CHEROKEE METROPOLITAN DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

MINUTES – JULY 21, 2026

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, July 21, 2026 at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

Board of Directors Present: Dan Wall, Kim Hale, Jeff Bandy, Jeremy Atkinson

Absent: Dolly Letriz

CMD Staff Present: Kevin Brown, General Manager; Joshua Watkins, Wastewater Supervisor/ORC

Others Present: Joan Fritsche, Fritsche Law LLC; Mark Fontana, World Golf; members of the public.

ITEM 1: Call to Order

The meeting was called to order by Director Wall at 5:31 p.m. A quorum of the Directors was present and there were no changes to Directors' qualifications or disclosures. Those in attendance were asked to stand and cite the Pledge of Allegiance.

ITEM 2: Review and Approval of the Agenda

A. Addendums/Amendments to Agenda

The agenda was reviewed for any changes. Mr. Brown requested the following changes to the agenda: New Business, item 7.D "Tank 5 Easement Formalization" moved to Executive Session item D; and an additional New Business section added following the Executive Session.

MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR BANDY, TO APPROVE THE AGENDA AS AMENDED. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.

ITEM 3: Public Comment

None.

ITEM 4: Consent Agenda

Items on the Consent Agenda:

A. June 16, 2026 Regular Meeting Minutes

B. June 23, 2026 Special Board Meeting and Parks Study Session Minutes
C. June 26, 2026 Special Board Meeting Minutes

MOTION: DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR HALE, TO APPROVE ITEMS A-C ON THE CONSENT AGENDA. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.

ITEM 5: Financial Report

A. June 2026 Financial Report

Mr. Brown reviewed the June 2026 Financial Report. The Board had no additional questions.

MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR ATKINSON, TO ACCEPT THE JUNE 2026 FINANCIAL REPORT AS PRESENTED. MOTION PASSED UNANIMOUSLY.

B. 2nd Quarter Budget Review

Mr. Brown presented the 2nd Quarter Budget Review, including a brief review of the overall budget status, general fund, parks fund, water and wastewater revenue and expenses and the golf course. The Board had no additional questions.

ITEM 6: Unfinished Business

A. CMD – Fontana World Golf Water Service Agreement

Mr. Brown noted the District has a long-standing Water Service Agreement with Fontana Enterprises, Inc. (World Golf), which originally expired June 1, 2025. The term of the Water Service Agreement was extended until July 31, 2026 to allow the parties time to negotiate and enter into a new Water Service Agreement. The new Agreement reflects the Augmentation Plan and changes in circumstances since 2010.

MOTION: DIRECTOR ATKINSON MOVED, SECONDED BY DIRECTOR BANDY, TO APPROVE THE WATER SERVICE AGREEMENT BETWEEN THE DISTRICT AND FONTANA ENTERPRISES, INC. FOR A PERIOD OF TWENTY (20) CONSECUTIVE ANNUALLY RENEWING ONE-YEAR TERMS, WITH THE FIRST TERM EXPIRING MAY 31, 2027. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.

ITEM 7: New Business

A. PCL Construction PFAS Treatment Facility CMAR Contract

Mr. Brown reviewed the Preconstruction Services Agreement with PCL Construction and noted the agreement corresponds to the Notice of Award approved on June 26, 2026. There were seven bidders for the project. PCL requested a few minor changes to the District's standard agreement. Ms. Fritsche reviewed and approved the requested changes.

MOTION: DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR ATKINSON, TO APPROVE THE PRECONSTRUCTION SERVICES AGREEMENT FOR THE PFAS WATER TREATMENT FACILITY PROJECT BETWEEN THE DISTRICT AND PCL CONSTRUCTION, INC. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.

B. Hazen & Sawyer Engineers Updated MSA

Mr. Brown reviewed the updated Master Agreement for Services with Hazen and Sawyer, D.P.C. for design of the pipeline component of the PFAS Treatment Plant Design Project. There were six bidders for the project. The District currently has an MSA with Hazen and Sawyer, but a few minor changes were requested, which were reviewed and approved by Ms. Fritsche.

MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR HALE, TO APPROVE THE MASTER AGREEMENT FOR SERVICES BETWEEN THE DISTRICT AND HAZEN AND SAWYER, D.P.C. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.

C. CMD Front Desk Hours

The District's front desk team has proposed moving their shifts to a "4-10" schedule similar to the District operations team. Under this schedule the front desk would be open Monday to Thursday, 7:00 a.m. to 5:30 p.m. (or 7:00-6:00) instead of the current Monday-Friday, 8:00 a.m. to 5:00 p.m. Mr. Brown asked if the Board had any concerns with the proposed change. Board discussion followed regarding a trial period for the new schedule and notifying customers of the change. Mr. Brown will look into the issue further and provide more information to the Board at the next meeting.

D. Tank 5 Access Easement Formalization

This item was moved to Executive Session item D.

E. September Board Meeting Date

Mr. Brown noted the SDA Annual Conference is scheduled for September 15-17th, and the next regular meeting date is September 15th. Board discussion followed and the consensus was to move the September Board meeting to Thursday, September 17, 2026 at 5:30 p.m.

ITEM 8: Staff Reports

Mr. Brown presented his Manager's Report. He updated the Board on the progress of several items discussed during the Parks Study Session, including preparing a draft of the community survey and discussions with several polling firms. Board discussion followed. Mr. Brown will provide additional information on survey costs at the next Board meeting. Mr. Brown reviewed the potential cost of repairs to resume irrigation on the Springside/Constitution frontage. Discussion followed.

Mr. Brown updated the Board on a meeting he had with the State Forest Service regarding how the Service may be able to help the District maintain and expand tree coverage in District parks. The meeting was very productive and Mr. Brown is exploring having the State Forest Service conduct a tree survey in 2027. The survey would also identify areas to plant trees and recommend varieties that are best suited to thrive in those locations long-term.

Mr. Brown provided an overview of the current drought conditions and District water usage. The District is in a good position to provide water through the end of the year. He will keep the Board updated. Watering restrictions are not anticipated for 2026; however, this will be discussed at the August Board meeting.

Mr. Brown briefly discussed the District's safety programs and noted the District's new Safety Coordinator has made some valuable changes to safety regulations, including investing in heat and sun safety items and moving the electrical safety program forward. By the end of the year, all District employees who work on electrical systems will have third party testing and certification. She has also engaged with regional emergency response agencies and SSFB emergency response to ensure the District is included in regional disaster response planning and started work on improving disaster readiness at District facilities.

Mr. Brown provided an update on capital projects. The PFAS Treatment Plant project design is proceeding well, with no major concerns.

Mr. Brown provided an update on recent developments related to the Tank 5 project. The project is on hold until City Council approval in August. The contractors still hope to finish this fall but the schedule will be finalized after City approval. The access easement will be discussed further during Executive Session.

The Bioreactor Covers Project is fully under construction after material deliveries over the last few months. One bioreactor is offline and the Moltz team are building in that basin. Construction is currently on track to be finished this fall.

The District made the final payment under the Poleson Well Purchase Agreement signed in 2022. After the decree was finalized in May, the District had three months to final purchase price accounting and provide the funds to the seller. This was accomplished and as of July 2nd, the District has title to 72 acre-feet of renewable, exportable water.

There were no additional questions from the Board.

ITEM 9. Executive Session

MOTION: **DIRECTOR ATKINSON MOVED, SECONDED BY DIRECTOR HALE, TO GO INTO EXECUTIVE SESSION PURSUANT TO SECTION 24-6-402(4)(B), C.R.S., FOR A CONFERENCE WITH THE DISTRICT'S ATTORNEY REGARDING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS; SECTION 24-6-402(4)(E), C.R.S., DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS,**

DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS; AND SECTION 24-6-402(4)(A), C.R.S., REGARDING THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY REAL, PERSONAL, OR OTHER PROPERTY INTEREST. NO FORMAL ACTION OR VOTING WILL TAKE PLACE IN THE EXECUTIVE SESSION.

A. Rate Study Proposals
B. Service Area Expansion Evaluation Update
C. Ellicott Pipeline Easement Acquisition Update
D. Tank 5 Access Easement

There was a short break from 7:20 – 7:30 p.m. before the Executive Session convened. The Directors, Mr. Brown and Ms. Fritsche attended the Executive Session.

MOTION: **DIRECTOR WALL MOVED, SECONDED BY DIRECTOR HALE, TO COME OUT OF EXECUTIVE SESSION AT 8:08 P.M. MOTION UNANIMOUSLY PASSED.**

ITEM 10: New Business (continued)

A. Tank 5 Access Easement

MOTION: **DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR ATKINSON, TO AUTHORIZE THE DISTRICT'S GENERAL MANAGER AND GENERAL COUNSEL TO COMPLETE NEGOTIATIONS FOR AN ACCESS EASEMENT WITH TAMLIN STORAGE, LLC AND WOODMEN HILLS METROPOLITAN DISTRICT, WITHIN THE TERMS PRESENTED BY THE GENERAL MANAGER; AND TO AUTHORIZE BOARD PRESIDENT WALL TO SIGN THE ACCESS EASEMENT AGREEMENT ONCE NEGOTIATIONS ARE COMPLETE. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.**

ITEM 11. Adjournment

There being no further business to come before the Board, the meeting adjourned at 8:15 p.m.

Jeff Bandy, Secretary

Attorney Fritsche certified for the record that the Executive Session was not recorded, as the matters discussed in Executive Session constituted privileged attorney-client communications.

Joan M. Fritsche, Esq.