



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

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

Term Expires

May 2022
May 2023
May 2023
May 2022
May 2022

DATE: February 15, 2022

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. **Director Items**

4. **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:

- You must sign in when you arrive prior to making public comment or at the time of making your comments.
 - Your name, address and whether you reside within Cherokee Metropolitan District will be required to be disclosed before addressing the Board.
- Please keep comments restricted to the topics of the District and its business, and limit time to a maximum of three (3) minutes. A timer will be provided for your convenience.
- 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.
- For the respect of all attendees, interrupting and/or interjecting comments without first adhering to the above rules AND being recognized by the President is not allowed.

5. 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 January 20, 2022 Regular Board Meeting
- B. Approval of Minutes for the February 9, 2022 Special Board Meeting
- C. Directors Signatures

6. Finance and Accounting-Cathy Fromm

- A. January Monthly Financials

7. General Manager's Report

- A. Cherokee Water, LLC
 - 1. Transfer of Cherokee Water LLC Membership interest from Powers and Galley Water LLC to Ellicott Utilities Company
 - a. **Document:** CMD Resolution Transfer of PG Member Interest
 - 2. Transfer of 27.97 AF excess water from Marksheffel Business Center to EUC
 - a. **Document:** CMD Resolution Transfer of MBC Excess Water
 - 3. Transfer of Water Rights from Cherokee Water LLC to Cherokee Metro District and Dissolution of Cherokee Water LLC
 - a. **Document:** CMD Resolution Dissolution and Wind Up of LLC
 - b. **Document:** Special Warranty Deed - Cherokee Water LLC to CMD
- B. Approval Change Order #2, Burns & McDonnell
- C. Master Service Agreements
 - a. Chiddix Bros.
 - b. Lucky Dog
 - c. Prime Controls
 - d. Corrosion Works, LLC
- D. Replacement Plan Update
- E. Parks 2022 Capital Discussion

- F. Comparison Regional Water/Sewer Rates - Report
- G. Questions of Staff Reports

8. Executive Session

9. Other Business

10. Other Meetings of Importance to the Cherokee Metropolitan District

WHMD Board Meeting, February 24, 2022, at 5:30 p.m.

UBSGW Meeting, March 1, 2022 at 6 p.m.

Cherokee Metropolitan District Board Election May 3, 2022

11. Adjournment

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

February 15, 2022

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, February 15, 2022, at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

Board of Directors Present: Steve Hasbrouck, Walt Herrley, Dennis Daniels,
Larry Keleher, Rene Sintas

CMD Staff Present: Amy Lathen, Jeff Munger, Cathy Fromm, Julie Wells,
Sara Howard, Joshua Watkins, Walter Mack, Todd Laxson,
Noah Vogel

Others Present: Paul Rufien (Virtual), Pete Johnson (Virtual), Art Sintas,
Roger Stolz, Michelle Marie Kinney, Jason Kvols

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. Amy Lathen stated there were no needed changes to the Agenda.

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

ITEM 3: Directors Items/Comments

Director Daniels has been helping staff contact customers involved in the water main leak that occurred January 28, 2022.

ITEM 4: 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 5: Consent Agenda

The following were reviewed for approval: January 20, 2022 Regular Board Meeting Minutes and February 9, 2022 Special Board Meeting Minutes.

MOTION: **MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, TO APPROVE THE MINUTES FOR THE REGULAR BOARD MEETING OF JANUARY 20, 2022. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.**

MOTION: **MR. KELEHER MOVED, SECONDED BY MR. DANIELS, TO APPROVE THE MINUTES FOR THE SPECIAL BOARD MEETING OF FEBRUARY 9, 2022. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.**

ITEM 6: Finance and Accounting

Cathy Fromm provided a report on the January Monthly Financials. There were no questions from the Board.

ITEM 7: General Manager's Report

First on the Agenda was the discussion of the transfer of Cherokee Water, LLC membership interest from Powers & Galley Water, LLC to Ellicott Utilities Company. Legal counsel Pete Johnson was present to answer questions from the Board and to provide a thorough overview of each document and Resolution.

MOTION: **MR. DANIELS MOVED, SECONDED BY MR. KELEHER, TO APPROVE RESOLUTION 2022-08, A RESOLUTION OF THE BOARD OF BOARD OF DIRECTORS OF THE CHEROKEE METROPOLITAN DISTRICT TO APPROVE THE TRANSFER OF CHEROKEE WATER, LLC MEMBER INTEREST OF POWERS & GALLEY WATER, LLC. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).**

Up next for discussion was the transfer of 27.97-acre feet excess water from Marksheffel Business Center to Ellicott Utilities Company. The Amendment of the 2006 Marksheffel Business Center – CMD Service Agreement was approved and signed at the Special Meeting on February 9.

MOTION: MR. DANIELS MOVED, SECONDED BY MR. KELEHER, TO APPROVE RESOLUTION 2022-09, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CHEROKEE METROPOLITAN DISTRICT TO APPROVE THE TRANSFER OF CHEROKEE WATER, LLC MEMBER INTEREST OF MARKSHEFFEL BUSINESS CENTER, LLC. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

The transfer of water rights from Cherokee Water, LLC to Cherokee Metro District and the dissolution of Cherokee Water, LLC was discussed.

MOTION: MR. DANIELS MOVED, SECONDED BY MR. HERRLEY, TO APPROVE RESOLUTION 2022-10, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CHEROKEE METROPOLITAN DISTRICT TO APPROVE THE TRANSFER OF WATER RIGHTS FROM CHEROKEE WATER, LLC TO CHEROKEE METROPOLITAN DISTRICT, AND TO DISSOLVE CHEROKEE WATER, LLC. MR. HERRLEY-YES. MR. DANIELS-YES. MR. KELEHER-YES. MRS. SINTAS-YES. MR. HASBROUCK-YES. MOTION PASSED (5-0).

Noah Vogel provided a presentation and overview of the new SCADA (Supervisory Control and Data Acquisition) system which the District is planning on purchasing and implementing through the services of Prime Controls. Their Master Services Agreement was presented to the Board for review and approval. He answered several questions from the Board. Mrs. Lathen presented the remaining Master Services Agreement that were available for review and discussion, which were Chiddix (excavating, repairing lines and valves), Lucky Dog (cleaning, concrete pouring), and Corrosion Works, LLC (cathodic protection survey).

MOTION: MR. DANIELS MOVED, SECONDED BY MR. KELEHER, TO APPROVE THE MASTER SERVICES AGREEMENT FOR PRIME CONTROLS, CHIDDIX, LUCKY DOG, AND CORROSION WORKS, LLC. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

Jeff Munger presented Change Order #2 requesting to amend the Burns and McDonnell Engineering contract price. With an EPC detention pond change in the amount of an increase of \$18,948.00, the elimination of a fire alarm system as a credit to Cherokee in the amount of \$50,000, and an additional construction cost for storage building permanent power in the amount of \$38,356, this would result in a change order of \$7,304 with a revised contract price in the amount of \$42,219,172.

MOTION: MR. DANIELS MOVED, SECONDED BY MR. KELEHER, TO APPROVE CHANGE ORDER #2 IN THE AMOUNT OF \$7,304 RESULTING IN A

**REVISED CONTRACT PRICE IN THE AMOUNT OF \$42,219,172. ALL
IN FAVOR. MOTION PASSED BY GENERAL CONSENT.**

Todd Laxson handed out a packet consisting of a spreadsheet identifying 2022 Parks options, photographs, bids, and proposals. The spreadsheet outlined the projects, the work that will be involved in accomplishing the projects, the cost of the project, and the priority of the project identified by parks staff. He encouraged input from the Board as to their options and opinions on the park's projects. He provided samples of artificial turf for Board review. A Pronghorn Meadows park survey is being designed. A survey can again be placed on the website. Mr. Daniels suggested Parks consider ground improvement at the ballparks.

Mrs. Lathen gave a brief presentation of the regional water and sewer rates comparison which included Colorado Springs Utilities, Security Water and Sanitation District, Widefield Water and Sanitation District, Meridian Metropolitan District, Woodmen Metropolitan District, Paintbrush Hills Metropolitan District, Colorado Centre, Donala Water and Sanitation District, and Cherokee Metropolitan District.

Mrs. Lathen asked Mr. Munger to provide an update of the odor discharge on the Equalization Basin at the (old lagoons) yard. Reduction of the pond could reduce the odors emitted, but the best alternative would be to build a concrete structure which would still allow the District to use the EQ Pond in an emergency. A replacement pump station is also being considered with engineering being fulfilled this year and construction being completed next year. The District is not yet under a compliance order.

Mrs. Lathen concluded her report by updating the Board regarding a meeting she and staff had with the City of Colorado Springs on February 3 regarding Flying Horse East (previously known as Ververs Ranch), and the possibility of a wastewater exchange between CSU and the District if Flying Horse East came to fruition.

She updated the Board on the January 28th water main break which occurred at the intersection of Pinyon Jay Drive and Lupan Dr.

Mrs. Lathen and staff will be meeting with the Home Builders Association concerning the progress being made with the LOOP on February 18th at the main office.

ITEM 8: Executive Session

There was no Executive Session.

ITEM 9: Other Business

There was no other business.

ITEM 10: Other Meetings of Importance to the Cherokee Metropolitan District

As listed on the evening's Agenda.

ITEM 11: Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:11 p.m.


Dennis Daniels, Secretary

Board Members

Term Expires

Steve Hasbrouck, President

May, 2022

Walt Herrley, Vice-President

May, 2023

Dennis Daniels, Secretary


May, 2023

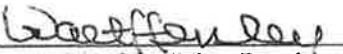
Larry Keleher, Treasurer

May, 2022

Rene Sintas, Director

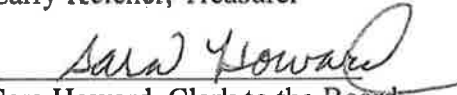
May, 2022


Steve Hasbrouck, President


Walt Herrley, Vice President


Larry Keleher, Treasurer


Rene Sintas, Director


Sara Howard, Clerk to the Board
Executive Administrator