CHEROKEE METROPOLITAN DISTRICT
RESOLUTION 2026-02
2026 ANNUAL ADMINISTRATIVE RESOLUTION

At a regular meeting of the Board of Directors of the Cherokee Metropolitan District, El Paso County, Colorado, held at 6250 Palmer Park Boulevard, Colorado Springs, Colorado at 5:30 p.m. on Tuesday, January 20, 2026, the following Directors were present:

Dan Wall – President
Kim Hale –Treasurer
Jeff Bandy – Secretary
Logan Hutchinson – Director

Also present were Kevin Brown, General Manager; Julie Wells, Accountant; Joshua Watkins, Wastewater Supervisor/ORC; and Joan Fritsche, Attorney, Fritsche Law LLC.

It was moved by Director Wall to adopt the following Resolution and ratify actions taken in connection herewith:

RECITALS

A. The Cherokee Metropolitan District (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and operating pursuant to the Special District Act, § 32-1-101, *et seq.*, C.R.S.

B. The Board of Directors of the District (the "Board") has a duty to perform certain obligations in order to assure the efficient operation of the District.

C. Each Director may receive compensation for the Director's service per meeting attended. § 32-1-902(3)(a)(II), C.R.S.

D. The District is required to publish certain legal notices in a newspaper of general circulation in the District. § 32-1-103(15), C.R.S.

E. The Board is required to meet regularly at a time and in a place to be designated by the Board. § 32-1-903(1), C.R.S.

F. The Board has a duty at its first regular meeting of the calendar year to designate a public posting place within the boundaries of the District for notices of meetings, in addition to posting notices on a website or other official online location, and notices are required to be posted at least 24 hours prior to a regular or special Board meeting. § 32-1-903(1) and § 24-6-402(2)(c)(III), C.R.S.

G. Metropolitan Districts organized after December 1, 2000 that have residential units are required to hold an Annual Meeting to provide a presentation on the status of the public

infrastructure projects within the District and outstanding bonds, if any; a review of unaudited financial statements for that calendar year; and to provide an opportunity for members of the public to ask questions about the District. No official action may take place at the Annual Meeting.

H. The Board is given authority to obtain insurance for the District and its Directors against liability for injuries for which the District may be liable under the Governmental Immunity Act. § 24-10-115, C.R.S.

I. The District is required to obtain an individual, schedule or surety bond in an amount of no less than $1,000 per Director and $5,000 for the Board Treasurer, and to file the bond or certificate of insurance with the District Court and the Division of Local Government. §§ 32-1-901(2) and 902(2), C.R.S.

J. The District is required to file a current, accurate map of its boundaries and shall provide for such map to be on file with the County Assessor and County Clerk and Recorder, and the Division of Local Government on or before January 1 of each year. § 32-1-306, C.R.S.

K. The District is required to provide notice to the eligible electors of the District between November 16 and January 15 of the subsequent year ("Transparency Notice"), pursuant to § 32-1-809, C.R.S. The Transparency Notice is required to contain the following information:

- The address and telephone number of the principal business office;
- The name and business telephone number of the manager or other primary contact person;
- The names of and contact information for members of the board, the name of the board chair, and the name of each member whose office will be on the ballot at the next regular special district election;
- The times and places designated for regularly scheduled meetings of the board during the year, and the place where notice of board meetings is posted;
- The current mill levy, and total ad valorem tax revenue received during the last year;
- The date of the next regular special district election of board members;
- The procedure and time to submit a self-nomination form for election to the board;
- Information on the procedures to request permanent absentee voter status; and
- The address of any website on which the special district's election results will be posted.

Said notice shall be filed with the Division of Local Government, Board of County Commissioners, County Assessor, County Treasurer and County Clerk and Recorder of each county in which the special district is located, and with the governing body of any municipality in which the special district is located, and shall be provided to electors in one or more of the following ways:

- Mailing the notice separately to each household where one or more eligible electors of the special district resides;
- Including the notice as a prominent part of a newsletter, annual report, billing

statement, letter, voter information card or other notice sent by the special district to the eligible electors;

- Posting the information on the official website of the special district if there is a link to the district's website on the official web site of the Division of Local Government;
- For any district that is a member of the Special District Association, by mailing or electronically transmitting the notice to the Special District Association, which shall post the notice on its website.

L. The District's official website is required to be maintained in accordance with the current Colorado Technology Accessibility Rules.

M. The Board is required to hold a duly noticed public hearing on proposed budgets and amendments, to adopt budgets, and to file copies of the budgets and amendments, pursuant to Local Government Budget Law of Colorado. §§ 29-1-101, *et seq.*, C.R.S.

N. Issuers of nonrated public securities must file an annual report with the Department of Local Affairs pursuant to the Public Securities Information Reporting Act. §§ 11-58-101, *et seq.*, C.R.S.

O. The District must record a Special District Disclosure Document and a map of the boundaries of the District with the County Clerk and Recorder at the time of recording any decree or order organizing a special district or including additional property in a special district. § 32-1-104.8, C.R.S.

P. If expenditures and revenues of the District are not in excess of $200,000, the District may file an application for an exemption from audit with the State Auditor or, if expenditures and revenues of the District are at least $200,000 but not more than $1 Million the District may file an exemption from audit with the State Auditor in accordance with § 29-1-604, C.R.S., or the governing body of the District shall cause to be made an annual audit of the financial statements for each fiscal year in accordance with § 29-1-603, C.R.S.

Q. The Unclaimed Property Act, §§ 38-13-101, *et seq.*, C.R.S. requires that governmental subdivisions, if applicable, file an annual report listing unclaimed property with the State Treasurer.

R. Elections may be held pursuant to the Special District Act and the Colorado Local Government Election Code, for the purpose of 1) electing members of the District's Board of Directors; 2) to present certain ballot issues to the eligible electors of the District as required by Article X, § 20 of the Colorado Constitution; and 3) to present certain ballot questions to the eligible electors of the District.

S. The District is required to notify the Division of Local Government of the results of any elections held by the District. § 1-13.5-1305(1), C.R.S.

T. Directors are governed by § 32-1-902(3), C.R.S., which requires such director to disqualify himself or herself from voting on an issue in which he or she has a conflict of interest

unless the director has properly disclosed such conflict in compliance with law.

U. The Board is required to elect officers, including a Chairman of the Board and President of the District, a Treasurer of the Board and District, and a Secretary, who may be a member of the Board. § 32-1-902, C.R.S.

V. The Board desires to continue engagement of general counsel for the District to assist with providing legal services and to assist with the operation of the District.

W. The Board desires to continue engagement of water counsel for the District to provide legal services for water matters affecting the District.

X. The Board desires to continue engagement of an accounting firm to provide advisory and accounting services to the District.

Y. Concerning the public records of the District, § 24-72-202(2), C.R.S., defines "Official Custodian" to mean and include any officer or employee of the state, of any agency, institution, or political subdivision of the state or of any local government-financed entity who is responsible for the maintenance, care, and keeping of public records, regardless of whether the records are in his or her actual personal custody and control.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CHEROKEE METROPOLITAN DISTRICT, COUNTY OF EL PASO, COLORADO AS FOLLOWS:

1. The Board determines that each director shall receive, as compensation for services as directors, the sum of $100 per meeting in an amount not to exceed the maximum compensation allowed by statute.

2. The Board designates the *Ranchland News* as the newspaper of general circulation within the boundaries of the District for publication of all legal notices.

3. The Board determines to hold regular meetings on the third Tuesday of each month at 5:30 p.m. Meetings will be conducted as hybrid meetings, with attendees able to attend either in person or remotely via Zoom. The physical meeting location shall be 6250 Palmer Park Boulevard, Colorado Springs, Colorado. Regular and special meeting notices shall be posted on the District's website: www.cherokeemetro.org

4. The Board designates the front window at 6250 Palmer Park Boulevard, Colorado Springs, Colorado, which is within the boundaries of the District, as the emergency physical 24-hour posting place for meeting notices in the event the District's website is unavailable.

5. The District is not required to hold Annual Meetings because it was organized prior to January 1, 2000.

6. The Board directs District Staff to obtain and maintain insurance for the District, to

insure the Directors acting within the scope of employment by the Board against all or any part of such liability for an injury; to insure against the expense of defending a claim for injury against the District or its Board and to maintain bonds or equivalent insurance coverage as required by §§ 32-1-901(2) and 902(2), C.R.S., in an amount of no less than $1,000 per Director and $5,000 for the Board Treasurer. The Board directs general counsel to file the bond or certificate of insurance with the District Court and the Division of Local Government, when necessary. The Board will annually review all insurance policies in effect.

7. The Board directs the General Manager to prepare an accurate boundary map and to work with general counsel to file the boundary map, as specified by the Division of Local Government, with the Division as may be required by statute.

8. The Board directs District Staff to work with general counsel to prepare the Notice to Electors (Transparency Notice) and file copies with the governing body of the municipality in which the District is located, the County Assessor, Treasurer, Clerk and Recorder and the Division of Local Government.

9. The Board directs District Staff to maintain the District's website in accordance with the current Colorado Technology Accessibility Rules and to periodically update the website with the following information found in C.R.S. § 32-1-104.5, although not required for Districts formed prior to 2000:

- The names, terms, and contact information for the current directors (homepage);
- Current fiscal year budget and any amendments to the budget;
- The prior year's audited financial statements, or an application for exemption from an audit prepared in accordance with the Colorado Local Government Audit Law;
- A Call for Nominations pursuant to §1-13.5-501 (1), C.R.S., when applicable (homepage);
- Not more than thirty days after an election, certified election results for an election held within the current fiscal year;
- Current map depicting the boundaries of the district;
- No less than 24 hours prior to each meeting, the Meeting Notice containing the agenda and information required by Section 24-6-402 (2)(c)(III), C.R.S.
- The date, time, and location of the Annual Meeting (home page);
- The date, time, and location of scheduled regular meetings (home page);
- The names of the governmental entities that overlap the District's boundaries (home page);
- Information regarding the system or process for contacting someone associated with the District during normal business hours, and outside of regular business hours in an emergency (home page);
- The name of the county or municipality with which the District must file its annual report; and
- A general explanation of what a metropolitan district is, the public improvements and services it provides, the amount of debt it can incur to provide and pay for public infrastructure, what revenue may be used to repay such debt, the maximum

mill levy it may assess to repay debt, and how a resident can serve on the Board of Directors.

10. The Board designates the District Accountant to serve as the budget officer, and to work with the General Manager to prepare and submit a proposed budget to the Board by October 15th for the following year, and, in cooperation with general counsel, to schedule a public hearing on the proposed budget; to prepare a final budget, budget resolutions and amendments to the budget, if necessary; to certify the mill levy on or before December 15; and to file the approved budget and amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law of Colorado.

11. The Board directs the District's Chief Financial Officer to cause to be prepared for filing with the State an audit of the financial statements by June 30th to be filed with the State Auditor by July 31st.

12. The Board directs the District's Chief Financial Officer to prepare and file the annual public securities report for nonrated public securities issued by the District, with the Department of Local Affairs on or before March 1st, if applicable.

13. The Board directs the District's Chief Financial Officer to prepare the Unclaimed Property Act report and forward the report to the State Treasurer by November 1st, if applicable.

14. The Board directs the General Manager to provide the Disclosure Document and a map of the District's boundaries to the County Clerk and Recorder, for recording, if applicable.

15. The Board hereby appoints Wayne Williams as the "Designated Election Official" of the Board for any elections to be held during 2026 pursuant to the authority set forth in § 1-1-111, C.R.S. The Board hereby grants all powers and authority for the proper conduct of the election to the Designated Election Official, including but not limited to appointing election judges, appointing a canvass board and cancellation, if applicable, of the election. The Board deems it expedient for the convenience of the electors that it shall conduct all regular and special elections of the District via a mail ballot election unless a polling place election is deemed necessary and expressed in a separate election resolution.

16. The Board directs the General Manager to prepare and file with the governing body of the municipality that has adopted a resolution of approval of the District, if requested, the quinquennial finding of reasonable diligence.

17. If requested, the Board directs the General Manager to prepare and file the special district annual report with the Division of Local Government and State Auditor and shall further deposit a copy of such report with the El Paso County Clerk and Recorder.

18. The Board has elected the following officers, to serve until the next regular election:

Dan Wall – President
Kim Hale –Treasurer
Jeff Bandy – Secretary

Bonnie Hunter – Director
Logan Hutchinson – Director

19. The District Directors are homeowners/residents of the District. The Board has determined that general counsel will, when necessary, file conflict of interest disclosures provided by Directors with the Secretary of State no less than 72 hours prior to a meeting of the Board. In addition, written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S., shall be deemed filed with the Board of Directors of the District when filed with the Secretary of State.

20. The Board acknowledges adoption of an indemnification resolution.

21. The Board continues the engagement of Fritsche Law LLC as general counsel for the District.

22. The Board continues the engagement of Lyons Gaddis, P.C. as legal counsel for District water matters.

23. The Board continues the engagement of CliftonLarsonAllen LLP to provide advisory and accounting services for the District.

24. The Board designates the General Manager to serve as the official custodian of public records and directs compliance with the Colorado Special District Records Management Manual.

WHEREUPON, the motion was seconded by Dir. Hale and upon vote, unanimously carried. The Chairman declared the motion carried and so ordered.

[Signature Page Follows]

ADOPTED AND APPROVED THIS 20th DAY OF JANUARY, 2026.

CHEROKEE METROPOLITAN DISTRICT

By: _____
Dan Wall, President

Attest:

_____
Jeff Bandy, Secretary