

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

CHEROKEE RIDGE ESTATES METROPOLITAN DISTRICT

Held: Wednesday, March 13, 2024
5660 Aspen Leaf Drive, Littleton, CO 80125
5:30 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
Sandy Ward

Also in attendance were Jeffrey E. Erb and Glory S. Schmidt, Erb Law, LLC, Irene Berest, Novele Community Management, Inc., and the following members of the public: DeAnn Ward, Ron, and Aimee.

Call to Order

Director Cowan noted that a quorum of the Board was in attendance. The meeting was called to order at 5:42 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.

Approval of Meeting Minutes

The Board reviewed the minutes from the January 10, 2024 regular District Board meeting. Upon motion made, seconded

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and unanimously carried, the minutes of the January 10, 2024 regular District Board meeting were approved as presented.

Financial Matters

The District Board reviewed a summary of the District's financials through the end of January and February, including the District's assets, general fund and debt service fund, and property tax collections. Upon motion made, seconded and unanimously carried, the financials were accepted as presented.

The District Board reviewed the District's expenses through the end of January and February. The District Board discussed keeping a snow log to track how often Iron Forge plows the snow to ensure they are paying them the correct amount of money. Ms. Berest reported that there is one homeowner who has not paid their water bill. The District Board directed her to keep following up regarding the unpaid amount as well as any late fees and interest. Upon motion made, seconded and unanimously carried, the expenses were approved and ratified as presented.

District Manager Report

Ms. Berest reported that the District's website must be ADA compliant by July 1, 2024 and that she received a proposal in the annual amount of \$1,680 from Streamline, who will ensure the District's website is ADA compliant by July 1, 2024. The District Board discussed the various requirements to ensure that its website is ADA compliant. The District Board also discussed what documents must be on the District's website. Director Cowan directed Mr. Erb to send him a list of all the documents the District must have on its website. Ms. Berest reported that Streamline needs 90 days to ensure the District's website is ADA compliant and therefore needs to be engaged by April.

The District Board discussed the Resolution Adopting an Accessibility Plan and Policy. The District Board discussed the possible location of the required notice that needs to be posted on its website stating that the District's website is ADA compliant. The District Board also discussed if any claims made related to the ADA compliance are covered under the District's insurance and inquired whether Mr. Erb could send the District Board another insurance contact so they could see options regarding insurance for ADA compliance claims.

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Upon motion made, seconded and unanimously carried, the District Board approved engaging Streamline to ensure its website is ADA compliant.

Upon motion made, seconded, and unanimously approved the District Board approved the Resolution Adopting an Accessibility Plan and Policy as amended.

The District Board then discussed workers' compensation insurance and reaching out to the Colorado Special District liability pool again to see what coverage they have for workers' compensation.

Director Reports

Director Cowan provided an update on the clean-up and re-mulch of the south entry pines.

Upon motion made, seconded and unanimously carried, the \$1,680 proposal from Chavez Construction to clean up and re-mulch the south entry pines, pending Director Cowan finding a less expensive and better alternative.

Director Cowan provided an update regarding the District's updated Rules and Regulations that was provided to the District's Board prior to the District meeting. Director Cowan explained that the updated Rules and Regulations will be easier to understand and more user-friendly. He explained that as soon as the Rules and Regulations are approved they will be sent to all homeowners within the District.

Upon motion made, seconded and unanimously carried, the updated Rules and Regulations were approved as presented.

Director Cowan provided an update on the progress of the water meter replacement project, noting that 5 Badger meters will be delivered in April with the remaining delivered in May for installation. The District Board discussed the installation process for property owners and Director Cowan noted that there should be no issues with installation and that the cellular endpoints have sufficient signal. The District Board discussed ownership of the Badger water meters, noting that the District owns the Badger water meter but will not own the second water meter if a homeowner chooses to have two water meters.

Lastly, Director Cowan reported that three homeowners are asking for a refund from the District due to their inaccurate

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water meters. All three homeowners had data suggesting their water meters have been historically reporting inaccurate readings. The District Board discussed that the District has the right to not modify any bills for inaccurate water meter readings. The District Board discussed the inaccurate water meter readings for all three homeowners and what would be fair to refund them.

Upon motion made, seconded, and unanimously approved the District Board approved a refund in the total amount of \$5,000 to be distributed among the three homeowners, based on how many years each of their water meters were inaccurate. Directors Cowan and Bernd abstained from this vote.

Director Silva presented on the Iron Forge snow plowing, indicating they had done a good job thus far. The District Board discussed directing Iron Forge to not plow snow into a bank by the portico. Director Silva clarified that if less than 3 inches of snow falls, Iron Forge does not plow.

Director Silva also reported on the status of the front entry lights and that he is looking for other franchises who will supply these lights as the current franchise was bought out. He also reported that the portico stain will be redone.

Director San reported that he did complete the grant submittal and he will look into applying for a second grant once the District is supplied with a new identification number. Director San also reported on the progress of the asphalt maintenance reporting that the District has received a bid from Chavez Construction to complete this work and that the District should get this work completed sooner rather than later.

Upon motion made, seconded, and unanimously approved the proposal in the amount of \$41,153.25 from Chavez Construction to complete the asphalt maintenance project was approved.

Director San also reported on the north fire cistern well vault erosion protection project stating that pavers should be installed, and he will look for a service provider.

Director Bernd discussed neighboring developments, including the status of the appeal related to the Chavez asphalt plant and that the appeal is scheduled for a hearing on May 14, 2024. He

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reported that the appellant is running low on funds to keep fighting in court. The District Board discussed that the District has already provided \$7,000 and that the Homeowners Association has provided \$5,000.

Upon motion made, seconded, and unanimously approved the District contributing another \$3,000, if needed, to be provided in the discretion of Director Sokolowski.

Attorney Report

Mr. Erb discussed the fire cistern well agreements he is preparing, explaining that he is drafting them so that the agreements run with the land.

Public Comment

There was a public comment regarding the equestrian school violating several Douglas County zoning laws. This member of the public reported that the equestrian school is self-reporting that they are conducting open fires, opening a school, and advertising several other things that are all violations of Douglas County laws. This equestrian school has not been compliant since 2022 and nothing has been done.

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 7:49 p.m.

Secretary for the Meeting