

**CHEROKEE METROPOLITAN DISTRICT**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**

MINUTES – FEBRUARY 17, 2026

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, February 17, 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

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

Others Present: Joan Fritsche, Fritsche Law LLC; Robert Hernandez, Parks Committee; 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

The agenda was reviewed for any changes. Mr. Brown noted the firm that prepares the District's audit has changed its name from Stockman, Kast & Ryan to Sorren CPAs, P.C. Director Hale requested the Board consider changing the date of the May Board meeting. Board discussion followed.

**MOTION: DIRECTOR HALE MOVED, SECONDED BY DIRECTOR ATKINSON, TO APPROVE THE AGENDA AS AMENDED TO: UPDATE THE AUDITING FIRM NAME IN AGENDA ITEM 7(A) TO "SORREN CPAS, P.C."; TO ADD ITEM 7(D) – "MAY MEETING DATE"; TO ADD "PARKS COMMITTEE" TO THE EXECUTIVE SESSION AS ITEM (E); AND TO ADD ITEM 11(B) – "PARKS COMMITTEE DISCUSSION." ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.**

ITEM 3: Public Comment

None.

ITEM 4: Consent Agenda

Items on the Consent Agenda:

- A. Accept Director Hutchinson Resignation
- B. January 20, 2026 Regular Meeting Minutes
- C. February 9, 2026 Special Meeting Minutes
- D. Caldwell Construction MSA (Unmodified MSA)

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

**ITEM 5: Financial Report**

- A. January 2026 Financial Report

Ms. Wells reviewed the January 2026 Financial Report. Ms. Wells and Mr. Brown reviewed the new format of the Cash Position schedule, which now reflects the transactions for each fund for the month of the report. Discussion followed. Board consensus was to continue using the new form of the Cash Position schedule. The Board had no additional questions.

~~**MOTION: THE BOARD APPROVED THE JANUARY 2026 FINANCIAL REPORT.**~~

**ITEM 6: Unfinished Business**

- A. Consider Eastridge Ballfield Timberline Landscaping Proposal

Mr. Brown noted two parks projects were included in the District’s 2026 Budget. First is the Eastridge Ballfield infield rebuild. The District received three bids for this project. Timberline Landscaping had the most competitive bid, has good experience with this type of project, and confirmed the dimensions for the baseball and softball fields. Mr. Brown requested the Board approve the bid from Timberline Landscaping. The District originally budgeted \$85,000 for this project. Board discussion followed regarding use of the fields.

**MOTION: DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR ATKINSON, TO APPROVE THE BID FROM TIMBERLINE LANDSCAPING IN THE AMOUNT OF \$84,770 FOR THE EASTRIDGE BALLFIELD PROJECT. DISCUSSION FOLLOWED REGARDING THE TIMELINE FOR COMPLETION OF THE PROJECT. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.**

- B. Consider Plower Court Erosion Timberline Landscaping Proposal

Mr. Brown reviewed the parcel of property owned by the District along Plower Court in the Claremont Ranch neighborhood. The County notified the District it needs to address soil erosion from the parcel that is entering the adjacent roadway. Staff researched options and received two bids for the project. Mr. Brown requested the Board approve the bid from Timberline Landscaping. Board discussion followed on the specifics and scope of the project and comments/concerns from

the residents of the neighborhood.

**MOTION: DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR HALE, TO APPROVE THE BID FROM TIMBERLINE LANDSCAPING IN THE AMOUNT OF \$34,961 FOR THE PLOWER COURT EROSION PROJECT. ALL IN FAVOR. MOTION PASSED UNANIMOUSLY.**

**ITEM 7: New Business**

A. Sorren CPAs - Auditors Engagement Letter

Mr. Brown presented the engagement letter from Sorren CPAs, P.C. Mr. Brown noted the District has worked with this firm for many years and confirmed the deadline for completing the District's audit.

**MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR HUTCHINSON, TO APPROVE THE ENGAGEMENT LETTER WITH SORREN CPAS, P.C. FOR PREPARATION OF THE DISTRICT'S 2025 AUDIT. MOTION PASSED UNANIMOUSLY.**

B. Blackhawk Equipment Company MSA (Air Compressor Service)

Mr. Brown presented the Master Services Agreement with Blackhawk Equipment Company, a vendor that provides air compressor services at the District's facilities.

**MOTION: DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR ATKINSON, TO APPROVE THE MASTER SERVICES AGREEMENT WITH BLACKHAWK EQUIPMENT COMPANY. MOTION PASSED UNANIMOUSLY.**

C. Precision Electrical MSA

Mr. Brown presented the Master Services Agreement with Precision Electric and Control.

**MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR BANDY, TO APPROVE THE MASTER SERVICES AGREEMENT WITH PRECISION ELECTRICAL AND CONTROL. MOTION PASSED UNANIMOUSLY.**

D. Consider Employee Handbook Revisions

Mr. Brown noted the District's updated Employee Handbook was approved in January. Changes to the overtime accrual process caused unintended consequences. To address this, the section was revised to divide time away from work into two categories: voluntary and involuntary. The proposed revisions bring the policy in line with the District's previous practices.

**MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR ATKINSON, TO APPROVE THE CHANGES TO SECTION 4.03 OF THE EMPLOYEE HANDBOOK – OVERTIME/WORK PERIOD, RETROACTIVE TO JANUARY 1, 2026. MOTION PASSED UNANIMOUSLY.**

E. Bioreactor Covers Construction Contract

Mr. Brown reviewed the history of the Bioreactor Cover project and noted this is one of the District's largest capital improvements projects budgeted for this year. The bioreactor covers will cover the District's wastewater basins to protect them from tumbleweeds, dust and debris and to provide temperature regulation, which improves efficiency. The requested Change Order is within the amount budgeted. The covers are expected to be in place by the fall.

**MOTION: DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR HALE, TO APPROVE CHANGE ORDER NO. 001 TO THE PROGRESSIVE DESIGN-BUILD CONTACT WITH MOLTZ CONSTRUCTION, INC. IN THE AMOUNT OF \$3,075,521.00 AND TO ADD 145 DAYS TO THE ORIGINAL CONTRACT TIME. MOTION PASSED UNANIMOUSLY.**

F. Discuss Board Vacancy

The Board discussed the current vacancy on the Board of Directors and timing for filling the vacancy. Consensus was to post an updated Notice of Vacancy on the District website, with Letters of Interest due by 5:00 p.m. on March 4<sup>th</sup>.

G. May Board Meeting

The Board discussed moving the date of the May Board meeting.

**MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR HALE, TO MOVE THE MAY BOARD MEETING TO MAY 20, 2026 AT 5:30 P.M. MOTION PASSED UNANIMOUSLY.**

**ITEM 8: Staff Reports**

Mr. Brown presented his Manager's Report. Two full billing cycles have been completed with the new payment processor. More customers have enrolled in auto-pay than with the previous processor, and fewer paper bills are mailed. Mr. Brown thanked the front desk staff for all their help in educating customers on the change.

Mr. Brown provided an update on capital projects. AE2S continues to work on portions of the PFAS Treatment Facility project, including providing an initial facility layout. District staff and the AES2 team completed and submitted the application for Tier 1 grant funding under the state's Emerging Contaminants in Small and Disadvantaged Communities grant program.

The WRF solids handling project is nearing substantial completion.

The bid process for general contractors for the Tank 5 project began last week.

The contractor for Lift Station 1B has not yet requested final completion and a number of checklist items remain outstanding. Staff hopes this project will be wrapped up in the coming months.

Mr. Brown provided an update on Mountain View Electrical Association (MVEA) rates. The District spends just over \$1,000,000 each year in electric costs, with approximately 70% paid to MVEA and 30% paid to the City. MVEA announced an 8% rate hike across the board, in addition to the anticipated “time of day” rates expected to be announced in May. Mr. Brown noted the District may be able to save money on electric charges by moving power usage to less expensive times of day, where possible. Board discussion followed.

There were no additional questions from the Board.

ITEM 9:            Parks Committee Report

A. February Parks Committee Report

Mr. Hernandez, Co-Chair of the Citizens Parks Committee, noted the Committee is working on a proposed “Charter” to identify District responsibilities and Committee responsibilities. Mr. Hernandez discussed the proposed QR Code to post at parks for citizens to notify the District of needed maintenance issues and provide suggestions. Mr. Hernandez suggested bike racks be installed at the Eastridge, Pronghorn and Westridge parks. The cost of each bike rack is approximately \$382. Discussed installing fencing around the ballparks once infield repairs are complete and replacing signage at the parks. The next Committee meeting is March 7<sup>th</sup> at 9:00 a.m. at Eastridge Park.

ITEM 10.        Executive Session

**MOTION:        DIRECTOR BANDY MOVED, SECONDED BY DIRECTOR ATKINSON, 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. PFAS Treatment Site Acquisition Update
- B. Meridian Service Metropolitan District Intergovernmental Agreement Discussion
- C. Cherokee Water LLC Discussion
- D. Loop Water Authority Negotiations Update
- E. Parks Committee Discussion

There was a short break from 6:35-6:40 p.m. before the Executive Session convened. The Directors, Mr. Brown and Ms. Fritsche attended the Executive Session. Attorney Pete Johnson attended for a portion of the Executive Session.

**MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR BANDY, TO COME OUT OF EXECUTIVE SESSION AT 7:33 P.M. MOTION UNANIMOUSLY PASSED.**

**ITEM 11.      Additional Action**

A. Consider PFAS Treatment Site Purchase and Sale Agreement

**MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR HALE, TO APPROVE THE PURCHASE AND SALE AGREEMENT WITH ARETE COMMONS, LLC, SUBJECT TO ANY NON-MATERIAL REVISIONS. MOTION UNANIMOUSLY PASSED.**

B. Parks Committee Discussion

**MOTION: DIRECTOR ATKINSON MOVED, SECONDED BY DIRECTOR HALE, TO DISSOLVE THE CHEROKEE METROPOLITAN DISTRICT PARKS COMMITTEE. DISCUSSION FOLLOWED. ALL IN FAVOR. MOTION UNANIMOUSLY PASSED.**

**ITEM 12.      Adjournment**

There being no further business to come before the Board, the meeting adjourned at 7:57 p.m.

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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.

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Joan M. Fritsche, Esq.