



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 to 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

REVISED AGENDA

Board of Directors

Term Expires

Steve Hasbrouck, President	May 2022
Walt Herrley, Vice President	May 2023
Dennis Daniels, Secretary	May 2023
Larry Keleher, Treasurer	May 2022
Rene Sintas, Director	May 2022

DATE: September 15, 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 August 18, 2020 Regular Board Meeting
- B. Approval of Minutes for the August 27, 2020 Special Board Meeting
- C. Directors Signatures

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

- A. Parks Advisory Board Discussion
- B. Parks Policy Motions
 - a. Direction to strive to keep a 6 month operational reserve in the Parks Fund, apprx. \$100,000 minimum.
 - b. Direction to establish policy requiring capital improvements prior to land being deeded over to the District.
 - c. Direction to seek HOA financial participation before improvements are made within HOA related parks.
- C. Water Consulting Agreement
- D. Credit Card and E-Check Fees, Elimination of Subsidies
- E. Leak Credit Policy Discussion
 - a. Direction regarding tier structure and commercial accounts
- F. Hiring Policy Discussion
 - a. Engineering Division - SCADA

Recess Regular Meeting

6. **Public Hearing**

- A. Amendment to 2019 Budget – Parks and Golf Adjustment
- B. Resolution 2020-16

Resume Regular Meeting

7. Finance and Accounting-Cathy Fromm

- A. August Monthly Financials
- B. 2019 Audit Report/Approval

8. Staff Reports – Questions of Written Reports

- A. Engineering
 - a. 60% Design Report
 - b. Master Services Agreement, Pipestone Equipment (Clay Valves)
- B. Operations
 - a. Special purchase request – Utility service truck
- C. Parks Report – Pronghorn Meadows Capital Expenditures
 - a. Consideration of Quotes for bleachers, artificial turf, etc.

9. 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)(f), C.R.S., Personnel matters. 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. Annual Review – General Manager

10. Other Business

11. Directors' Items/Comments

12. Other Meetings of Importance to the Cherokee Metropolitan District

- 1. Woodmen Hills Metropolitan District Board Meeting, September 24, 2020 5:30 p.m.
- 2. Upper Black Squirrel Board Meeting, October 6, 2020 6 p.m.
- 3. Pikes Peak Regional Water Authority, October 7, 2020, 9 a.m. Centennial Hall.
- 4. Meridian Service Metro District Board Meeting, October 7, 2020 10 a.m.
- 5. Cherokee Metropolitan Christmas Dinner, December 12, 2020 6 p.m.

13. Adjournment

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

September 15, 2020

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, September 15, 2020 at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

BOARD OF DIRECTORS PRESENT

Steve Hasbrouck	Larry Keleher
Walt Herrley	Rene Sintas
Dennis Daniels	

CMD STAFF IN ATTENDANCE

Jeff Munger	Amy Lathen
Shawn Puente	Sara Howard
Cathy Fromm	Josh Stewart
Cole Miller	

OTHERS PRESENT

Assunta Manning	Robert Hernandez
Courtney Vance	Steve Hockstetter
Art Sintas	Paul Ruffien

ITEM 1:

⇒ Call to Order

The meeting was called to order by President Steve Hasbrouck at 5:30 p.m. Dennis Daniels was ill and called in to the meeting by phone.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, TO APPROVE MR. DANIELS' ATTENDANCE BY PHONE. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

There were no Directors' qualifications or 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 asked the Board's permission to modify the Agenda by: Removing #C, which was a duplicated item and replacing it with C. Water Consulting Agreement; adding c. under 9.A. Master Services Agreement, Edward-James Surveying; adding b. Patel Case under 10.A, and Audit Report moved up to No. 5.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. DANIELS, TO APPROVE THE EVENING'S AGENDA AS AMENDED. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

Mrs. Lathen passed out the Agendas as revised.

ITEM 3:

⇒ Public Comments on Items NOT on the Agenda

President Hasbrouck asked if there were any public comments from the audience. Assunta Manning asked if the CMD's Board of Directors, who were also on the Fire Department Board, would recuse themselves if there were any real estate transactions that transpired between the two agencies. Paul Rufien stated that would depend on how the communication went as to whether they would recuse themselves from voting.

Mrs. Manning asked how long CFO Cathy Fromm had been employed by the District and if there were staff trained to take her replacement if needed. Mrs. Lathen stated staff were ready to take over the financing responsibilities and other obligations if needed.

Robert Hernandez asked if the District was willing to sell small parcels and easements that aren't buildable in the District, and has the District been looking for options to sell these to customers. Mrs. Lathen advised this topic would be addressed later in the meeting.

Beatrice (last name unknown), a resident living on Palmer Park Blvd., stated there were dying plants and foliage in front of her yard and wanted to know if there were lottery funds to help maintain and clear the area. Josh Stewart assured her he would be looking in to finding a tree to landscape this area to make it more appealing.

Carlos Urias, a resident of Claremont Ranch, who approached the Board several months ago requesting permission to park a trailer in his backyard which would be parked on part of an easement which the District owns and adjoins several properties, requested the status of the Board's decision. After further discussion the following motion was passed.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, DIRECTING MR. URIAS TO TEMPORARILY REMOVE HIS TRAILER FROM THE AFOREMENTIONED EASEMENT AND INSTRUCTED THE STAFF TO CONTACT ALL NEIGHBORS REQUESTING THEIR INPUT AND CONCERNS REGARDING VEHICLES PARKED ON THE EASEMENT WHICH CONNECTS NEIGHBORING PROPERTY. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

ITEM 4:

⇒ Consent Agenda

The following were reviewed for approval: Minutes of the Regular Board Meeting of August 18, 2020, and Minutes of the Special Board Meeting of August 27, 2020.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE CONSENT AGENDA. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

ITEM 5:

⇒ 2019 Audit Report/Approval

Courtney Vance and Steve Hockstetter, representing Stockman Kast Ryan & Company, LLP, provided a detailed overview of the audit of the 2019 financial statements of Cherokee Metropolitan District. The audit was comprised of the respective financial position of the governmental activities, the business-type activities, and each major fund as of December 31, 2019. Afterwards, the Board was asked to entertain a motion to approve the 2019 Audit.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE 2019 AUDIT REPORT PREPARED BY STOCKMAN, KAST, RYAN & COMPANY, LLP, SUBJECT TO A FINAL AUDITOR'S REVIEW. MR.

HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

ITEM 6:

⇒ General Manager's Report – Amy Lathen

Mrs. Lathen updated the Board on monthly activities and departmental progress occurring over the previous month.

SP Global issued the District an “A” rating for the Series 2020 Bonds. They will be publishing the rating, and the next step for the District will be to send this information to bond insurers to get a quote for the preliminary surety.

Mrs. Lathen updated the Board on the Meridian emergency water lease.

Staff will be emailing a check signing schedule to the Directors.

On the Agenda was Board discussion of the Parks Advisory Committee. Mrs. Lathen requested direction from the Board to strive in keeping a six-month operational reserve in the Parks with at least an amount of \$100,000.

Mrs. Lathen requested direction from them to establish a policy requiring capital improvements prior to land being deeded over to the District. And she requested direction to seek HOA financial participation before improvements were made to HOA-related parks.

Mr. Keleher mentioned there was a large amount of irrigation to the parks and believed there were quite a few users from the City of Colorado utilizing the dog park.

In the last Parks Advisory Meeting, it was the consensus that no staff needed to participate and attend the meetings and only citizen consensus should be sought. Discussion ensued regarding the purpose of the Parks Advisory Committee.

*****MOTION*****

MR. KELEHER MOTIONED, SECONDED BY MR. HERRLEY, TO DISBAND THE PARKS ADVISORY COMMITTEE. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-NO. MR. HASBROUCK-YES. MOTION PASSED (4-1).

*****MOTION*****

MR. KELEHER MOTIONED, SECONDED BY MR. HERRLEY, TO DIRECT MANAGEMENT AND PARKS STAFF TO MAINTAIN A \$100,000 CASH

RESERVE IN THE PARKS FUND. THIS RESERVE REPRESENTS A SIX-MONTH OPERATION RESERVE. MORE DISCUSSION ENSUED. MRS. SINTAS WAS CONCERNED THIS DIDN'T LEAVE VERY MUCH RESERVE IN OPERATING AND MAINTENANCE. AFTER FURTHER DISCUSSION, MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-NO. MR. HASBROUCK-YES. MOTION PASSED (4-1).

*****MOTION*****

MR. HERRLEY MOTIONED, SECONDED BY MR. DANIELS, TO DIRECT MANAGEMENT AND PARKS STAFF TO PUBLISH A PARKS POLICY ESTABLISHING THAT BEFORE ANY UNIMPROVED LAND IS CONSIDERED AND APPROVED TO BE DEEDED OVER TO CHEROKEE METROPOLITAN DISTRICT, IT MUST FIRST BE AT LEAST 75% IMPROVED WITH CAPITAL INFRASTRUCTURE POSSIBLY INCLUDING BUT NOT LIMITED TO SUCH ITEMS AS PLAYGROUND EQUIPMENT, PAVILIONS, SHEDS, FINISHED SEATING AREAS WITH CONCRETE-ASPHALT PADS, BENCHES, LANDSCAPING, SPORTS TURF, BALL FIELDS, FENCING AND IRRIGATION INFRASTRUCTURE. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

*****MOTION*****

MR. HERRLEY MOTIONED, SECONDED BY MR. KELEHER, TO DIRECT MANAGEMENT AND PARKS STAFF TO IDENTIFY ALL EXISTING HOAs WITHIN CMD AND ANY PUBLIC PARKS WITHIN THOSE HOAs. BEFORE EXPENDITURES ARE MADE, STAFF ARE TO CONTACT RELATED HOAs TO PURSUE PARKS CAPITAL FUNDING AND SHARED SUPPORT FOR THEIR RESPECTIVE PARKS. THIS INFORMATION WILL BE USED TO AID THE STAFF IN MAKING RECOMMENDATIONS RELATED TO CAPITAL EXPENDITURES AND AID THE BOARD IN ALLOCATING PARKS CAPITAL FUNDS. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

Mrs. Lathen asked the Board for approval to add the services of Gary Barber as a consultant in researching and strategizing the District's water portfolio for 2021. It was the Board's consensus for Mrs. Lathen to move forward and work with Gary Barber in this endeavor. No Motion and approval by the Board was necessary.

A table of Merchant Fee Payment Options was distributed to the Board. This was a detailed list of credit card and check payment fees which were charged either to the customer using that payment option or charged to the District because of customers using that payment option. Currently the District is paying the merchant fees for: A customer who walks in to the office and pays by a credit card; a customer who pays by eCheck through the IVR (automated phone system); a customer making an eCheck payment over

the website; a customer using the auto pay feature to make a credit card or eCheck payment to make his payment.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY TO MODIFY THE MERCHANT FEE OPTIONS TO INCLUDE FEES CHARGED TO THE CUSTOMER WHO PAYS BY CREDIT CARD AT THE WINDOW, PAYS BY ECHECK OR CREDIT CARD THROUGH THE IVR SYSTEM, PAYS BY ECHECK OR CREDIT CARD WHEN PAYING HIS BILL ON THE WEBSITE, OR PAYS BY ECHECK OR CREDIT CARD WHEN SIGNED UP FOR AUTO PAY. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

Mrs. Lathen went over an account who was given a large leak credit on their bill and again provided an overview of the District's process and policy.

Noah Vogel, one of the District's employees, was hired as a SCADA Controller last year. When hired, his duties were to oversee the calibration of control and monitoring instrumentation, troubleshooting systems including hydraulic, mechanical, computer, software, electrical, motor and electronic control systems. Since then he has exceeded the expectations of this job description and has an engineering degree to complement these additional strengths.

Mrs. Lathen requested the Board to support her request in moving the position of SCADA Controller under the Engineering Office's responsibility and identifying this position to be more in line with that of a SCADA Engineer than a Specialist. The Board concurred with this move.

ITEM 7:

⇒ Public Hearing

At this time the Regular Meeting recessed and the Public Hearing commenced.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. DANIELS, THAT THE BOARD GO INTO PUBLIC HEARING TO DISCUSS THE PARKS AND GOLF ADJUSTMENT AMENDMENT TO THE 2019 BUDGET. MOTION PASSED BY GENERAL CONSENT.

The Public Hearing commenced at 7:41 p.m. and was open to public comments.

Cathy Fromm presented to the Board a portion of the 2019 Budget requesting their approval to amend the Parks and Golf Course. In the 2019 Budget, the District appropriated funds for the fiscal year 2019 as follows: Parks Fund \$261,728, and Golf Course Enterprise Fund \$1,047,323. Because of additional expenditure of funds in the Parks Fund, Mrs. Fromm requested the Board to amend the 2019 budget as follows: Parks Fund \$335,728 and Golf Course Enterprise Fund \$1,047,900.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, THAT THE BOARD APPROVE AN AMENDMENT TO THE 2019 BUDGET AS FOLLOWS PARKS FUND \$335,728 AND GOLF COURSE ENTERPRISE FUND \$1,047,900. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

Mr. Hasbrouck announced the Public Hearing was closed and the meeting returned to Regular Session after a five-minute break was taken.

ITEM 8:

⇒ Finance and Accounting – Cathy Fromm

Cathy Fromm provided an overview of the August Financial Statements and answered questions from the Board.

ITEM 9:

⇒ Staff Reports – Questions of Written Reports

Jeff Munger provided an update on the design and construction of the reverse osmosis plant, stating the design stage was 60% completed.

A Master Services Agreement for Pipestone Equipment was discussed. This company sells and maintains the District's clay valves. Mr. Munger asked the Board to approve the Master Services Agreement.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE MASTER SERVICES AGREEMENT FOR PIPESTONE EQUIPMENT. MOTION PASSED BY GENERAL CONSENT.

A Master Agreement for Professional Services with Edward-James Surveying, Inc., was brought before the Board. They currently are completing and redesigning work at the Ellicott Pump Station and would furnish all labor and materials required.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE MASTER AGREEMENT FOR PROFESSIONAL SERVICES FOR EDWARD-JAMES SURVEYING, INC. MOTION PASSED BY GENERAL CONSENT.

Operations requested the Board to consider buying a used utility truck for the District. This truck would hold an air compressor and crane and would come equipped with the tools and generator necessary to simultaneously complete a number of necessary and vital jobs within the District. Shawn Puente confirmed the cost of this used utility truck would be approximately \$50,000.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY TO GRANT PERMISSION TO THE SUPERINTENDENT TO PURCHASE A USED UTILITY TRUCK IN THE AMOUNT OF APPROXIMATELY \$50,000. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

Mrs. Manning, Director Sintas, and Mr. Laxson attended the recent Pronghorn Meadows HOA meeting. They looked at some bids for synthetic turf to purchase, and the Association will look at the quotes and make determination of what they like best.

The Parks Advisory Committee asked for the Board's approval to purchase lighting for the Disc Golf Park in the amount of approximately \$9,062.97.

*****MOTION*****

MR. HERRLEY MOTIONED, SECONDED BY MR. KELEHER, TO APPROVE THE PURCHASE OF DISC GOLF LIGHTING FOR APPROXIMATELY \$9,062.97. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

ITEM 10:

⇒ Executive Session

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, THAT THE BOARD GO INTO EXECUTIVE SESSION CITING §24-6-402(4)(f), C.R.S., PERSONNEL MATTERS. MOTION PASSED BY GENERAL CONSENT. MR. DANIELS REFRAINED FROM ATTENDING EXECUTIVE SESSION.

Executive Session was entered into at 8:40 p.m.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. HERRLEY, TO COME OUT OF EXECUTIVE SESSION. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER- MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

Board Members came out of Executive Session. All were present in Executive Session, pursuant to §24-6-402(4)(f), citing conferences with the District's attorney regarding a personnel matter. No votes were taken and no decisions were made.

Regular Session resumed at 9:56 p.m.

ITEM 9:

⇒ Other Business

There was no other business.

ITEM 10:

⇒ Directors Items/Comments

There were no Directors items or comments.

ITEM 11:

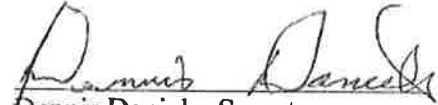
⇒ Other Meetings of Importance

Other meetings of interest as listed on the August 18, 2020 Regular Board Meeting Agenda.

ITEM 12:

⇒ Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned.



Dennis Daniels, Secretary

Board Members

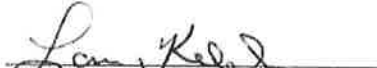
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Term Expires

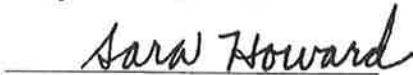
May, 2022
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Larry Keleher, Treasurer

Rene Sintas, Director


Sara Howard, Transcriber