

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

November 3, 2010

MINUTES

The Special Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Wednesday, November 3, 2010, at 2:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

BOARD OF DIRECTORS PRESENT

Robert Lovato	Steve Hasbrouck
Dave Hammers	Jan Cederberg
Bill Beahan	

OTHERS PRESENT

Sean Chambers	Kevin Donovan
Dian Hardekopf	Sara Howard

OTHER GUESTS SIGNING ATTENDANCE LOG

Andy Anderson	Dave & Linda Mattes
Mary Hernandez	Larry & Linda Keleher
Linda O'Riley	Roger Stolz
E Johnson	Rita Martinez

ITEM 1:

The meeting was called to order by Chairman Robert Lovato at 2:33 p.m. Ms. Howard called roll call of the Board of Directors, all Directors were present.

ITEMS 2 AND 3:

Mr. Lovato asked if there were any changes or amendments that needed to be made to the November 3<sup>rd</sup> Special Meeting Agenda. Mr. Beahan asked if the Board was able to make and vote on decisions, and he was told yes, that the evening's meeting was considered a Special Board Meeting. However, an Executive Session was not needed to discuss the Lower Arkansas Water Project and this time was requested to be placed on the agenda as Item 3a.

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

**MR. HASBROUCK MADE A MOTION TO APPROVE THE AGENDA OF THE SPECIAL MEETING OF NOVEMBER 3, 2010, ADDING 3a. LOWER ARKANSAS RIVER PROJECT, AS AMENDED. SECONDED BY MR. HAMMERS. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT IN FAVOR. MOTION CARRIED (5-0).**

ITEM 3a:⇒ Lower Arkansas River Project Discussion

- Mr. Chambers advised a couple conference calls had been made and meetings had taken place between attorneys and engineers to discuss terms, pipe size, delivery system, etc. Mr. Hasbrouck questioned the water quality, and Mr. Chambers stated the water would require pretreatment, and the District would be actively involved in defining the terms of water quality.
- Discussion continued entailing water shares, delivery, and the treatment of water. Other Metro District in the Falcon Area were showing interest in being participants in the project. Mr. Donovan advised the Board a draft agreement would be written by Monday, November 8.
- The District is locked in a contract to purchase water from CSU until the end of 2012. Mr. Chambers asked the Board to direct him to spend up to \$5,000 to research and conduct a study with Donala Water & Sanitation District, which would result in a report generated and used as a guide for the District to move forward with Southern Delivery System possibilities. Ms. Cederberg stated she had attended the UBS Board of Directors' meeting the night before, and the Board asked if the District was moving forward on a global settlement agreement. Mr. Chambers stated that is a issue he would like to get resolved. Mr. Beahan asked if Mr. Chambers or the Board had any other ideas or suggestions other than pursuing the SDS.

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

**MR. BEAHAN MADE TO MOTION TO AUTHORIZE MR. CHAMBERS TO COMMIT UP TO \$5,000 IN CONDUCTING A STUDY TO RESEARCH SDS POSSIBILITIES. SECONDED BY MR. HASBROUCK. WITH A ROLL CALL VOTE, ALL BOARD MEMBERS PRESENT APPROVED. MOTION CARRIED (5-0).**

ITEM 4:⇒ Review and Discussion of Resumes for General Manager Position

- Ms. Cederberg stated the review of resumes needed to be discussed in Executive Session to protect personal and private information of those who had applied for the position of General Manager.
- Mr. Hasbrouck expressed his concerns that the application process for General Manager should not commence until after the recall on December 7, 2010. However, Mr. Lovato believed that, until the recall happened, his decision as a Director of the Board was valid until if and when he was no longer in that position. It was believed that in all likelihood the individuals applying for this position were already aware of the approaching recall. He duly noted Mr. Hasbrouck's concerns.

ITEM 4a:⇒ Executive Session**\*\*\*MOTION\*\*\***

**MR. HAMMERS MADE A MOTION TO ENTER INTO EXECUTIVE SESSION CITING CRS 24-6-402(4)(g). SECONDED BY MS. CEDERBERG. WITH A ROLL CALL VOTE; MR. HASBROUCK-NO. MS. CEDERBERG-YES. MR. HAMMERS-YES. MR. BEAHAN-YES. MR. LOVATO-YES. MOTION CARRIED (4-1).**

Executive Session was entered into at 3:40 p.m. .

Ms. Cederberg requested that only the Board be present for the discussion in executive session.

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

**MS. CEDERBERG MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AND RETURN THE MEETING TO THE OPEN SESSION OF THE SPECIAL MEETING. SECONDED BY MR. BEAHAN. WITH A VOICE CALL, ALL BOARD MEMBERS PRESENT APPROVED. MOTION PASSED (5-0)**

- The regular session of the special meeting began at 5:24 p.m.
- For the record, Mr. Hasbrouck wanted it noted he abstained from any voting and all discussion in Executive Session.

- To clear the record, Mr. Lovato wanted it noted Mr. Hasbrouck did not abstain for any voting; however, he did abstain from all discussion in Executive Session.

ITEM 8:

⇒ Select Applicants and Appoint Dates/Times for Interviews

- In Executive Session, the Board reviewed applicants and summarized a short list. It was determined Mr. Chambers is the most qualified, and currently he’s doing a great job for the District. The Board felt like he was the right candidate for General Manager. Fourteen days will elapse before a contract is negotiated with Mr. Chambers.

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

**MS. CEDERBERG MADE A MOTION TO EXTEND MR. CHAMBERS AN OFFER OF EMPLOYMENT. SECONDED BY MR. HAMMERS. WITH A ROLL CALL VOTE; MR. HASBROUCK-NO. MS. CEDERBERG-YES. MR. HAMMERS-YES. MR. BEAHAN-YES. MR. LOVATO-YES. MOTION CARRIED (4-1).**

Ms. Jones asked that the Board really think through offer an employment contract so soon and to wait awhile for a contract to be offered.

ITEM 8:

⇒ Adjournment

There being no further business to come before the Board, the meeting was adjourned at 5:30 p.m.

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Jan Cederberg, Secretary

Board Members

Term Expires

Robert Lovato, President	May, 2012
Steve Hasbrouck, Vice President	May, 2012
Jan Cederberg, Secretary/Treasurer	May, 2014
Dave Hammers, Director	May, 2014
William Beahan, Director	May, 2014