



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

PLEASE SILENCE ALL PHONES FOR THE DURATION OF THE MEETING- THANK YOU

AGENDA

Board of Directors

Steve Hasbrouck, President
Walt Herrley, Vice President
Dennis Daniels, Secretary
Linda Keleher, Treasurer
Michelle Marie Kinney, Director

Term Expires

May 2025
May 2023
May 2023
May 2025
May 2025

DATE: October 18, 2022

TIME: 10:00 a.m.

LOCATION: Cherokee Metropolitan District – Board Room
6250 Palmer Park Blvd., Colorado Springs, Colorado 80915

1. **Call to Order**

- A. Pledge of Allegiance
- B. Roll Call of the Board of Directors/Declaration of a Quorum
- C. Director Qualifications and Disclosures

2. **Review and Approval of the Agenda**

- A. Addendums
- B. Amendments
- C. Approval Motion

3. **Directors Items**

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 September 20, 2022 Regular Board Meeting
- B. Directors Signatures

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

- A. September Monthly Financials

6. **Staff Reports and Action Item Requests**

- A. LOOP Establishing Agreement
- B. FMLAI - Review Only
- C. Poleson Well, Replacement Plan Amendment
- D. Dwire Earthmoving, LLC – MSA
- E. Gray Matter Systems, LLC – MSA
- F. TDS Project Update
- G. Questions of Staff Reports

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)(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. CDPHE Discharge Compliance Review

8. **Public Comment**

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.

- Board action cannot be taken on items not published on the agenda.

9. **Other Business**

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

Meridian Ranch Metropolitan District, first Wednesday of each month, 10 a.m.

Cimarron Hills Fire Department Board Meeting, third Wednesday of each month, 5:30 p.m.

Woodmen Hills Metropolitan District Board Meeting, fourth Thursday of each month, 5:30 p.m.

UBSCGW Meeting, Calhan, Colorado, first Tuesday of each month, 6 p.m.

Colorado Springs City Council Meetings 2nd and 4th Tuesday of each month, at 10 a.m.

11. **Adjournment**

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

October 18, 2022

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, October 18, at 10:00 a.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

Board of Directors Present: Steve Hasbrouck, Walt Herrley, Linda Keleher, Dennis Daniels, Michelle Marie Kinney

CMD Staff Present: Amy Lathen, Julie Wells, Connie Hughes, Cole Miller, Kevin Brown, Shawn Puente, Jeff Munger, David Fandrei Brian Beaudette, Joshua Watkins

Others Present: Paul Rufien, Pete Johnson, Roger Stolz, Rene Sintas, Norbert Pirri;
Virtual: Allen Drayton Jr., Elke Drayton, Daniela Tapia-Davis, J. Cederberg, Noah Vogel, Megan Carpenter, Garald Barber, Michael Corder, Jeni Weber, Robert Hernandez (joined at 11 a.m.), Nathaniel (joined at 11:05 a.m.)

ITEM 1: Call to Order

The meeting was called to order by President Steve Hasbrouck at 10:00 a.m. Those in attendance were asked to stand and recite the Pledge of Allegiance. He asked for a roll call from the Directors. All were present. There were no Directors' qualifications or disclosures.

ITEM 2: Review and Approval of the Agenda

Mrs. Lathen noted there were no changes or amendments that needed to be made to the Agenda.

MOTION: DIRECTOR DANIELS MOTIONED, SECONDED BY DIRECTOR HERRLEY, TO APPROVE THE MEETING'S AGENDA. WALTER HERRLEY-YES. LINDA KELEHER-YES. DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

ITEM 3: Directors Items/Comments

There were none.

ITEM 4: Consent Agenda

The following were reviewed for approval: Minutes for the September 20, 2022 Regular Board Meeting and Public Hearing

MOTION: DIRECTOR DANIELS MOVED, SECONDED BY DIRECTOR HERRLEY, TO APPROVE THE REGULAR BOARD MEETING MINUTES FOR SEPTEMBER 20, 2022. WALTER HERRLEY-YES. LINDA KELEHER-YES. DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

ITEM 5: Finance and Accounting – Julie Wells

Julie Wells provided the Board an overview of the September Financial Statements. There were no questions from the Board.

Mrs. Lathen mentioned that the 2023 Draft Proposed budget was sent via email to the Board on October 14th. She discussed that staff will be working to refine and finalize the budget prior to the public hearing in December.

ITEM 6: Staff Reports and Action Item Requests

Legal Counsel Pete Johnson and Paul Rufien presented the LOOP Establishing Agreement and discussed some of the more important points of the agreement. This agreement establishes the LOOP as a separate government entity with its own Board of Directors made up of the General Managers of each of the member entities. There will be no elections for Board Directors, the governing body of each member entity will appoint their General Manager as positions become vacant. There was discussion about paid staff for the work that needs to be done. Mr. Johnson and Mr. Rufien stated that there will eventually be a need to hire employees for this government entity, but that will be a future project. The LOOP Board of Directors will not be compensated at this point.

Roger Stolz asked permission to ask a question and was recognized by the President. Mr. Stolz wanted to know if there were any hard dates set yet to evaluate the efficiency of the system. Kevin Brown answered that the only dates known now involve engineering and design.

MOTION: DIRECTOR KINNEY MOTIONED, SECONDED BY DIRECTOR DANIELS, TO APPROVE THE AGREEMENT IN SUBSTANTIAL FORM WITH POSSIBLE AMENDMENTS. WALTER HERRLEY-YES. LINDA KELEHER-YES. DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

Connie Hughes gave a brief overview of the FMLAI document, which is an additional state benefit that would provide paid leave over and above the benefits of FMLA. Mr. Rufien noted that the Board will have to OPT OUT by November or Cherokee will automatically be participating. The Board was instructed to review the document for a decision at the Board meeting in November.

by January 1, 2023, hmrk
DAD W.K.
JEL

Director Kinney offered to do further research and check with attorneys she knows for their take on this program.

Pete Johnson provided a status update of the Replacement Plan Amendment for the Poleson Well (Cherokee Well 23). He asked the Board to approve the amended document. Mrs. Lathen passed out copies to each Director and Mr. Johnson reviewed the changes made to the original document relating to the water right and Well 23 description.

MOTION: DIRECTOR KINNEY MOTIONED, SECONDED BY DIRECTOR DANIELS, TO APPROVE THE AGREEMENT IN SUBSTANTIAL FORM WITH POSSIBLE AMENDMENTS. WALTER HERRLEY-YES. LINDA KELEHER-YES. DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

Mrs. Lathen asked for approval of the MSA for Dwire Earthmoving, LLC.

MOTION: DIRECTOR KINNEY MOTIONED, SECONDED BY DIRECTOR DANIELS, TO APPROVE THE MSA FOR DWIRE EARTHMOVING, LLC. WALTER HERRLEY-YES. LINDA KELEHER-YES. DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

Noah Vogel gave a brief summary of the MSA with Gray Matter Systems, LLC who will be assessing our cybersecurity safety and evaluating any updates Cherokee would need to make.

MOTION: DIRECTOR DANIELS MOTIONED, SECONDED BY DIRECTOR KINNEY, TO APPROVE THE MSA FOR GRAY MATTER SYSTEMS, LLC. WALTER HERRLEY-YES. LINDA KELEHER-YES. DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

Jeff Munger provided a status update on the TDS project.

Mrs. Lathen introduced Cole Miller as the Superintendent of Golf Operations and announced that Cherokee Ridge Golf Course was just named Colorado Springs' 2022 award winner for Best in Golf Course.

ITEM 7: Executive Session

MOTION: DIRECTOR DANIELS MOTIONED, SECONDED BY DIRECTOR HERRLEY, 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. WALTER HERRLEY-YES. LINDA KELEHER-YES.

DENNIS DANIELS-YES. MICHELLE MARIE KINNEY-YES. STEVE HASROUCK-YES. MOTION PASSED (5-0).

A ten-minute recess took place at 11:16 a.m. before Executive Session commenced.

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.

ITEM 8: Public Comment


ITEM 9: Other Business

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

As listed on the Agenda.

ITEM 11: Adjournment

There being no further business to come before the Board at this time, the meeting adjourned at 12:15 p.m.



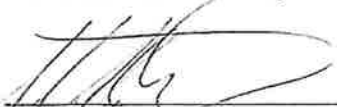
Dennis Daniels, Secretary

Board Members

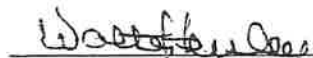
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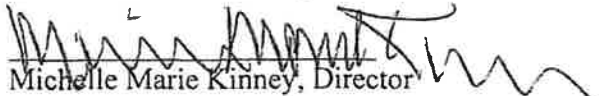
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