



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
Walt Herrley, Vice President
Dennis Daniels, Secretary
Larry Keleher, Treasurer
Rene Sintas, Director

May 2022
May 2023
May 2023
May 2022
May 2022

DATE: July 20, 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 June 15, 2021 Board Meeting
- B. Directors Signatures

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

- A. MSA Diamondback Fence Company
- B. Tamlin Tank Adjacent Property Condemnation Resolution 2021-06
- C. Cross Connection-Backflow Policy
- D. Grandview Reserve Wastewater Services Agreement
- E. Sterling Ranch Wheeling Agreement
- F. The Loop Status Report
- G. Questions of Staff Reports
 - a. TDS Project – Construction Update Jeff Munger
 - b. Cherokee Ridge Golf Course Mid Year Update

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

- A. June 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.

a. CHFD vacant lots

8. Other Business

9. Directors' Items/Comments

10. Other Meetings of Importance to the Cherokee Metropolitan District

1. Woodmen Hills Metropolitan District Meeting, 5:30 p.m. July 22, 2021
2. UBSCGW Monthly Meeting, 6 p.m., August 3, 2021
3. El Paso County Board of Commissioners Worksession re: The Loop, August 10th 1pm
4. Annual SDA Conference, September 14-16, 2021 Keystone, Colorado

11. Adjournment

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

July 20, 2021

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, July 20, 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	Connie Hughes
Joshua Watkins	Jeff Munger	

OTHERS PRESENT

Assunta Manning	Roger Stolz	Paul Rufien
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ITEM 1:

⇒ Call to Order

The meeting was called to order by President Steve Hasbrouck at 5:30 p.m. All Directors were present. There were no Directors' qualifications and disclosures. All 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. There were no amendments to the Agenda.

*****MOTION*****

MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE EVENING'S AGENDA. 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 was reviewed for approval: Minutes of the Regular Board Meeting of June 15, 2021.

*****MOTION*****

MR. KELEHER MOTIONED, SECONDED BY MR. DANIELS, 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 including the Tamlin Tank Adjacent Property Condemnation Resolution, revised Cross Connection-Backflow Policy, Grandview Reserve Wastewater Services Agreement, Sterling Ranch Wheeling Agreement and the Loop Status Report.

In addition, a MSA for Diamondback Fence Company to improve the fencing at Eastridge Park was discussed and presented to the Board for approval.

*****MOTION*****

MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE MASTER SERVICE AGREEMENT FOR DIAMONDBACK FENCE COMPANY. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

Mrs. Lathen explained the historical timeline of the 2014 use agreement for the small piece of parcel adjacent to the existing Tamlin Tank. The agreement never came to fruition. Mrs. Lathen asked the Board to now approve a Resolution to authorize CMD staff to negotiate and/or acquire by condemnation the property by the existing Tamlin Tank. Legal Counsel Paul Rufien provided a more in-depth explanation of the process.

*****MOTION*****

MR. KELEHER MOVED, SECONDED BY MR. DANIELS, TO APPROVE RESOLUTION 2021-06, A RESOLUTION TO ACQUIRE OR CONDEMN REAL PROPERTY INTERESTS FOR AN ADDITIONAL TAMLIN WATER TANK SITE. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES

Director Sintas requested further explanation regarding the legal definition and understanding of condemnation rights of real property.

Further discussion ensued with legal counsel answering specific questions.

*****CONTINUED MOTION*****

MRS. SINTAS-NO. MR. HASBROUCK-YES. MOTION CARRIED (4-1).

Mr. Brian Beaudette explained to the Board the District's requirements to maintain and adhere to the state-mandated Backflow Prevention and Cross Connection Control Regulation. He went over the revisions in the report and answered questions from the Board.

*****MOTION*****

MRS. SINTAS MOVED, SECONDED BY MR. DANIELS, TO APPROVE THE REVISED BACKFLOW PREVENTION AND CROSS CONNECTION CONTROL REGULATION. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS. MR. HASBROUCK-YES. MOTION CARRIED (5-0).

Mrs. Lathen advised the Board a draft Grandview Reserve (Four Way Ranch) Wastewater Services Agreement is currently under review by legal counsel. There was discussion of a short-term Wheeling Agreement with Sterling Ranch with more information forth coming in next month's meeting.

Mrs. Lathen stated the Sundance Pipeline could potentially be used in future partnership with other special districts in northeastern Colorado. There have been ongoing discussions with several interested parties, and Mrs. Lathen will provide monthly updates to the Board. On August 10th she and staff are planning a work session between Cherokee, a few other special districts, and the Board of County Commissioners.

The General Manager will be organizing a tour of the construction of the Reverse Osmosis facility with the tour being considered a Work Session or having two Board Members go on the tour at separate times.

TDS Project -Construction Update – Jeff Munger

Jeff Munger provided a project update complemented by a variety of slides and pictures of filter buildings, splitter structure, and aerial photographs and presented key dates for the project to stay on schedule.

Cherokee Ridge Golf Course Mid-Year Update – Todd Laxson

Todd Laxson provided a short mid-year update on the Golf Course.

ITEM 6:

⇒ Finance and Accounting

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

ITEM 7:

⇒ Executive Session

MR. KELEHER AND MRS. SINTAS RECUSED THEMSEVLES FROM EXECUTIVE SESSION.

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)(e), C.R.S., DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTOATIONS, AND INSTRUCTING NEGOTIATORS. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

Executive Session was entered into at 7:45 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 Hasbrouck, Daniels and Herrley came out of Executive Session. Mr. Keleher and Mrs. Sintas returned to the Regular Session. No votes were taken and no decisions were made.

Regular Session resumed at 8:33 p.m.

ITEM 8:

⇒ Other Business

There was no other business to report.

ITEM 9:

⇒ Directors' Items/Comments

Mr. Keleher and Mr. Herrley both thought the fireworks display held at the Cherokee Golf Course on July 4th was fantastic, and Mrs. Sintas commented that she hoped there would be continued fireworks displays in the future.

ITEM 10:

⇒ Other Meetings of Importance to the Cherokee Metropolitan District

1. Woodmen Hills Metropolitan District Meeting, 5:30 p.m. July 22, 2021
2. UBSCGW Monthly Meeting, 5:30 p.m. July 22, 2021
3. El Paso County Board of Commissions Work Session Re: The Loop, 10 a.m., August 10, 2021
4. Annual SDA Conference, September 14-16, 2021, Keystone, Colorado

ITEM 11:

⇒ Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:48 p.m.



Dennis Daniels, Secretary

Board Members

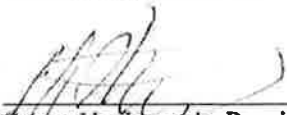
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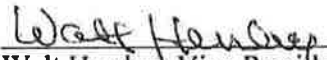
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Larry Keleher, Treasurer



Rene Sintas, Director



Sara Howard,
Executive Administrator
and Clerk to the Board