

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

## CHEROKEE RIDGE ESTATES METROPOLITAN DISTRICT

Held: Wednesday, May 3, 2023  
5731 Aspen Leaf Drive, Littleton, CO 80125  
6:30 p.m.

### Attendance

The special 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)  
Sandy Ward (via videoconference)

Absent: None.

Also in attendance were Jeffrey E. Erb, Erb Law, LLC; Irene Berest, Novele Community Management, Inc., and members of the public including Clint Curry, Bruno Kaelin, Laura DalPiaz, Monte Moore, and Vladamir Spina.

### Call to Order

Director Cowan noted that a quorum of the Board was in attendance. The meeting was called to order at 6:38 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.

# RECORD OF PROCEEDINGS

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Public Comment Sign-in and Etiquette

There was no public comment.

Approval of Meeting Minutes

The Board reviewed the minutes from the March 15, 2023 meeting. Upon motion made, seconded and unanimously carried, the minutes were approved as presented.

Addition of 2 New Lots in Cherokee Ridge Estates – Presentation and Public Input

Director Cowan provided an introduction to the discussion of the potential to add two new lots to Cherokee Ridge Estates. The two new lots would be near the front of the community and would be created within existing open space owned by the District. If the lots were created, the District would sell the lots and use the proceeds to accelerate the retirement of the District's current bond and/or use the proceeds for future road projects, reducing the amount of funds needed from other sources, including a potential new loan. Director Cowan provided further background regarding the past loss of two lots in the District due to the merging of two lots with existing lots, that the new lots would return the District to a total of 44 lots, which is the amount originally intended under the District's water decree, and that the additional homes would not reduce the area of unbuilt acreage beyond what was originally planned for the initial 44 lots. Director Cowan summarized the process for creating the lots, which would require an engineer/survey and a review and approval process with Douglas County. Director Cowan also reviewed the potential tax revenue that the District is expected to receive in the future, limits on tax collection, and the use of water fees.

Public comment was provided regarding the proposal, including:

- Concerns about losing public open space
- The potential for additional lots to merge in the future, reducing the District's property tax revenue
- The potential sales price of the new lots and comparison of that price to the cost of existing lots
- The impact to the lots neighboring the proposed new lots
- The potential to create just one new lot instead of two
- Other locations for the new lots
- Installation of utilities to serve the new lots
- Impact to the value of existing homes
- Noise at the new lots from Santa Fe and the railroad

# RECORD OF PROCEEDINGS

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- Additional development within the community considering the additional development expected adjacent to the community.

Additional discussion occurred regarding these items, the neighboring “The Range” development and the potential for an asphalt plant to be built near the District.

Following additional discussion, upon motion made, seconded and unanimously carried, the Board determined not to move forward and to table this item indefinitely.

## Financial Matters

The Board reviewed the expenses through the end of March. Upon motion made, seconded and unanimously carried, the expenses were approved and ratified.

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

The Board noted the availability of safety and loss prevention funds from the Special District Association Property and Liability Insurance Pool, which funds can be used to help pay for the new traffic signs in the District.

## District Manager’s Report

Ms. Berest reported that website updates are still underway, to be completed by the compliance deadline.

Letters to the highest water users have been sent, with a response requested by May 30. Ms. Berest will send a follow-up letter before the deadline.

Upon motion made, seconded and unanimously carried, the Board approved the costs for the printing and mailing of the community directory.

## Directors Reports

The dead and dying aspen trees at the front entrance were removed and the new honey locust trees were installed.

The new Stop signs have been delivered and will be installed in the next few weeks. The Board discussed purchasing and installing additional traffic safety signs. Upon motion made,

# RECORD OF PROCEEDINGS

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seconded and unanimously carried, the purchase and installation of the additional traffic safety signs was approved.

The Board reported on the repairs to the front entry irrigation vault, which includes replacement of the water meter and backflow. Upon motion made, seconded and unanimously carried, the Board approved the expenditure for these repairs of \$909.

The Board discussed replacing the bulbs in the existing front entry lights. Upon motion made, seconded and unanimously carried, an expenditure of up to \$425 was approved for the light bulbs.

The Board noted that it will seek a new contractor for snow removal for the upcoming winter.

The front entry portico staining touch-ups should be completed by the end of May, weather permitting.

The new front entry lights should be installed by the end of the week of the 8<sup>th</sup>, with training on how to program the lights to take place following installation.

The Board reviewed a proposal for the removal of silt from various detention ponds and culverts in the District. Upon motion made, seconded and unanimously carried, the proposal with E-21 Construction was approved with oversight of the work by Directors Cowan and San, subject to execution of the District's contract.

The Board reviewed a proposal from Chavez Construction for crack sealing of the District's roads. The Board noted that this work will include sealing the cracks between the road and driveways, and that the contractor has been instructed to use care when doing this work to minimize crack seal on the driveways. Sand will also be added to the top of the crack seal to reduce the chance that the crack seal will adhere to vehicle tires when entering the driveways. Upon motion made, seconded and unanimously carried, the Board approved up to \$20,000 for crack sealing, subject to execution of the District's contract. Director's Cowan and San will work with Chavez regarding the work.

# RECORD OF PROCEEDINGS

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An update was provided regarding the application for construction of an asphalt plant on Sante Fe near the District. The District, in cooperation with the Homeowner's Association, submitted a response to the application raising significant concerns with the proposal and stating that it does not support the plant.

The timing for the receipt of any broadband grants is uncertain. The District will continue to monitor this option.

## President's Corner

The Board discussed the potential for a community appreciation social event. Upon motion made, seconded and unanimously carried, the Board approved up to \$1,000 for food for the event, with a committee formed to explore dates and locations.

## Attorney Report

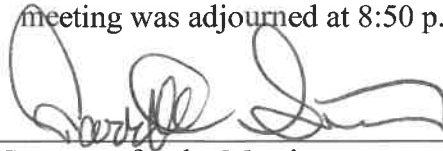
Mr. Erb reported that the May election activities are completed and Directors Cowan and San were re-elected for an additional four years.

## Other Business

The Board noted that there was an issue with an off-leash dog biting another homeowner. This issue is being resolved between the parties.

## 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 8:50 p.m.



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Secretary for the Meeting