



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

DATE: May 18, 2021

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 20, 2021 Board Meeting
- B. Directors Signatures

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

- A. Master Services Agreement – DiNatale Water Consultants
- B. Well Acquisition Letter of Intent
- C. Vac Truck Condition, Replacement Consideration
- D. CHFD Lot Acquisition Discussion
- E. Sundance Infrastructure Valuation Scope
- F. Colorado Springs Airport Pipeline Removal
- G. Construction Update – Jeff Munger
- H. Questions of Staff Reports

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

- A. April Monthly Financials

7. **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)(a), C.R.S., Purchase, acquisition, lease, transfer, or sale of any property interest. (Note: Not available where a member of the Board has a personal interest in the transaction.) and §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.

8. **Other Business**
9. **Directors' Items/Comments**
10. **Other Meetings of Importance to the Cherokee Metropolitan District**
11. **Adjournment**

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

May 18, 2021

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, May 18, 2021 at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

BOARD OF DIRECTORS PRESENT

| | | |
|-----------------|---------------|----------------|
| Steve Hasbrouck | Larry Keleher | Dennis Daniels |
| Walt Herrley | Rene Sintas | |

CMD STAFF IN ATTENDANCE

| | | |
|-----------------|--------------|------------------|
| Amy Lathen | Cathy Fromm | Sara Howard |
| Brian Beaudette | Shawn Puente | Paul Rufien |
| Todd Laxson | Jeff Munger | Nicholas Griffin |

OTHERS PRESENT

| | | |
|-----------------|-------------------|---------------|
| Assunta Manning | Michelle McKinney | John Mick |
| Art Sintas | Roger Stolz | Bobby Johnson |
| Gary Barber | Jason Kvols | |

ITEM 1:

⇒ Call to Order

The meeting was called to order by President Steve Hasbrouck at 5:32 p.m. All Directors were present. There were no Directors' qualifications and disclosures. All 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 advised an additional MSA Agreement for DN Tanks would be presented for discussion, and requested Item B. Well Acquisition Letter of Intent, and F. Colorado Springs Airport Pipeline Removal be moved to Executive Session.

*****MOTION*****

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

ITEM 3:

⇒ Public Comments on Items NOT on the Agenda

President Hasbrouck asked if there were any public comments from the audience. A three-minute time limit would be enforced. There were no public comments.

ITEM 4:

⇒ Consent Agenda

The following were reviewed for approval: Minutes of the Regular Board Meeting of April 20, 2021.

*****MOTION*****

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

ITEM 5:

⇒ General Manager's Report

Mrs. Lathen provided her monthly report to the Board identifying key projects of importance. A Master Services Agreement prepared for DiNatale Water Consultants was shared with the Board. Mrs. Lathen requested it be reviewed for signature.

*****MOTION*****

MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE MASTER SERVICE AGREEMENT FOR DINATALE WATER CONSULTANTS. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

A Master Services Agreement for DN Tanks was presented to the Board and discussed. Mrs. Lathen requested it be reviewed for signature.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. DANIELS, TO THE APPROVE THE MASTER SERVICE AGREEMENT FOR DN TANKS. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

The District has received tremendous value from its operations' vac truck; however, it is over 20 years old and is in continuous repair. Another vac truck must be rented to finish ongoing projects until the current truck can get fixed. A new truck will be discussed in the 2021 budget. They cost about \$420,000.

There are no discussions or negotiations currently on the table for acquiring the Cimarron Hills Fire Department back parking lot. However, the Fire Chief will be taking additional options to their Board before he gets back to Cherokee.

Mrs. Lathen asked the Board for a possible date for a work session to discuss water services, options, and existing and future water resources for the District and regional area.

Jeff Munger provided a construction update and presentation to the Board with a variety of informational slides.

On Saturday, April 24th, a contractor hit a 12-inch water main while working in the Hannah Ridge development. The break caused a large pressure drop for several minutes, and a direct loss of water at the rate of approximately 10,000 gallons per minute before the contractor was able to shut valves to isolate the break.

This massive surge of water flow effectively scoured the pipes and stirred up iron sediment leading to discolored water issues throughout much of the District's upper pressure zone. Several staff members responded by testing chlorine residuals throughout the system to ensure the water remained safe as they flushed hydrants for several hours in the areas most affected by the event to clear up the mains.

Residents were advised to run their water taps to flush out their lines and clear up the discoloration caused by the event. The total water loss tied to this event, including directly from the break itself, and indirectly from several hours of subsequent flushing of water mains and resident plumbing, has been estimated at over 1.3 million gallons.

While the effects of the main break caused widespread nuisance discoloration and considerable distress to the residents affected, the issue was determined to be of aesthetic concern and not one that compromised the health and safety of the project. The Water ORC was in contact with the CDPHE which determined a boil order was not necessary.

The District won 100% of the Meridian arbitration which has been ongoing for several years. Mrs. Lathen thanked the attorneys for their tremendous effort, and Mr. Rufien

congratulated the Board and staff for their diligence and hard work in helping win this legal lawsuit.

ITEM 6:

⇒ Finance and Accounting

Cathy Fromm provided a report on the April Monthly Financials and answered questions from the Board.

Todd Laxson provided a short report on the work the Golf Course has undertaken the past four weeks. He passed out some literature showing examples of coated, mildly shaded shelter covers for the dog park. There was concern these shelters did not provide adequate shade, and he offered to bring more options to the Board for further discussion.

ITEM 7:

⇒ Executive Session

*****MOTION*****

MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, THAT THE BOARD GO INTO EXECUTIVE SESSION CITING §24-6-402(4)(a), C.R.S., PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY PROPERTY INTEREST. (NOTE: NOT AVAILABLE WHERE A MEMBER OF THE BOARD HAS A PERSONAL INTEREST IN THE TRANSACTION) AND §24-6-402(4)(b), C.R.S., CONFERENCE WITH DISTRICT'S ATTORNEY RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

Executive Session was entered into at 7:24 p.m.

*****MOTION*****

MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, TO COME OUT OF EXECUTIVE SESSION. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

Board Members came out of Executive Session. All were present in Executive Session, pursuant to §24-6-402(4)(a), and §24-6-402(4)(b). No votes were taken and no decisions were made.

Regular Session resumed at 8:35 p.m.

ITEM 8:

⇒ Other Business

There was no other business to report.

ITEM 9:

⇒ Directors' Items/Comments

There were no Directors' comments.

ITEM 10:

⇒ Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:45 p.m.

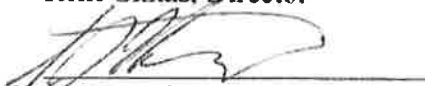

Dennis Daniels, Secretary

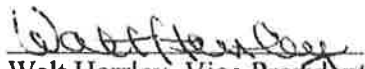
Board Members

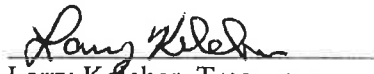
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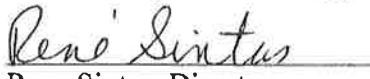
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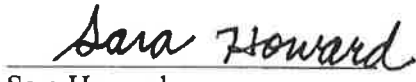
May, 2022
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Steve Hasbrouck, President


Walt Herrley, Vice President


Larry Keleher, Treasurer


Rene Sintas, Director


Sara Howard,
Executive Administrator
and Clerk to the Board