director Kvols moved to approve the WSDM District Managers Engagement Letter as presented; seconded by President Mick. Motion passed unanimously.
- b. Review and Consider Approval of BiggsKofford 2022 Audit Engagement Letter for Community Authority: Mr. Noel presented the BiggsKofford 2022 Audit Engagement Letter for Community Authority. Director Kvols moved to approve the BiggsKofford 2022 Audit Engagement Letter as presented; seconded by President Mick. Motion passed unanimously.
- c. Consider Adoption of 2023 Annual Administrative Resolution: Mr. Noel presented the 2023 Annual Administrative Resolution. Director Kvols moved to adopt the 2023 Annual Administrative Resolution; seconded by President Mick. Motion passed unanimously.
- d. Consider Adoption of Resolution Calling the May 2, 2023 Directors Election: Mr. Noel presented the Resolution Calling the May 2, 2023 Directors Election. The Board discussed the election process and vacant positions on the Board. After review, Director Kvols moved to adopt the Resolution Calling the May 2, 2023 Directors Election; seconded by President Mick. Motion passed unanimously.

6. PUBLIC COMMENT: There was no public comment.

7. OTHER BUSINESS

- a. Next Regular Meeting is December 27, 2022 at 8:00 AM.

8. ADJOURNMENT: Director Kvols moved to adjourn the meeting; seconded by President Mick. Motion passed unanimously at 8:44 AM.

Respectfully Submitted,
WSDM District Managers

By: Recording Secretary





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John Mick, President
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Lee Merritt, Treasurer (Excused)

Also in attendance were:

Kevin Walker, WSDM District Managers
Adam Noel, WSDM District Managers
Pete Susemihl, Susemihl, McDermott, & Downie, P.C.

1. ADMINISTRATIVE MATTERS

- a. Call to Order/Declaration of Quorum: Mr. Noel called the meeting to order at 3:33 PM and confirmed a quorum with Director Merritt excused.
- b. Approval of Agenda: Director Kvols moved to approve the Agenda as presented; seconded by President Mick. Motion passed unanimously.

2. BUSINESS MATTERS

- a. Discussion of Transfer Fee Covenant: The Board discussed the transfer fee covenant. Director Kvols noted the transfer fee can help drive community events and is attractive to homeowners that are purchasing because there is a fund designated to be able to produce these events. The fee is not charged to the buyer, it is charged to the seller at closing. Director Kvols moved to approve a Resolution that adopts a transfer fee that will be charged at closing and is a covenant in builder contracts payable to the Metropolitan District for community events; seconded by President Mick. Motion passed unanimously.
- b. Discussion of Landscape Easement: The Board discussed the Landscape Easement. Director Kvols moved to have the District accept an easement that will be recorded to the benefit of the District for the service of providing streetscape and landscape with a fee to be determined at a later time; seconded by President Mick. Motion passed unanimously.
 - i. Establishment of Fee: The Board discussed that the fee is still to be determined.
- c. Discussion of Detention Pond Easement: The Board discussed a temporary detention pond easement that was granted by a separate document and now needs to be vacated by a separate document. Director Kvols moved to authorize the proper officials to sign the document releasing the detention pond easement; seconded by President Mick. Motion passed unanimously.

3. PUBLIC COMMENT: There was no public comment.

4. OTHER BUSINESS

a. Next Regular Meeting is December 27, 2022 at 8:00 AM. President Mick moved to cancel the December 27, 2022 Meeting; seconded by Director Kvols. Motion passed unanimously.

5. ADJOURNMENT: Director Kvols moved to adjourn the meeting; seconded by President Mick. Motion passed unanimously at 3:47 PM.

Respectfully Submitted,
WSDM District Managers

By: Recording Secretary



Mayberry Colorado Springs Community Authority Board
BOND DRAW
1/15/2023

Company	Invoice	Date	Amount	Comments
Bailey Land Solutions	17393	12/27/2022	\$ 799.75	
Centennial Land Surveying	2414	12/27/2022	\$ 894.00	
Cromwell's Excavation	10523	1/5/2023	\$ 13,034.27	
Development Services, Inc	2564	1/9/2023	\$ 5,915.38	
HDR Calthorpe	1200482147	12/6/2022	\$ 12,984.00	
Kimley Horn	22970789	10/31/2022	\$ 4,400.00	
Kimley Horn	22591096	9/30/2022	\$ 2,750.00	
Kimley Horn	22241196	8/31/2022	\$ 2,750.00	
Kumar & Associates	217598	12/27/2022	\$ 7,667.50	
Kumar & Associates	217110	12/7/2022	\$ 1,371.00	
Kumar & Associates	215607	9/28/2022	\$ 9,872.25	
Martin Marietta	37704967	12/1/2023	\$ 49,038.83	
Martin Marietta	37618670	12/30/2022	\$ 24,415.42	
Midwest Barricade Co., Inc	21005418	11/19/2022	\$ 711.75	
Midwest Barricade Co., Inc	35709	12/29/2022	\$ 290.00	
MJS Services	1369	12/22/2022	\$ 1,712.50	
Pate Construction Co	2022-10	1/9/2023	\$ 39,998.80	
PPC construction	MBB-2	12/13/2022	\$ 14,515.75	
Pyramid Construction	14566	12/25/2022	\$ 14,844.94	
R&R Engineers/Surveyers, Inc	MC21194-46	10/31/2022	\$ 25,697.50	
R&R Engineers/Surveyers, Inc	MC22208-02	11/30/2022	\$ 8,100.00	
Raw Land Detailing	34373	12/20/2022	\$ 350.00	
Raw Land Detailing	34207	10/20/2022	\$ 350.00	
Walker Schooler District Managers	7291	12/31/2022	\$ 2,457.50	
		TOTAL	\$ 244,921.14	

Mayberry Colorado Springs Community Authority

Project Fund Balance 1/1/23	1,776,896.67
1/15 Draw	(244,921.14)
Project Fund Balance After Draw	<u>1,531,975.53</u>



Mayberry Colorado Springs Metropolitan District No. 1
GENERAL FUND ACCOUNT

1/15/2023

Company	Invoice	Date	Amount	Comments
Stinar Zendejas Burrell & Wilhelmi	121622	12/16/2022	\$ 1,132.50	
Susemihl, McDermott & Downie	34992	12/31/2022	\$ 2,950.00	
WSDM District Managers	7292	12/31/2022	\$ 1,170.00	
		TOTAL	\$ 5,252.50	

Mayberry Colorado Springs MD#1 Director
