

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

CHEROKEE RIDGE ESTATES METROPOLITAN DISTRICT

Held: Wednesday, January 11, 2023
5731 Aspen Leaf Drive, Littleton, CO 80125
6:30 p.m.

Attendance

The regular meeting of the Board of Directors of the Cherokee Ridge Estates Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

John Cowan
Eduardo San
Garrett Silva
Bernd Sokolowski (via videoconference)

Absent: Sandy Ward (excused)

Also in attendance were Jeffrey E. Erb, Erb Law, LLC; and Irene Berest, Novele Community Management, Inc.

Call to Order

Director Cowan noted that a quorum of the Board was in attendance. The meeting was called to order at 6:31 p.m.

Disclosure Matters

The directors confirmed their continuing qualification to serve on the Board. The Directors reported that they had disclosed their interests as residents and/or owners of property located in the District. Written disclosures of these interests have been filed with the Secretary of State and the Board.

The Board reviewed the agenda for the meeting, following which each Board member had the opportunity to identify any additional conflicts. No additional conflicts were identified.

Public Comment Sign-in and Etiquette No members of the public were present.

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Approval of Meeting Minutes

The Board reviewed the minutes from the November 9, 2022 meeting. Upon motion made, seconded and unanimously carried, the minutes were approved as presented.

The Board reviewed the minutes from the December 2, 2022 meeting. Upon motion made, seconded and unanimously carried, the minutes were approved as presented.

Financial Matters

The Board reviewed the November expenses. Upon motion made, seconded and unanimously carried, the November expenses were approved and ratified.

The Board reviewed the December expenses. Upon motion made, seconded and unanimously carried, the December expenses were approved and ratified.

The Board discussed the status of water fee payments. Ms. Berest noted that as of the meeting date, only one account remained unpaid. The account owner partially paid their bill, and has communicated with Ms. Berest and the remainder of the payment should be received soon.

The Board reviewed the proposal from Darcy Beard, CPA to prepare the long-form exemption from audit. Upon motion made, seconded and unanimously carried, the proposal was approved as presented.

Ms. Berest confirmed that invoices will be processed every-other week beginning in 2023.

The Board reviewed the letter from the trustee for the District's bonds regarding calculating any arbitrage that may be owed. Mr. Erb will follow up with Zion Bank regarding this letter.

Mr. Erb noted that the annual septic report that was formerly sent to Tri-County Health was sent to various departments in Douglas County.

District Manager's Report

The Board reviewed the resolution adopting a Website Accessibility Policy with a goal to meet the State of Colorado accessibility requirements by the deadline of July 2024. The Board reviewed some of the basic requirements and Ms. Berest indicated that most of them could be easily accomplished, and she will track them for compliance going forward. Upon motion

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made, seconded and unanimously carried, the Board adopted the Resolution regarding Website Accessibility Policy.

Ms. Berest reported that letters were sent to the properties that used a very high amount of water in 2022 regarding their use and suggestions to reduce usage. A couple of the users noted that they had irrigation leaks in 2022, which have been repaired. The Board discussed the benefit of smart meters for tracking leaks and real-time water use.

Directors Reports

Director Cowan discussed the flooding issue at the front entrance irrigation well equipment vault. When the vault floods, it damages equipment in the vault which has to be repaired at a significant cost to the District. He discussed potential options to stop this from happening in the future, including a mechanical float to shut off the pump or device to cut off power. Upon motion made, seconded and unanimously carried, the Board approved up to \$400 for the purchase of parts to install the mechanical float and related equipment.

The Board discussed the dying and dead aspen trees on Aspen Leaf way, noting that aspen trees do not live very long at lower elevations but determining that aspens should be replanted in light of the name of the street. Director Silva will obtain a proposal for replacement of the trees.

The board discussed the upcoming meeting schedule for March and May. Upon motion made, seconded and unanimously carried, the Board determined to move the March meeting to March 15 and the May meeting to May 3.

The Board discussed the need for and replacement of the weathered and damaged stop signs in the community. Directors Cowan and Silva will research options for replacement of the signs for discussion at the next meeting.

The Board discussed the damage to some scrub oaks and trees caused by porcupines in the community. Director Silva will research options for trapping and relocation services.

Director Ward attended a presentation about funding available for broadband in unserved areas like the District. Funding from the federal government has been approved for projects in Colorado but has not yet been received. The District will continue tracking funding availability.

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Director Silva reported that the final touch ups to the front entrance staining will be completed once the weather warms up.

Director Silva reported that temporary lights have been installed on the portico with permanent lights to be installed once the weather improves.

Director San noted that proposals for detention pond silt removal should be available for review at the March meeting.

Director San reported that road repairs from 2022 appear to have been successful and the District may not need to perform any additional repairs in 2023.

Director Sokolowski reported that the Highlands Ranch Back County updated Site Improvement Plan application is moving through the county's process. The updated SIP largely asks for permission to perform the activities that are already occurring.

The appeal of the Brannon concrete plant approval is in process in Douglas County District Court. Final reply briefs are due in the next couple of weeks.

The Range Development project appears to be moving slowly, likely due to challenges obtaining water.

President's Corner

The Board discussed the updated rates for legal counsel for 2023. Upon motion made, seconded and unanimously carried, the updated rates were approved as presented.

The Board discussed potential changes to water billing for 2023, including the creation of an additional tier to penalize very-high water users. The Board discussed potential charges and tiers, their desire to promote water conservation, overall water use in the community, and smart meter usage. The Board determined to send a notice to the community about proposed water fee changes to be discussed at the March Board meeting. Mr. Erb will work with Ms. Berest and the Board on sending the notice before the meeting.

Attorney Report

Mr. Erb reported that December and January annual compliance filings were on-track.

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Two director seats will be available at the May 2023 director election. Calls for nomination will be provided in accordance with statute.

Mr. Erb presented annual conflict of interest disclosures to the Board for review and discussion.

Other Business

There was no other business.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 8:54 p.m.

Secretary for the Meeting