

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

February 20, 2007

MINUTES

The Special Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, February 20, 2007 at 5:30 P.M. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

BOARD OF DIRECTORS PRESENT

Gayle Jones	Andy Anderson
David Hacker	Robert Lovato

OTHERS PRESENT

Kip Petersen	Dian Hardekopf
Ed Meyer	

ITEM 1:

The meeting was called to order by Vice-President Anderson at 5:30 P.M. Ms. Hardekopf called roll call of the Board of Directors, all Directors were present with the exception of Mr. Schubert and Mr. Lovato. Mr. Lovato was running late and arrived at 5:45 p.m. It was noted that Mr. Schubert's absence was excused.

ITEMS 2 & 3:

Mr. Anderson asked if there were any changes or amendments to be made to the February 20<sup>th</sup> Special Agenda. There were none given.

**\*\*\*MOTION\*\*\***

**MR. HACKER MADE A MOTION TO ACCEPT THE SPECIAL MEETING AGENDA FOR FEBRUARY 20, 2007 AS WRITTEN. SECONDED BY MS. JONES. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT APPROVED. (3-0).**

#### ITEM 4:

##### Engineering Report:

Mr. Meyer handed out his Engineering Report Items (see attached) for the Board. Mr. Meyer also had available the project design plans so that the Board would be able to see the process of the work needed. Mr. Meyer reviewed each item on the memo, updating the Board as to the progress of the Wastewater Project. Mr. Meyer stated that with the final design of the improvements that GMS determined that a change order for HD Supply Waterworks, Ltd. would need to be done to acquire additional Owner furnished materials. This information was acknowledged to the bidders on the current projects by an addendum. These bids were the ones to be awarded at tonight's meeting. Mr. Meyer told the Board that the projects were publicly advertised on 3 separate occasions.

Mr. Meyer explained that the design documents were submitted to the El Paso County Department of Transportation for review and approval. There were minor comments with the exception of needing to contact the El Paso County Stormwater Coordinator regarding an Erosion Control Plan. It was determined that all projects including pipeline projects will require an Erosion Control Plan. GMS has submitted a plan for the Coordinator's approval and all companies to bid on the projects will have to comply with the Erosion Control Plan.

After meeting with the County Development Services Representatives, it was determined that Cherokee would need to file for a formal Location Approval Application for both the 20" nonpotable water line and the recharge basins. The application would need to be filed before the end of February and the soonest the El Paso County Planning Commission would hear the application is April 17, 2007. With having to file this application, all Bid awarding will have their Notice To Proceeds deferred until April 18, 2007. There may also be a need for a Special Meeting on April 17<sup>th</sup> to address any possible negative action by the Planning Commission.

At this time, Mr. Meyer handed out the bid tabulations (see attached) on the three projects. Schedule 1-24" Interceptor Sewer received 13 bids, Schedule 2- 20" Nonpotable Water Main also received 13 bids and the Recharge Basins received 11 bids. The low responsive bidder for both the Schedule 1 & Schedule 2 projects was Pate Construction. These two schedules allowed for a Deductive Alternate in the event both schedules were awarded to the same contractor. Pate did allow for this thus making the Schedule 1 bid \$487,410 and the Schedule 2 bid at \$404,302. The Recharge Basin's low bidder was Velocity Constructors that came in at \$1,886,623. Mr. Meyer recommends that the Schedule 1 and Schedule 2 projects be awarded to Pate Construction and that the Recharge Basins project be awarded to Velocity Constructors. Mr. Meyer asked for motions to approve the fore mentioned change order for HD Supply Waterworks, Ltd. and the project bids.

**\*\*\*MOTION\*\*\***

**MR. HACKER MADE A MOTION TO APPROVE THE CHANGE ORDER #1 TO HD SUPPLY WATERWORKS TO INCREASE BY \$94,468.77 AND TO AUTHORIZE MR. ANDERSON AS VICE-PRESIDENT TO SIGN. SECONDED BY MS. JONES. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT APPROVED. (4-0).**

**\*\*\*MOTION\*\*\***

**MR. HACKER MADE A MOTION TO APPROVE AND AWARD THE SCHEDULE 1 – 24" INTERCEPTOR SEWER PROJECT TO PATE CONSTRUCTION IN THE AMOUNT OF \$487,410.00. SECONDED BY MS. JONES. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT APPROVED. (4-0).**

**\*\*\*MOTION\*\*\***

**MR. HACKER MADE A MOTION TO APPROVE AND AWARD THE SCHEDULE 2 – 20" NONPOTABLE WATER MAIN PROJECT TO PATE CONSTRUCTION IN THE AMOUNT OF \$404,302.00. SECONDED BY MS. JONES. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT APPROVED. (4-0).**

**\*\*\*MOTION\*\*\***

**MR. HACKER MADE A MOTION TO APPROVE AND AWARD THE RECHARGE BASIN PROJECT TO VELOCITY CONSTRUCTORS IN THE AMOUNT OF \$1,886,623.00. SECONDED BY MS. JONES. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT APPROVED. (4-0).**

ITEM 5:

Before the adjournment, Mr. Petersen handed out an outline of a proposal and educational plan for public relations produced by Mr. Doug Shane of Doug Shane & Associates. Mr. Petersen stated that with the water issue and the upcoming WWTF and recharge that Cherokee needs to have good public relations to communicate well with our customers. The cost would run roughly \$1,000 per month, Mr. Petersen explained that he has worked with Mr. Shane before while working for Cripple Creek. Mr. Petersen asked that the Board review this information for discussion at a future meeting.

There being no further business to come before the Board at this time, a motion was made for adjournment.

The Meeting adjourned at 6:56 P.M.

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Gayle Jones, Treasurer

Board Members

Term Expires

Ted Schubert, President

May, 2010

Andy Anderson, Vice President

May, 2010

Gayle Jones, Secretary

May, 2010

Dave Hacker, Director

May, 2008

Robert Lovato, Director

May, 2008