

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

**MINUTES**

The Board of Directors held a Regular Meeting on Tuesday, July 16, 2024, at 5:30 p.m. at 6250 Palmer Park Boulevard, Colorado Springs, Colorado.

**#1. Call to Order**

Director Kinney called the meeting to order at 5:28 p.m. Those in attendance were asked to stand and cite the Pledge of Allegiance. All Directors were present and there were no Directors' qualifications or disclosures.

**#2. Review and Approval of the Agenda**

The Agenda was reviewed for any changes. Mr. Paul Rufien asked to add the Tamlin Tank acquisition to the Agenda.

**#3. Public Comment**

Dave Doran, from the Upper Black Squirrel Groundwater Management District, wanted to pass the olive branch to the new Board of Directors; and Upper Black Squirrel is looking forward to resolving issues together and working more cooperatively with the Cherokee Metropolitan District.

**#4: Minutes**

The Minutes for June 25, 2024, Special Board Meeting were presented to the Board for review and approval.

Motion: Director Ferguson motioned, seconded by Director Wall, to approve the June 25, 2024, Special Board Minutes as written. All in favor. Motion unanimously passed.

The Minutes for the July 3, 2024, Special Board Meeting were presented to the Board for review and approval.

Motion: Director Wall motioned, seconded by Director Wilson, to approve the July 3, 2024, Special Minutes as written. All in favor. Motion unanimously passed.

**#5. Consent Agenda**

There were no items.

**#6. Called Up Consent Items – Items from Consent Agenda Only**

There were no items.

**#7. Finance and Accounting**

Julie Wells discussed the cash position statement for June, explaining the different cash accounts. There will be a work session on September 24<sup>th</sup> to discuss the 2025 Annual Budget. Ms. Wells discussed options in using a P-CARD system with Wells Fargo to pay vendors. Bond payments are due February 1<sup>st</sup> and August 1<sup>st</sup> of each year.

**#8. Action Items**

Director Atkinson read a statement announcing Mrs. Amy Lathen's departure from the District. President Kinney and asked for a motion for the appointment of an Interim General Manager.

Motion: Director Wall motioned, seconded by Director Ferguson, to appoint Brian Beaudette as Interim General Manager. All in favor. Motion unanimously passed.

Resolution 2024-01 Administrative Matters was discussed, and President Kinney proposed changes to Items #1, #15, #21, and #22.

Motion: Director Wall motioned, seconded by Director Ferguson, to approve Resolution 2024-01, Administrative Matters, as amended. All in favor. Motion unanimously passed.

The Hazen and Sawyer Water Softening Scope Proposal was discussed.

Motion: Director Wilson motioned, seconded by Director Ferguson, to table the Hazen and Sawyer Water Softening Scope Proposal to the next Board Meeting. All in favor. Motion unanimously passed.

The Chlorination System Study Scope RFP was not received in time for review. President Kinney asked that the presentation be sent to the Directors for review.

Mr. Beaudette asked that the Cross Connection amendments be tabled due to recent changes passed by certain House Bills which affect the Cross Connection policy.

Motion: Director Ferguson motioned, seconded by Director Wilson to table the Cross-Connection amendments until the next Regular Board Meeting. All in favor. Motion unanimously passed.

Director Wall stated there was no policy stating fire departments are required to use a construction meter when using the District's fire hydrants. He suggested Cherokee collaborate and communicate with fire departments to work on a policy/regulation for fire hydrant use.

Motion: Director Wall motioned, seconded by Director Atkinson, to direct staff to develop a policy entitled, "Fire Protection Usage" to allow fire departments to train for both emergency and non-emergency situations using Cherokee Metropolitan District's fire hydrants without needing a construction meter. All in favor.  
Motion unanimously passed.

Director Kinney brought up a recent privacy breach whereby a Cherokee employee lost a document that contained one of the Director's personal information. She directed Mr. Beaudette to ensure this doesn't happen again. Ms. Wells was asked about the cost of providing a security protection plan for the Director, and Director Kinney recommended the funds for doing so come out of Cherokee funds.

DOLA filings – these filings are out of date and Director Kinney directed Julie Wells to update the filings.

A study session was discussed to review a proposal received from CliftonLarsonAllen regarding a CFO/CPA replacement. A Public Hearing is scheduled for August 13, 2024, at 5:30 p.m. to discuss 2024 budget amendments. A Parks Committee Meeting is scheduled at Pinyon Jay Park July 27, 2024, beginning at 9 a.m.

#### **#9. Other Business/Directors Items -No Action Taken**

Director Ferguson requested the removal of postings about past incidents such as floods, etc., from the District's website as she would like to see Cherokee promoting a more positive vibe.

There was a meeting break at 6:26 p.m.

#### **#10. Executive Session**

In accordance with the Colorado Open Meetings Act, the Board, in Open Session, is to determine whether it will hold an Executive Session pursuant to §24-6-402(4)(b), C.R.S., Conference with the District's attorney regarding legal advice on specific legal questions, and §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, §24-6-402(4)(a), C.R.S., Purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest (Note: Not available where a member of the Board has a personal interest in the transaction.), and §24-6-402(4)(f), C.R.S., Personnel matters, identifying the person or position to be discussed. The Chair will poll the Board members, and upon an affirmative vote of two-thirds of the members present, may hold an Executive Session. If a two-thirds affirmative vote for the Executive Session is not received, the item may be discussed in open session or withdrawn from consideration. No formal action or voting will take place in the Executive Session.

1. Loop Water Authority

Motion: Director Ferguson motioned, seconded by Director Wall, to close the Regular Session and move into the Executive Session. All in favor. Motion unanimously passed.

The Executive Session began at 6:42 p.m.

Motion: Director Ferguson motioned, seconded by Director Kinney to come out of the Executive Session and return to regular session. All in favor. Motion unanimously passed.

The Executive Session ended at 07:04 p.m.


All Directors were present in the Executive Session; no votes were taken; direction was given to staff.

**#11. Other Meetings of Importance to the Cherokee Metropolitan District**

As listed on the Agenda.

**#12. Adjournment**

There being no further business to come before the Board, the meeting adjourned at 7:05 p.m.

  
Jeff Bandy, Secretary