

**CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING AND
PUBLIC HEARING OF THE BOARD OF DIRECTORS**

MINUTES

The Board of Directors Regular Meeting and Public Hearing were held on Tuesday, January 21, 2025, 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 5:30 p.m. Directors Kinney, Wall, Bandy, Wilson, and Sintas were present, and there were no Directors' qualifications or disclosures.

#2. Review and Approval of Agenda

The agenda was reviewed for any changes. Director Kinney stated the three MSA's under New Business would be moved to the Consent Agenda, and the District boundary inclusion update under Old Business would be moved to New Business when the meeting moves into a Public Hearing. Director Sintas asked that an agenda item, a mileage reimbursement discussion, be moved under New Business; and Interim General Manager Kevin Brown requested the Executive Session be removed from the agenda as he would provide a quick update on the Norwood Settlement under his General Manager's report.

Motion: Director Bandy motioned, seconded by Director Wall, to accept the January 21, 2025, Agenda as amended. Motion unanimously passed.

#3. Minutes

The November 19, 2024, Regular Board Meeting Minutes were reviewed.

Motion: Director Wall motioned, seconded by Director Sintas, to table the November 19, 2024, Minutes for later review. Motion unanimously passed.

The December 17, 2024, Regular Meeting and Public Hearing Minutes were brought before the Board for review.

Motion: Director Sintas motioned, seconded by Director Wilson, to approve the December 17, 2024, Regular Meeting and Public Hearing Minutes. Motion unanimously passed.

The January 7, 2025, Parks Committee Work Session Minutes were brought before the Board for review.

Motion: Director Wilson motioned, seconded by Director Sintas, to approve the Parks Committee Work Session Minutes. Motion unanimously passed.

#4. Public Comments

There were no public comments.

#5. Consent Agenda

Resolution 2025-01 – 2025 Annual Administrative Matters, and MSAs for CBRE (Appraisers), Lando Excavation, and Tolin Mechanical (HVAC) were brought before the Board for review and approval.

Motion: Director Wall motioned, seconded by Director Bandy, to approve the Consent Agenda. Motion unanimously passed.

#6. Financial Report

Julie Wells reported interest rates, specifically but not limited to Colo Trust and Wells Fargo holdings, were declining slightly each month; and this downward trend was likely to continue as the federal government monitors and adjusts rates in the future. Although some line items in each fund went over budget, specifically chemical costs and PFAs samples shipping and analysis which were not included in the budget, each fund was at or above their revenue projections and at or below their budgeted expenditures.

Director Sintas stated it appeared the lottery fund revenue which supplements the parks line-item budget was lower at year end, and Ms. Wells advised she would check to see if the last quarterly payment had been received.

An update on the status of the 2023 Audit was provided by Mr. Brown. CLA continues to collaborate with Stockman Kast Ryan, the District's auditor, and Mr. Brown stated he would provide an update on the final opinion of the audit at the next Board meeting.

Director Wilson addressed the past couple of months of late fees affected by delinquent payments to vendors and offered her help and suggestions in minimizing those occurrences.

#7. Old Business/Follow Up

Actions taken from the Parks Committee Work Session held on January 7, 2024, were provided by Mr. Brown. Any changes to the parks sites and facilities suggested by the Parks Committee under a \$2,000.00 value would be implemented by the committee and District staff. The Board will retain authority over parks projects over \$2,000.00 but requested the committee and staff make recommendations for vendors, contractors, and project details for the Board to consider.

There were recommendations from vendors suggesting it would be more beneficial to replace, rather than repair, the concrete wall at Pinyon Jay Park. There was discussion to consider an bid increased which would be reviewed in the next board meeting.

#8. New Business

Paralegal Mandi Kirk, on behalf of legal counsel Joan Fritsche, provided an update regarding the District's boundary inclusion requirements, the Resolution and Order for Inclusion of Real Properties, and legal description of those properties affected by the inclusion. The purpose of the inclusion is to align the District's legal boundaries with its water and sanitary sewer service area boundaries. The notice of the Public Hearing to homeowners affected by the inclusion was mailed December 23, 2024.

The meeting moved into a Public Hearing at 5:54 p.m.

There were no comments from the public nor written objections filed with the Board regarding the inclusion. The Board was asked for their approval of the resolution.

The Public Hearing closed at 5:56 p.m.

Motion: Director Bandy motioned, seconded by Director Wall, to approve Resolution 2025-02-Resolution and Order for Inclusion of Real properties.

There was further discussion led by Director Sintas regarding the water rights tied into the properties under this inclusion. Legal Counsel Joan Fritsche explained that the properties under this inclusion are already within the service area and have been for many years. When developers first entered into agreements with the District for water service, the ownership and conveyance of water rights were addressed at that time. There was no further discussion.

Motion unanimously passed.

Change Order #3 with Burns & McDonnell was brought before the Board. Mr. Brown stated this entailed further design and alignment of the Ellicott pipeline. Burns & McDonnell is requesting a contract amendment in the amount of \$55,375.00 for this scope of work.

Motion: Director Sintas motioned, seconded by Director Wall, to approve Change Order #3 in the amount of \$55,375.00 for additional work as described in the scope of services. Motion unanimously passed.

Director Kinney stated she would like to step back from chairing the meetings and requested to swap places with Director Wall.

Motion: Director Bandy motioned, seconded by Director Sintas, to designate Director Wall as President and Director Kinney as Vice-President of the Board effective at the end of the meeting. There was no discussion. Motion unanimously passed.

Director Sintas initiated discussion regarding mileage reimbursements for Board members and asked if the District had a provision for reimbursement. Ms. Fritsche stated Board members are

able to be reimbursed for travel to and from Board meetings, to and from SDA conferences, to and from District-related meetings, for registrations fees, etc.

It was the consensus of the Board that Directors would request reimbursement monthly, if they choose, and monetary reimbursement would be added to their monthly stipend check.

#9. Staff Reports

Mr. Brown briefed the Board on upcoming credit card and purchasing policy changes.

After identifying where credit cards were most often needed in day-to-day operations, it was determined to reduce the total number of cardholders to nine -- with six primary cardholders and three backup cardholders. The backup cardholders will authorize purchasing power if the primary cardholder is out of the office or otherwise unavailable.

The six primary cardholders are: Water manager (for water department), wastewater manager (for wastewater department), accounting manager (for office needs, conference registrations, and travel), head golf professional (for golf course), parks superintendent (for parks), and control systems engineer (for engineering team and control systems). The three backup cardholders are: Lead water operator (water backup), pretreatment coordinator (wastewater backup), and general manager.

Mr. Brown provided a capital project update and updated the Board on the north wellfield vault repair and Fulton Ct water main break.

The ballot box for the District's elections is in its final design stage.

Director Sintas wanted to thank the work crew for their hard work with the water and sewer leaks occurring in the District.

#10. Executive Session

There was no Executive Session.

#11. Adjournment

There being no other business to come before the Board, the meeting adjourned at 6:41 p.m.

Jeff Bandy, Secretary