



CHEROKEE METROPOLITAN DISTRICT

6250 Palmer Park Blvd., Colorado Springs, CO 80915-2842

Telephone: (719) 597-5080 Fax: (719) 597-5145

Our mission is to exceed our customer's needs by providing safe and uninterrupted water and sewer services, high quality water supply, well-maintained parks and open spaces, and well-lit streets. We are committed in continually striving to attain the highest quality services at the lowest reasonable costs and to prepare for the anticipated needs and requirements of current and future customers through the allocation of technical, financial, operational, planning, and managerial resources necessary to ensure our service goals and expectations are met in a safe, responsible, and professional manner.

REGULAR MEETING OF THE BOARD OF DIRECTORS

AGENDA

Board of Directors

Term Expires

Steve Hasbrouck, President	May 2022
Larry Keleher, Vice President	May 2020
Rene Sintas, Secretary	May 2022
Phil Garrison, Director	May 2022
Dave Mattes, Director	May 2020

DATE: September 10, 2019

TIME: 5:30 p.m.

LOCATION: Cherokee Metropolitan District – Board Room
6250 Palmer Park Blvd., Colorado Springs, Colorado 80915

1. **Call to Order**

- A. Roll Call of the Board of Directors/Declaration of a Quorum
- B. Director Qualifications and Disclosures
- C. Pledge of Allegiance

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

- A. Addendums
- B. Amendments
- C. Approval Motion

3. **Public Comments on items NOT on the agenda**

The Board and District staff value the public's input. Please respect the following when making formal comments to the Board of Directors:

- Please sign in when you arrive prior to making public comment or at the time of making your comments.
- Please keep comments restricted to the topics of the District and its business, and limit time to a maximum of three (3) minutes.
- Please keep comments respectful of others and organized for understanding. It is further requested that civility is maintained when addressing the Board, District staff, news media, law enforcement, and the public.

4. **Consent Agenda**

The Consent Agenda consists of matters that occur in the normal course of business. The following items are summarized and are approved and enacted at this time by the Board of Directors in one motion.

- A. Approval of Minutes for the July 16, 2019 Regular Board Meeting
- B. Approval of Minutes for the August 26, 2019 Special Board Meeting
- B. Directors Signatures
- C. Introduction of New Employees

Recess Regular Meeting

5. **Public Hearing**

- A. State of Colorado Regulatory Total Dissolved Solids (TDS) Surcharge Hearing
 - a. Presentation
 - b. Draft Resolution

Resume Regular Meeting

6. **Attorneys Items**

- A. Pete Johnson, Water Counsel

7. **Engineering Report-Jeffrey Munger**

- A. Ratification of Engineering Design Firm, Burns/McDonnell
Resolution 2019-05

8. **Executive Session**

- A. 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)(e), C.R.S., Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing

negotiators. The Chair shall poll the Board members, and upon affirmative vote of two-thirds of the members present, may hold a Closed 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 Executive Session.

9. **Staff Reports – Questions of Written Reports**

- A. 90 Day Parks Review – Meeting Dates

10. **Finance and Accounting-Cathy Fromm**

- A. July Monthly Financials
B. New Posting Requirements Resolution 2019-06
C. Budget Calendar
D. Bond Issuance Schedule

11. **General Manager’s Report – Amy Lathen**

- A. Arbitration Status
B.

12. **Other Business**

13. **Directors Items/Comments**

14. **Other Meetings of Importance to the Cherokee Metropolitan District**

Rocky Mountain Water Conference September 8-11, 2019
MRMD Board Meeting, September 11, 2019 at 10 a.m.
Colorado SDA Conference September 18-20, 2019
WHMD Board Meeting, September 26, 2019 at 5:30 p.m.
UBS Board Meeting, October 1, 2019 at 6 p.m.

15. **Adjournment**

CHEROKEE METROPOLITAN DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

September 10, 2019

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, September 10, 2019 at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

BOARD OF DIRECTORS PRESENT

Steve Hasbrouck
Larry Keleher
Rene Sintas

Dave Mattes
Phil Garrison

Amy Lathen
Shane Jeff
Brian Beaudette
Tyler Drennan
Kevin Brown

Jeff Munger
Sara Howard
Cathy Fromm
Jason Allmer

Michele Rusher
Noah Vogel
Josh Stewart
Julie Wells

OTHERS IN ATTENDANCE

Roger Stolz
David Pelsler
Pam Turner

Thomas Monaghan
Grace and Jill Doyle

ITEM 1:

⇒ Call to Order

The meeting was called to order by President Steve Hasbrouck at 5:30 p.m. All Directors were present and a quorum was declared. There were no Director qualifications and disclosures. All those present were asked to stand and recite the Pledge of Allegiance.

ITEM 2:

⇒ Review and Approval of the Agenda

Mr. Hasbrouck asked if there were changes or amendments that needed to be made to the Agenda. Amy Lathen stated the resolution to ratify approving the contract award to Burns

and McDonnell/Garney Construction was not quite ready to be considered for approval as there were a few contract details yet to be finalized.

She did request to move the Executive Session to Item #10 to allow for staff to provide their reports earlier in the meeting. Contingent upon Board approving those amended changes, she had available an updated Agenda for Board perusal.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHR, TO APPROVE THE AGENDA AS AMENDED. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHR, TO APPROVE THE NEW AGENDA AS WRITTEN. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

ITEM 3:

⇒ Public Comments on Items NOT on the Agenda

Roger Stolz requested clarification of the Quantification of Charges, selected contract, which was detailed in the Executive Summary handed out at the Special Board Meeting August 26, 2019. Mrs. Lathen stated that is for the final design and project management costs through the end of the project, estimated completion in 2022.

ITEM 4:

⇒ Consent Agenda

The following were reviewed for approval: Minutes for the July 16, 2019 Regular Board Meeting and Minutes for the August 26, 2019 Special Board Meeting.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MRS. SINTAS, TO APPROVE THE REGULAR BOARD MINUTES FOR JULY 16, 2019. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

*****MOTION*****

MR. KELEHER, MOVED, SECONDED BY MR. GARRISON, TO APPROVE THE SPECIAL BOARD MINUTES FOR AUGUST 26, 2019. MR. KELEHER-YES. MRS. SINTAS-ABSTAIN. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-1-0).

Mrs. Lathen introduced the following staff to the Board, who all gave a brief introduction of themselves: Shane Jeff, Superintendent; Michele Rusher, District Field Tech; Noah Vogel, SCADA Specialist; Jason Allmer, WRF Mechanic, and Kevin Brown, Junior Engineer.

Mr. Hasbrouck then stated the meeting would move into Public Session to discuss the State of Colorado Regulatory Total Dissolved Solids (TDS) Surcharge.

The Regular Meeting moved into Public Session at 5:43 p.m.

ITEM 5:⇒ Public Hearing

Amy Lathen provided a power point presentation which extensively covered the definition of total dissolved solids (TDS), the State-mandated requirements to reduce the levels of TDS in the District's effluent discharges, and the District's options to adhere, monitor, and maintain those imposed requirements to best serve the needs of the District and its customers. A question and answer session followed for customers to have their concerns addressed and questions answered.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. GARRISON TO RECESS THE PUBLIC HEARING UNTIL A FUTURE, 30-DAY-ANNOUNCED DATE FOR THE NEXT PUBLIC HEARING IS SCHEDULED. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

The Regular Meeting resumed at 7:16 p.m.

ITEM 6:⇒ Attorneys Items

Pete Johnson's report was available for review and remained available for legal guidance throughout the meeting. Paul Rufien was present at the meeting and available to provide legal advice.

ITEM 7:

⇒ Engineering Report-Jeffrey Munger

Jeffrey Munger provided an overview of September ongoing, engineering activities.

ITEM 8:

⇒ Staff Reports – Questions of Written Reports

Staff reports were available to the Board in their Board notebooks.

Josh Stewart gave a 90-day review of Parks activities and progress and answered questions from the Board and audience.

ITEM 9:

⇒ Finance and Accounting - Cathy Fromm

Cathy Fromm provided the Board an overview of the July Financial Statements, the new posting requirement Resolution 2019-05, and updated the Board on the upcoming Budget calendar and bond issuance scheduled. August Financials will be provided to the Board in the October meeting.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, MATTES, TO APPROVE RESOLUTION 2019-05, RESOLUTION OF THE BOARD OF DIRECTORS OF CHEROKEE METROPOLITAN DISTRICT CONCERNING ONLINE NOTICE OF PUBLIC MEETINGS. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

ITEM 10:

⇒ Executive Session (CRS 24-6-402(4)(a))

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, THAT THE BOARD GO INTO EXECUTIVE SESSION CITING §24-6-402(4)(a) 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)(a), CONCERNING THE PURCHASE,

ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY REAL, PERSONAL, OR OTHER PROPERTY INTEREST;

§24-6-402(4)(e), DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS, AND

§24-6-402(4)(f), PERSONNEL MATTERS, IDENTIFYING THE PERSON OR POSITION TO BE DISCUSSED. AMY LATHEN, GENERAL MANAGER: ONE YEAR EVALUATION. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. GARRISON-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

After a five-minute recess, Executive Session was entered into at 8:02 p.m. Upon termination of Executive Session, the meeting resumed to regular session.

ITEM 11:

⇒ General Manager's Report – Amy Lathen

Mrs. Lathen gave a brief overview of projects underway and ongoing work for the months of September and October. She also updated the Board regarding the Meridian arbitration process, and the granting of a six-month extension in the Replacement Plan Hearing.

ITEM 12:

⇒ Other Business

There was no other business to report.

ITEM 13:

⇒ Directors Items/Comments

There were no Director's comments.

ITEM 14:

⇒ Other Meetings of Importance to the Cherokee Metropolitan District

Other meetings of interest as listed on the September 10, 2019 Regular Board Meeting Agenda.

ITEM 15:

⇒ Adjournment

There being no further business to come before the Board at this time, the meeting adjourned at 9:31 p.m.

Rene Sintas, Secretary

Board Members

Term Expires

Steve Hasbrouck, President	May, 2022
Larry Keleher, Vice President	May, 2020
Rene Sintas, Secretary	May, 2022
Dave Mattes, Director	May, 2020
Phil Garrison, Director	May, 2022

Steve Hasbrouck, President

Larry Keleher, Vice President

Dave Mattes, Director

Phil Garrison, Director

Sara Howard, Transcriber