



# CHEROKEE METROPOLITAN DISTRICT

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

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

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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  
Larry Keleher, Vice President  
Rene Sintas, Secretary  
Dave Mattes, Director  
Phil Garrison, Director

May 2022  
May 2020  
May 2022  
May 2020  
May 2022

**DATE:** May 19, 2020

**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 April 21, 2020 Regular Board Meeting
- B. MSA - Colorado Pump Service and Supply
  - a. Work Order for AR1 at Sundance
- C. MSA - Veris Environmental, LLC
  - a. Work Order – EQ Basin
- D. MSA - RSI (SCADA Vendor)
  - a. Work Order – Software

**5. Election**

- A. Election Summary
- B. Resolution of Appreciation 2020-10 – Director Larry Keleher
- C. Resolution of Appreciation 2020-11 – Director Dave Mattes

**BREAK – APPRECIATION RECEPTION**

**15 minutes**

**6. New Directors Commencement of Terms and Introductions**

- A. Dennis Daniels
- B. Walter Herrley
- C. Appointment of Board Officers

**7. General Manager's Report – Amy Lathen**

- A. Set Date for New Board Worksession
- B. Annexation Opposition Resolution 2020-12
- C. Parks Committee Discussion – New Member(s) Appointed
- D. Presentation – Water Portfolio with Kevin Brown

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

- A. April Monthly Financials
- B. Bond Issuance Status Report

9. **Attorney Items**

- A. Pete Johnson, Water Counsel

10. **Engineering Report-Jeffrey Munger**

- A. TDS 30% Design – Status Update

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

12. **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.
  - a. Arbitration Status and Settlement Proposal
  - b. Cherokee Water, LLC

13. **Other Business**

14. **Directors' Items/Comments**

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

- 1. Woodmen Hills Metropolitan District Board Meeting, May 28, 2020, 5:30 p.m.
- 2. UBS Board Meeting, Calhan, June 2, 2020 6 p.m.
- 3. Meridian Service Metropolitan District Board Meeting, June 3, 2020 10 a.m.

16. **Adjournment**

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

May 19, 2020

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, May 19, 2020, at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

**BOARD OF DIRECTORS PRESENT**

Steve Hasbrouck	Rene Sintas	Dennis Daniels
Larry Keleher	Dave Mattes	Walter Herrley

**CMD STAFF IN ATTENDANCE**

Amy Lathen	Jeff Munger	Julie Wells
Shawn Puente	Sara Howard	Cathy Fromm
Paul Rufien		

**OTHERS PRESENT**

Assunta Manning	Roger Stolz	Art Sintas
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**ITEM 1:**

⇒ Call to Order

The meeting was called to order by President Steve Hasbrouck at 5:30 p.m. Director Garrison was unable to attend the meeting.

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

**RENE SINTAS MOVED, SECONDED BY LARRY KELEHER, TO EXCUSE DIRECTOR GARRISON FROM THE EVENING'S MEETING. ALL IN FAVOR. MOTION PASSED (4-0).**

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 requested the Board to remove #D. MSA – RSI (SCADA Vendor) Work Order to Agenda Item #4 and add #B. – Construction Contract Approval for the low bidder on the membrane brine reactor to Agenda Item #10.

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

**RENE SINTAS MOVED, SECONDED BY LARRY KELEHER, TO APPROVE THE EVENING'S AGENDA AS AMENDED. ALL IN FAVOR. MOTION PASSED (4-0).**

ITEM 3:

⇒ Public Comments on Items NOT on the Agenda

Mr. Hasbrouck asked if there were any public comments on items not on the Agenda. Roger Stolz asked if the status of the TDS Design would be discussed later in the meeting and was advised it would be.

ITEM 4:

⇒ Consent Agenda

The following were reviewed for approval: Minutes of the Regular Board Meeting of April 21, 2020.

Jeffrey Munger presented to the Board for their review a Master Agreement for Services for Colorado Pump Service & Supply Co., Castle Rock, Colorado. This Work Order would entail upgrades of the Well Pump AR-2 at Sundance, and the work would be completed approximately June 30, 2020. Mr. Munger requested the Board approve the Master Service Agreement.

A Master Agreement for Services for Veris Environmental, LLC of Limon, Colorado was presented to the Board for their review. This Work Order would be for the EQ Pond Cleanout with a completion date to be determined. They have worked for the District for many years. Mr. Munger asked the Board to review, consider, and approve the Veris Environmental LLC Master Agreement. The last Master Services Agreement to be

presented to the Board of Directors for their consideration was for RSI Company, of Colorado Springs, Colorado, to provide District-wide SCADA services, maintenance and repair. Mr. Munger asked the Board to approve this Agreement.

ITEM 5:

⇒ Election

The District conducted and completed a successful Special Election on May 5. Four certified judges counted and affirmed the ballots for the following candidates as follows: Dennis Daniels 208; Matthew Dunston 96; Walter Herrley 184, and Ann Winkelmann 166.

Dennis Daniels and Walter Herrley were the official winners and will both serve a three-year term to May, 2023. They were given the Certificate of Oath on May 14<sup>th</sup> and the required paperwork was recorded with the El Paso County Court.

With Mr. Keleher and Mr. Mattes' in attendance at their last meeting, Mrs. Lathen wanted to provide each of them with a Cherokee Metropolitan District Resolution thanking them for their many years of service and support to the District.

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

**RENE SINTAS MOVED, SECONDED BY STEVE HASBROUCK TO APPROVE RESOLUTION 2020-10-A RESOLUTION RECOGNIZING LARRY KELEHER FOR HIS OUTSTANDING SERVICE AS BOARD DIRECTOR FOR THE CHEROKEE METROPOLITAN DISTRICT AND RESOLUTION 2020-11 A RESOLUTION RECOGNIZING DAVE MATTES FOR HIS OUTSTANDING SERVICE AS BOARD DIRECTOR FOR THE CHEROKEE METROPOLITAN DISTRICT. ALL IN FAVOR. MOTION PASSED (4-0).**

A 15-minute reception followed which included a break.

ITEM 6:

⇒ New Directors Commencement of Terms and Introductions

The meeting resumed at 6:07 p.m.

New Directors Walt Herrley and Dennis Daniels gave a brief introduction of themselves and joined their other colleagues at the Board table. Appointment of Board Officers commenced.

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

**DENNIS DANIELS MOVED, SECONDED BY WALT HERRLEY, TO NOMINATE STEVE HASBROUCK FOR THE OFFICE OF PRESIDENT. WALT HERRLEY-YES. DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK – YES. MOTION CARRIED (4-0).**

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

**RENE SINTAS MOVED, SECONDED BY DENNIS DANIELS, TO NOMINATE WALT HERRLEY FOR THE OFFICE OF VICE PRESIDENT. WALT HERRLEY-YES. DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK-YES. MOTION CARRIED (4-0).**

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

**RENE SINTAS MOVED, SECONDED BY DENNIS DANIELS, TO NOMINATE DENNIS DANIELS FOR THE OFFICE OF SECRETARY. WALT HERRLEY-YES-DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK-YES. MOTION CARRIED (4-0).**

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

**RENE SINTAS MOVED, SECONDED BY DENNIS DANIELS, TO NOMINATE PHIL GARRISON FOR THE OFFICE OF TREASURER. WALT HERRLEY-YES. DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK-YES. MOTION CARRIED (4-0).**

ITEM 7:

⇒ General Manager's Report – Amy Lathen

Mrs. Lathen presented the General Manager's Board Report which was available for review in the Board packet. A workshop for existing and new Board Members was discussed. This would involve an introductory and brief synopsis by Mrs. Lathen followed up with a tour of the District, a date yet to be determined.

In the best interests of the District, there was discussion concerning an annexation opposition resolution to be approved by the Board. This would support the Board's interest in not supporting any proposed District annexations.

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

**RENE SINTAS MOVED, SECONDED BY DENNIS DANIELS, TO APPROVE RESOLUTION 2020-12, A RESOLUTION OF THE BOARD OF DIRECTORS GENERALLY OPPOSING COLORADO SPRINGS ANNEXATION OF DEVELOPED AND UNDEVELOPED LAND WITHIN CHEROKEE METROPOLITAN DISTRICT. ALL IN FAVOR. MOTION PASSED (4-0).**

There was discussion to appoint new committee members on the Parks Advisory Committee as there was concern from the audience there may be a conflict of interest with one of the members currently on the committee. Mrs. Lathen will reach out to the committee member and invite him to the next Board Meeting to seek his input or recommendations. Assunta Manning is the third member on the committee.

In the meantime, the website will advertise for a new active member, and the committee will be accepting letters of interest. Assunta Manning is one of the current members on the Committee. The Committee will reach out to the existing member to give him the opportunity to come to the Board Meeting to discuss his membership.

Further discussion will be tabled until the next Board Meeting.

The Bylaws of the District require a Board Member to be seated on the Committee. Director Keleher was the Board Member, and his tenure terminated May 19, 2020.

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

**DENNIS DANIELS MOVED, SECONDED BY WALT HERRLEY, TO NOMINATE RENE SINTAS AS THE NEW BOARD MEMBER ON THE PARK ADVISORY COMMITTEE. ALL IN FAVOR. MOTION PASSED (4-0).**

Kevin Brown, Junior Engineer, provided a very informational and educational water portfolio presentation to the Board followed by a questions/answer period.

**ITEM 8:**

⇒ Finance and Accounting – Cathy Fromm

Cathy Fromm provided the Board an overview of the April Financial Statements. She also updated the Board on the bond issuance status.



ITEM 9:

⇒ Attorneys Items

None.

ITEM 10:

⇒ Engineering Report – Jeffrey Munger

Jeffrey Munger provided the Board an update on engineering projects and status reports. He stated the TDS project was at approximately 30% design state. A Construction Contract for the MBR equipment purchase in the amount of \$68,000 to DuPont was discussed.

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

**DENNIS DANIELS MOVED, SECONDED BY WALT HERRLEY, THAT THE BOARD AWARD DUPONT THE CONSTRUCTION CONTRACT IN THE AMOUNT OF \$68,000 FOR THE MBR EQUIPMENT PURCHASE. WALT HERRLEY-YES. DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK-YES. MOTION PASSED (4-0).**

ITEM 11:

⇒ Staff Reports – Questions of Written Reports

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

ITEM 12

⇒ Executive Session

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

**RENE SINTAS MOVED, SECONDED BY DENNIS DANIELS, THAT THE BOARD GO INTO EXECUTIVE SESSION CITING §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. WALT HERRLEY-YES. DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK-YES. MOTION PASSED (4-0).**

Executive Session was entered into at 7:58 p.m.

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

**STEVE HASBROUCK MOVED, SECONDED BY WALT HERRLEY, TO COME OUT OF EXECUTIVE SESSION. WALT HERRLEY-YES. DENNIS DANIELS-YES. RENE SINTAS-YES. STEVE HASBROUCK-YES. MOTION PASSED (4-0).**

Board Members came out of Executive Session. All were present in Executive Session, pursuant to §24-6-402(4)(e), citing determining positions relative to matters that may be subject to negotiations. No votes were taken and no decisions were made.

Regular Session resumed at 9:22 p.m.

ITEM 13:

⇒ Other Business

There was no other business.

ITEM 14:

⇒ Directors' Items/Comments

There were no Directors' comments.

ITEM 15:

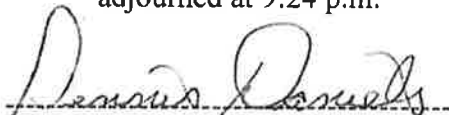
⇒ Other Meetings of Importance to the Cherokee Metropolitan District

Other meetings of interest as listed on the May 19, 2020 Regular Board Meeting Agenda.

ITEM 16:

⇒ Adjournment

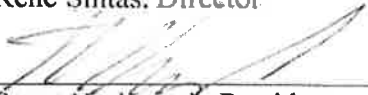
There being no further business to come before the Board at this time, the meeting adjourned at 9:24 p.m.



Dennis Daniels, Secretary


Board Members

Steve Hasbrouck, President  
Walt Herrley, Vice-President  
Dennis Daniels, Secretary  
Phil Garrison, Treasurer  
Rene Sintas, Director

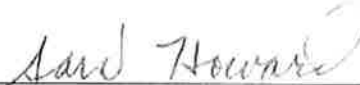
  
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Steve Hasbrouck, President

Term Expires

May, 2022  
May, 2023  
May, 2023  
May, 2022  
May, 2022

  
\_\_\_\_\_  
Walt Herrley, Vice President

\_\_\_\_\_  
Phil Garrison, Treasurer

  
\_\_\_\_\_  
Sara Howard, Transcriber

\_\_\_\_\_  
Rene Sintas, Director