



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: June 18, 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 May 21, 2019 Regular Board Meeting
- B. Directors Signatures
- C. Welcome, Mary Rose Corser – Customer Service Representative

Recess Regular Meeting

5. Public Hearing

- A. Out-of-District Water Rates
 - i. Out-of-District Bulk Water Rate
 - ii. Antelope Acres Bulk Water Rate
- B. Resolution to Amend the 2018 Budget

Resume Regular Meeting

6. Attorneys Items

- A. Paul Rufien, Legal Counsel
 - a. Ratification of Settlement, Including Appropriation of Settlement Funds, in Civil Action No. 19-cv-00739-REB
- B. Pete Johnson, Water Counsel
 - a. Replacement Plan Status Report Update

7. Engineering Report-Jeffrey Munger

- A. List of Projects
- B. Master Service Agreements – Approval requested
 - a. Souder Miller and Associates
 - b. SGM – as amended
 - i. Work Order (Ellicott Chlorination)
 - c. Farnsworth

- d. Manhard Consultants
- e. Hydrokinetics – Scott Mefford
 - i. Work Order (Deep Injection Well)
 - ii. Sundance Wells DA-1, DA4, and AR-1
- f. JPS Engineering – John Schwab
 - i. Work Order (Sundance)
- g. CW Divers
 - i. WO for Wet Inspection of Tank 1 & 2
- C. PO for Sweetwater #5 Building to Sunset Buildings
- D. Approval to issue District Construction Standards

8. Staff Reports

- A. Backflow and Cross Connections – Brian Beaudette – Approval requested
- B. Meter Purchase – Jonathon Smith – Ratification

9. Finance and Accounting-Cathy Fromm

- A. Approval of Financial Statements for the Period Ending May 2019
- B. Presentation of 2019 Audit Report and Board Approval

10. General Manager’s Report – Amy Lathen

- A. RFP Presentation – with Jeffrey Munger – Approval to Issue
- B. Bond Presentations
 - a. Rate Process

11. Other Business

12. Directors Items/Comments

13. Other Meetings of Importance to the Cherokee Metropolitan District

HBA Utilities Committee Meeting --- June 20th at 7:30am
 SDA Regional Workshop (Fountain) --- June 20th at 8:00am
 LFWQMA Meeting --- June 24th at 1:30pm
 UBS Board Meeting --- July 2nd at 6:00pm

FYI --- Summer Solstice on June 21st (Longest Day of the Year!)

FUNSY --- National Bikini Day on July 5th (Dress Accordingly!) ☺

14. Executive Session – if requested

- 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.

15. Adjournment

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

June 18, 2019

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, June 18, 2019 at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

BOARD OF DIRECTORS PRESENT

Steve Hasbrouck	Rene Sintas	
Larry Keleher	Dave Mattes	
Amy Lathen	Brian Beaudette	Mary Rose Corser
Cathy Fromm	Sara Howard	Jonathon Smith
Paul Rufien	Julie Wells	

OTHERS IN ATTENDANCE

Assunta Manning	Roger Stolz	Art Sintas
David Pelser	Gary Barber	

ITEM 1:

⇒ Call to Order

President Hasbrouck announced the absence of Director Garrison who was held up in Denver traffic and asked for a motion to excuse him from the evening's meeting.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO EXCUSE DIRECTOR GARRISON FROM THE EVENING'S MEETING. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

The meeting was called to order by President Steve Hasbrouck at 5:34 p.m. All other Directors were present, and a quorum was declared. There were no Director qualifications or disclosures. All those present were asked to stand and recite the Pledge of Allegiance.

ITEM 2:

⇒ Review and Approval of the Agenda

The evening's Agenda was reviewed. Amy Lathen asked the Board to consider the following amendments to the Agenda: Move Item 10 A. of the General Manager's Report to 7 E. Engineering Report.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE AGENDA AS AMENDED. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

ITEM 3:

⇒ Public Comments on Items not on the Agenda

With civil litigation in the past, Art Sintas wanted to thank each one of the Board Members currently on the Board and Amy Lathen for their respect, perseverance, and kindness shown to him during his employment with CMD and within the past several months.

Mrs. Lathen announced Sharon Dabb's resignation which took place June 6. With Heather Galbraith moving into Sharon's vacancy as Billing Specialist, Mary Rose Corser was hired to assist in Customer Services and Front Desk duties. She gave a brief introduction about herself and her past employment.

ITEM 4:

⇒ Consent Agenda

The following were reviewed for approval: Minutes for the May 21, 2019 Regular Board Meeting.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE CONSENT AGENDA. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO MOVE IN TO PUBLIC HEARING TO DISCUSS OUT-OF-DISTRICT WATER RATES. MRS.

SINTAS-YES. MR. KELEHER-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

The Regular Meeting moved into Public Hearing.

ITEM 5:

⇒ Public Hearing

Three items were presented for discussion: The out-of-district bulk water rate, Antelope Acres bulk water rate, and Resolution to Amend the 2018 Budget.

Because of a minor miscalculation at the time the out-of-district bulk water rate become effective in July, 2018, Sara Howard requested consideration and Board approval to decrease the out-of-district bulk water rate from \$9.23 to \$8.82. This modification and subsequent credit adjustment would affect a very small number of hydrant meter construction accounts.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO MODIFY THE OUT-OF-DISTRICT BULK WATER RATE FROM \$9.23 TO \$8.82, EFFECTIVE IMMEDIATELY. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

Another bulk water rate up for discussion was Antelope Acres. This account's rate of \$3.25/unit has remained unchanged since 2010 and has not had periodic adjustments when rate increases were being considered in other commercial/bulk water accounts.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE AN INCREASE IN THE ANTELOPE ACRES BULK TO BE MORE CONSISTENT AND IN LINE WITH THE DISTRICT'S CURRENT COMMERCIAL BULK WATER RATES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

A change in this year's expenditures in the Golf Course Fund, which was approved by the Board in an earlier meeting, necessitated an amendment to the 2018 Budget. Cathy Fromm requested the Board to approve this amendment as provided in the 2019-04 Resolution to Amend the 2018 Budget.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE 2019-04 RESOLUTION TO AMEND THE 2018 BUDGET BASED ON CHANGES IN THE GOLF COURSE FUND, AS NOTED IN EXHIBIT A. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

The Public Hearing ended and Regular Session resumed at 6:08 p.m.

ITEM 6:

⇒ Attorney Items – Paul Rufien, Legal Counsel, Pete Johnson, Water Counsel

Paul Rufien provided a brief report regarding the settlement in Civil Action No. 19-CV-00739-REB, and asked the Board for a ratification of settlement, including appropriation of settlement funds.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. MATTES, TO RATIFY CIVIL ACTION NO. 19-CV-00739-REB, INCLUDING APPROPRIATION OF SETTLEMENT FUNDS. MR. KELEHER-YES. MRS. SINTAS-ABSTAIN. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (3-1-0).

Pete Johnson, Water Counsel was not present at the meeting but did provide a Replacement Plan Status Report Update in the Board packet.

ITEM 7:

⇒ Engineering Report-Jeffrey Munger

After Jeffrey Munger gave a short oral report to the Board, a list of upcoming projects was provided to the Board for their review. Concluding his report, Mrs. Lathen provided the Board with an overview of the District's newly implemented Master Services Agreement for Professional Services template. Mr. Munger then explained the staff's desire to offer Master Service Agreements for selective projects to the following firms:

1. Souder Miller and Associates Master Service Agreement

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER TO ENTER INTO A MASTER SERVICE AGREEMENT FOR PROFESSIONAL SERVICES WITH

SOUDER MILLER AND ASSOCIATES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

2. SGM Master Service Agreement

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER TO ENTER INTO A MASTER SERVICE AGREEMENT FOR PROFESSIONAL SERVICES WITH SGM. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

3. Farnsworth Master Service Agreement

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER TO ENTER INTO A MASTER SERVICE AGREEMENT FOR PROFESSIONAL SERVICES WITH FARNSWORTH. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

Manhard Consultants Service Agreement was not ready for consideration and approval.

4. Hydrokinetics Master Service Agreement

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER TO ENTER INTO A MASTER SERVICE AGREEMENT FOR PROFESSIONAL SERVICES WITH HYDROKINETICS. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

5. JPS Engineering Master Service Agreement

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO ENTER INTO A MASTER SERVICE AGREEMENT FOR PROFESSIONAL SERVICES WITH JPS ENGINEERING. MR. KELEHER-YES. MRS. SINTAS--YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

6. CW Divers Master Service Agreement

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO ENTER INTO A MASTER SERVICE AGREEMENT FOR PROFESSIONAL SERVICES WITH CW DIVERS. MR. KELEHER-YES. MRS. SINTAS--YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

Mr. Munger discussed a Purchase Order for the Sweetwater #5 Building to Sunset Buildings which was included in the Board packet, and he requested the Board to address any questions at that time. There were no questions.

1. CW Divers Work Order

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE 2019-01 WORK ORDER WITH CW DIVERS FOR WET INSPECTION OF TANK 1 AND 2. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

2. SGM Work Order

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE 2019-01 WORK ORDER WITH SGM FOR THE ELLICOTT CHLORINATION SYSTEM. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

After discussing the District's construction standards. Mr. Munger requested the Board's consideration in approving the practice of the District to maintain water and wastewater construction standards.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE CONSTRUCTION STANDARDS. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

Mr. Munger gave a lengthy RFP presentation to the Board and afterwards asked the Board to approve the issuance of the proposal. Mr. Munger addressed a few specific questions from Assunta Manning.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE ISSUANCE OF THE PROPOSAL FOR THE WATER RECLAMATION FACILITY AND TDS REDUCTION FACILITY. MR. KELEHER -YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

President Hasbrouck asked for a five minute break at 7:13 p.m. The Regular Meeting resumed at 7:26 p.m.

ITEM 8:

⇒ Staff Reports

Staffs' monthly update reports were available for review in the Board packets. However, Brian Beaudette provided an oral report in regard to the new regulation for the backflow and cross connection program and requested Board approval.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR KELEHER, TO APPROVE THE BACKFLOW PREVENTION AND CROSS CONNECTION CONTROL REGULATION WHICH WAS UPDATED MAY 5, 2019 AND SUPERSEDES THE PREVIOUS ORDINANCE. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

Jonathon Smith presented the Board with an invoice representing a purchase of 500 Badger meters from National Meter. These meters were purchased at \$200 each, and the District was able to save over \$40,000.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. KELEHER, TO RATIFY THE PURCHASE OF 500 BADGER METERS FROM NATIONAL METER IN THE AMOUNT OF \$100,000. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

ITEM 9:

⇒ Finance and Accounting-Cathy Fromm

Cathy Fromm provided an overview of the Financial Statements for Period Ending May 2019. The auditing firm of Stockman, Kast, Ryan & Co., LLP then provided an oral

presentation of the District's 2019 Audit Report. Mrs. Fromm then asked the Board's consideration to approve the 2019 Audit Report.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. MATTES, TO APPROVE THE 2019 AUDIT REPORT SUBJECT TO FINAL REVIEW. MR. KELEHER-YES. MRS. SINTAS-YES. MR. MATTES-YES. MR. HASBROUCK-YES. MOTION CARRIED (4-0).

Three bonding firms were introduced to the Board and provided approximately ten-minute presentations: D.A. Davidson and Company, RBC Capital Markets, and George K. Baum & Company. All firms will provide a more detailed presentation to the Board in the near future.

ITEM 10:

⇒ General Manager's Report-Amy Lathen

Mrs. Lathen updated the Board on an array of monthly projects underway and ongoing from the previous month.

A public work session will be scheduled in the future to allow the above three firms to introduce themselves in more detail to the Board so a selection can be made to hire a bonding firm for the District's new TDS Reduction Facility plant design and construction.

She praised the District's crews for over 61,000 feet of sewer line cleaning over the past month.

She updated the Board on a theft and burglary which occurred at the Golf Course last week and mentioned the summer employee picnic is scheduled for Saturday, June 22, 2019.

ITEM 11:

⇒ Other Business

There was no other business.

ITEM 12:

⇒ Directors Items/Comments

Mrs. Sintas may not be able to attend the next Board Meeting but should be able to telephone in to the meeting.

She requested a listing of employee's work cell numbers.

She also asked if it would be possible to provide basic packets for the three citizens who regularly attend the Board Meetings so they can follow along more closely in the meetings.

ITEM 13:

⇒ Other Meetings of Importance to the Cherokee Metropolitan District

Other meetings of interest as listed on the June 18, 2019 Regular Board Meeting Agenda.

ITEM 14:

⇒ Executive Session – If Requested

There was no need for an Executive Session.

ITEM 13:

⇒ Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned. Meeting adjourned at 9:40 p.m.




Rene Sintas, Secretary

Board Members

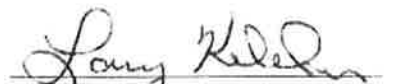
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Term Expires

May, 2022
May, 2020
May, 2022
May, 2020
May, 2022




Steve Hasbrouck, President



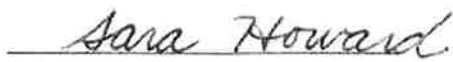
Larry Keleher, Vice President



Dave Mattes, Director



Phil Garrison, Director



Sara Howard, Transcriber