

**MINUTES OF A SPECIAL ANNUAL COMMUNITY MEETING
OF THE BOARD OF DIRECTORS OF THE
CATHEDRAL PINES METROPOLITAN DISTRICT
HELD MARCH 31, 2022
AT 6:00 P.M.**

Pursuant to posted notice, the special meeting of the Board of Directors of the Cathedral Pines Metropolitan District was held on Thursday, March 31st at 6:00 p.m., at 13975 Milam Road, Colorado Springs, CO.

In attendance were Directors:

Bill Heeter
Lynn Shepherd
Rick Stauch
Ecton Espenlaub
Kevin Combs

Also in attendance were:

Jamie Adams, Warren Management
Kevin Walker, WSDM
Rebecca Hardekopf, WSDM
Jeremy Powell, Kimley-Horn
Members of the Public (see attached sign-in sheet)

1. Call to Order: President Heeter called the meeting to order at 6:00 PM.
2. Declaration of Quorum/Director Qualifications/Reaffirmation of Disclosures: President Heeter confirmed a quorum was present. There were no additional disclosures made by the Board Members.
3. Approval of Agenda: Director Shepherd motioned to approve the agenda, seconded by Director Combs; motion passed unanimously.
4. Power Point Presentation: Walker Schooler District Managers office, Warrant Management Office and the Board of Directors presented the power point presentation (**see attached**).
5. Public Comment: The meeting was opened for the first public comment session.

Ms. Hardekopf read two questions and a comment that were submitted by Ruth Miller. First, what may we do to secure life saving mitigation for our Shoup and Milam intersection. President Heeter responded that they have contacted the County multiple times, and the County has responded with suggestions such as bigger stop signs and lighted stop signs but they have not wanted to put in stop lights. Last month, the County acknowledged the issue and it is on the agenda to address the intersection but how it will be addressed is still unknown. President Heeter will follow up with the County. Secondly, may we reconsider Cathedral Pines resident weekend rate for renting and using the Lodge. Director Shepherd explained the current weekday rental rate is \$250, and for Fridays and Saturdays it is \$500. The prices are reflective of the costs associated with renting the Lodge. Research was done on comparable pricing and the resident rates are still under market level pricing. Lastly, the submitted comment is a referral for free fire mitigation by a non-profit group called Black Forest Together, Bill Mantia. Ms. Miller noted he moved trees around so they survive. President Heeter noted the County owns the first 10' on either side of the road, so resident will need to keep that in mind when moving trees.

Janet Kelley asked about the comparison pricing for the Lodge and if the communities own those venues and do they pay taxes. Director Shepherd responded that they did not examine that part of it and she is unsure how they run them. She explained it was done for a commercial pricing comparison for nearby venues. For private events that are not open to the community, the \$500 rate covers the cost of the venue without expecting other people in the community to cover those costs. The price has gone up due to the price of cleaning, and utilities all increasing. Director Shepherd noted that the Lodge and the resident price is always open for discussion since the Lodge is an amenity for the community. She confirmed that residents can rent the Lodge any day of the week and holidays if it has not already been reserved at the resident rates. Resident events no longer require a security deposit or staffing.

Unidentified member of the public asked about the status of the road repairs. President Heeter reported that a system was setup with a County representative to report back and forth about road conditions in the community. Also, the County Engineer has preliminary plans to resurface the roads in Cathedral Pines in the next few years. The County representative, Chuck Dionne, recently came and drove the roads in Cathedral Pines and noted there are missing speed limit signs, so they will be installing speed limit signs as needed. Director Stauch noted that El Paso County has an app for your phone called EPC Community Connect where you can report potholes and other road issues and conditions.

John Kelley asked why the Board removed the previous DEO and appointed a new one. President Heeter explained the previous DEO made mistakes when processing the candidates and did not respond for multiple days when the Board enquired about the candidates. The previous DEO also gave wrong advice to a candidate and told them they had to run for a one-year term when they wanted to run for the three-year term. President Heeter wrote a letter to the DEO expressing his concerns with their ability to run the election, and a few hours later the DEO resigned both as DEO and legal counsel. Mr. Walker provided a referral for a new DEO who is the former Secretary of State, and very qualified. The Board accepted the resignation of White Bear Ankele as DEO and approved the new DEO, Wayne Williams, who stepped in immediately to run the election. President Heeter noted there was nothing nefarious and he did not act without the Board and he does not have the authority to act without the Board. Mr. Kelley commented that the White Bear Ankele resignation letter indicated there were two reasons, in addition to their concern in working with the District. He said he would like to know what the concerns were from White Bear's perspective. President Heeter commented that from White Bear's perspective they were open to a lawsuit. They would rather resign than face malpractice. Mr. Kelley commented that there were two references in the resignation letter to a phone call with Mr. Walker and an email from President Heeter and asked would the Board provide the email and notes from the phone call. President Heeter informed Mr. Kelley that he can file a formal request through CORA. President Heeter commented that the community has spent \$2,000 addressing Mr. Kelley's legal concerns and they are not going to do it anymore. Mr. Kelley said that he must be talking about something not recently because that is not accurate. President Heeter said he would gladly provide the legal invoices. Mr. Kelley said his questions were not answered. President Heeter replied that Mr. Kelley did not ask questions, he expressed opinions and misrepresented facts, and the Board does not answer to opinions. President Heeter summarized that the previous DEO also resigned as the District's lawfirm and that was not seen as a big loss because after three years they never visited the community or attended a Board meeting.

Jenn Eisenhart commented that she is running to be on the Board, and she attended the Board meeting after the DEO resignation and it was not discussed nor explanation provided. She contacted the Board and Walker Schooler District Managers asking what happened and did not get a response. President Heeter replied that Mrs. Eisenhart interrupted the meeting multiple times during the meeting to ask questions, so it is not valid to say she was not allowed to ask questions. He noted that the meeting was recorded. Ms. Eisenhart asked if they asked everyone if it was okay to be recorded. The Board explained that every meeting is recorded via video conference including this meeting. Ms. Hardekopf explained that all metropolitan district board meetings are open to the public and Colorado law allows it to be recorded and provided electronically via video conference.

Unidentified member of the public asked about Cathedral Pines taking over management of the ponds and what the liability would be and if insurance coverage needs to be increased. Would the community assume liability if someone were to fall in the ponds and get hurt and would taxes increase to cover these costs of liability. The Board noted they will come back to this question after Kimley-Horns presentation.

Janet Kelley asked Director Combs why he is no longer running for the Board. Director Combs responded that he would rather be on a three-year term, and rather than be on a one-year term and compete with President Heeter for the seat he withdrew. He commented that President Heeter has good initiatives, and a good long range plan. He has done a great job leading the committee in the right direction, and he felt that it was the right thing to do and not take votes away from President Heeter. He noted he can run again in a year when two seats are available.

John Kelley commented that the candidates have requested a number of candidate forums at the Lodge. The HOA Board looked at three possible dates and they are scheduling one on April 9th. Mr. Kelley said he wanted to confirm the District has approved the use of the Lodge for several candidate forums in April. Ms. Hardekopf explained the District is not involved in those forums. The HOA is hosting the meeting on their own. Mr. Kelley commented that the District has to approve the use of the Lodge and the candidates have requested use of the Lodge for those forums. Mr. Walker clarified that all of the candidates did not request that, only Ms. Eisenhart did. Since the process was followed to request the Lodge, it is approved for Ms. Eisenhart to host her events.

The meeting was opened for the second session of public comment.

Unidentified member of the public asked about the costs associated with the ponds and the irrigation system. She enquired about the cattails. President Heeter replied that it would be \$30,000 to dredge the cattails and \$10,000 to haul away. The cattails have taken over 100% of one pond and 75-80% of the other pond. He confirmed it is a rubber liner and the company specializes in that type of liner. He noted it is not just for aesthetic reasons, but for water flow because the lower pond is completely clogged with cattails, as well as mosquito issues and wildlife. One pond is a holding pond and the other holds the overflow of that pond.

Unidentified member of the public commented that the retaining ponds feed black squirrel creek and that also feeds to the neighboring branches. She asked if those neighboring areas have been included in these discussions to make sure they aren't impacted if we improve our drainage. President Heeter replied that they have had three different state and county agencies come out and every one of them has physically surveyed the area and checked the legalities of it. The District has no liability from that standpoint. Mr. Walker commented that was good feedback and we can certainly look into notifying those neighboring parcels.

Ruth Miller asked about flowers and sustainability with annuals versus perennials. Mr. Powell replied that the more xeric options are more sustainable. President Heeter noted the survey is just the start of getting a conceptual idea of what you want the community to look like and from there it can be boiled down to a more action and cost-oriented process. Mr. Powell confirmed that all of the options provided are viable, and the first survey is going to be more broad and the second survey will be more focused.

John Kelley asked about taking on the ponds and who it belongs to and if the District is purchasing the land, and will the District be responsible for annual maintenance. Mr. Walker explained the property is owned by the County and the developer agreed with the County that the District would do the maintenance. The District has access rights to the pond and a responsibility to make sure it functions in the stormwater capacity. He noted that nothing has been done in 15 years, so we are now catching up. The District is not incurring any additional liability than what it already has.

Janet Kelley commented that she thought at a Board meeting, the Board sent a letter saying the District would be responsible for the ponds. President Heeter clarified that the letter was enquiring about who was responsible. Mr. Walker noted that he had to track down the documents including the drainage report from the County to see that the developer agreed and made the District responsible for the maintenance. John and Janet Kelley commented that the County should be involved and help offset the costs of the ponds and the County does not believe there is a problem with the ponds. President Heeter commented that the County will not get involved or do anything about the ponds. Mr. Kelley said that the County has not identified any drainage issue and it is only for aesthetics. It is in a location that is directly across the street from two board members, and they want to take on the liability of \$40,000 to fix something that doesn't have to be fixed and just wants to make it look better. Mr. Kelley said he is okay with that but the County should share these costs. He agreed and says it does look terrible. President Heeter commented that there have been many efforts taken with the County to get involved and there have been meetings with the County. There are drainage issues and it would not work if there were a 100-year storm. The County has acknowledged there are drainage issues. Mr. Walker confirmed the County is not responsible for drainage issues.

Kristi Correa asked for clarification on the survey, and if there will be a question on if the community wants to address the ponds. Mr. Powell confirmed there is a yes or no question.

Unidentified member of the public asked if the irrigation runs on a well. President Heeter confirmed it runs on multiple wells. Mr. Walker clarified that the District pays to maintain the well but does not pay for the water, it was dedicated to the District. President Heeter discussed the lines are buried 9 feet under the ground which is ridiculous. The problem is it breaks every year, so they are just patching and repairing as best they can.

Janet Kelley stated that when they had the fires, water was taken out of the ponds by helicopter to use to put out the fire in Black Forest and it really did help, but it also ruined the pond and damaged the liner. The liner is expensive and a huge deal. She does not know who repaired the liner in the past but does not want them to do it again. If we are going to do something we need to have confidence that it is done well because there is history and the District has paid for it even though it was the fire department and the Air Force that was using our water and caused the problem as well as breaking the pumps. President Heeter noted that Solitude Lake Management is a leader and national company. They put in the best bid and they have the specialty equipment to do it.

Bruce Bruinsma said he appreciates the information and the opportunity to express opinions. He thanked the Board for the way they handled this and the choices that we have.

Ms. Hardekopf concluded the presentation question and answer portion and notified the public the Board and Management will be available for any additional questions.

6. Other Business: The Board discussed payment to be sent for the Food Truck vendor. Director Ecton motioned to approve payment for Black Forest Bistro/ Truck Team, seconded by President Heeter; motion passed unanimously.
7. Adjournment: President Heeter moved to adjourned the meeting at 8:30 PM, seconded by Director Stauch; motion passed unanimously.

Respectfully Submitted,

DocuSigned by:

Rebecca Hardekopf

4A1832EF5746405
By: Rebecca Hardekopf, District Manager

THESE MINUTES ARE APPROVED AS THE OFFICIAL MARCH 31, 2022 ANNUAL COMMUNITY MEETING MINUTES OF THE CATHEDRAL PINES METROPOLITAN DISTRICT.