



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

Michelle Marie Kinney, President
Dan Wall, Vice President
Tracey Ferguson, Secretary/Treasurer
Steve Hasbrouck, Director
Linda Keleher, Director

Term Expires

May 2025
May 2027
May 2027
May 2025
May 2025

DATE: July 18, 2023

TIME: 5:30 p.m. - 7:00 p.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 Quorum
- C. Director Qualifications and Disclosures

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

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

3. Public Comment

- Please keep comments restricted to the topics of the District and its business. A time limit of three minutes may be imposed by the Chair. A timer may be provided for your convenience.

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. MSA: Wesson Services Company, DBA All American Mechanical
- B. MSA: HBS Trash Service
- C. MSA: Jan-Pro Janitorial Service
- D. MSA: Moltz Construction, Inc.
- E. Directors Signatures – Spelling Correction

5. Called Up Consent Items – Items from Consent Agenda Only

6. Minutes

- A. Approval of Minutes for the May 16, 2023 Regular Board Meeting
- B. Approval of Minutes for the June 20, 2023 Special Board Meeting

7. Action Item Requests and Staff Reports – 30 Minutes

- A. Change Order – WRF Blower Project
 - 1. Request to Withdraw Burns & McDonnell Change Order #5, Bioreactor Screen Covers, Reference RFCA011, dated February 7, 2023
 - 2. Request to Approve Burns & McDonnell Change Order #5, Secondary Treatment Process Blower Replacement Final Design
- B. Amended Resolutions
 - 1. Resolution 2023-12 – 2023 Annual Administrative Matters, Amended
 - 2. Resolution 2023-13 – 2023 Time and Location For Regular Meetings, Amended
 - 3. Resolution 2023-14 – 2023 Notice of Regular Meetings of the Board of Directors, Amended
- C. Staff Reports
 - 1. General Report
 - 2. Inclusion Research for Parcels Not in Legal Boundary - Presentation
 - 3. 2079 Meadowbrook Follow Up #5404121001
 - 4. Holiday Additional Leave Time Discussion
 - 5. Staff Recommendation of Moltz Construction, Inc. for Chloinator Design-phase Support Services
 - a. Grant of Right of Way, Report
 - 6. Mayberry Parcels/ Follow Up

8. **Finance and Accounting-Cathy Fromm – 15 Minutes**

- A. June Monthly Financials

9. **Attorney Items**

- A. Deed Acquisition Progress Report;
Parcels: #5404108025 - 2207 Jeanette Way,
#5404101009 - 2386 Springside Dr
#5404102056 - 2395 Springside Dr

10. **Other Business/Directors Items -No Action Taken**

- A. Liquor Licensee Update Data
B. Payable/Check Signing Protocol
C. Documents

11. **Executive Session – If Requested and Approved: (The Board Will Move to Separate On-site Location)**

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

Loop Water Authority, Loopwater.org
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.
SDA Conference, Keystone, September 12-14, 2023

13. **Adjournment**

CHEROKEE METROPOLITAN DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

July 18, 2023

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, July 18, 2023, at 5:30 p.m. at 6250 Palmer Park Blvd., Colorado Springs, Colorado.

Board of Directors Present: Michelle Marie Kinney, Dan Wall, Tracey Ferguson, Steve Hasbrouck, Linda Keleher

CMD Staff Present: Amy Lathen, Julie Wells, Connie Hughes, Kevin Brown, Brian Beaudette, Sara Howard, Jeff Munger, Joshua Watkins, Cathy Fromm, Shawn Puente, Mark Cuchiara

Others Present: Paul Rufien, Dennis Daniels, Walt Herrley, Paula Schofield, Jan Cederberg, Dave Mattes, Jeremy Atkinson, Patti Teal, Nate Williams, Bob Lathen; Virtual: Megan Carpenter, Jeff Bandy, David Schoemer, jeri w, Tim, Elke Drayton, Joe Dumond.

ITEM 1: Call to Order

The meeting was called to order by President Kinney at 5:30 p.m. Those in attendance were asked to stand and recite the Pledge of Allegiance. President Kinney 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

Paul Rufien asked that a handout which was distributed to the Board by Director Hasbrouck prior to the meeting be placed on the Agenda as Other Business.

MOTION: DIRECTOR FERGERSON MOVED, SECONDED BY DIRECTOR KELEHER, TO APPROVE THE AGENDA AS AMENDED. ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

ITEM 3: Public Comment

There were no public comments.

ITEM 4: Consent Agenda

Amy Lathen presented corrected Resolution 2023-09 to Director Fergerson and President Kinney and asked for their signatures. This was an action item carried over from the last meeting.

Jeff Munger presented several MSAs to the Board for their review and approval. There were MSAs for: Wesson Services Company, DBA All American Mechanical (who would be contracted on an as-needed basis for mechanical repairs), HBS Trash Service, Jan-Pro Janitorial Service, and Moltz Construction, Inc.

MOTION: DIRECTOR FERGERSON MOVED, SECONDED BY DIRECTOR KELEHER, TO APPROVE MSAs FOR WESSON SERVICES, HBS TRASH SERVICE, JAN-PRO JANITORIAL SERVICE, AND MOTZ CONSTRUCTION, INC.

There was no further discussion.

ALL IN FAVOR. MOTION PASSED BY GENERAL CONSENT.

ITEM 5: Called Up Consent Items-Items from Consent Agenda Only

There were none.

ITEM 6: Minutes

The Minutes for the May 16, 2023, Regular Board Meeting, and the Minutes for the June 20, 2023 Special Board Meeting, were brought before the Board.

The Minutes for the June 20, 2023, Regular Board Meeting, were reviewed by the Board.

MOTION: DIRECTOR FERGERSON MOVED, SECONDED BY DIRECTOR WALL TO APPROVE THE REGULAR BOARD MEETING MINUTES FOR JUNE 20, 2023.

There was no further discussion.

ALL IN FAVOR. NONE OPPOSED.

On July 17, 2023, at 8:41 p.m. staff and all board members received an email from President Kinney attaching rewritten, proposed Minutes for the May 16th Regular Board Meeting. This was a 22-page, single-spaced editorial. President Kinney stated the rewritten version was prepared by Secretary Fergerson. *mtranscript* *JF* *DW*

Director Wall believed this document should be reviewed further and requested the item to be tabled until the next Board Meeting.

Discussion continued.

MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR FERGERSON, TO TABLE THE REGULAR BOARD MEETING MINUTES FOR MAY 16, 2023, TO THE AUGUST 15, 2023, MEETING. DAN WALL-YES. TRACEY FERGERSON-YES. STEVE HASBROUCK-NO. LINDA KELEHER-NO. MICHELLE MARIE KINNEY-YES. MOTION PASSED (3-2).

ITEM 7: Action Item Requests and Staff Reports – 30 Minutes

Mr. Munger advised there had been recent developments in the Burns & McDonnell Change Order #5 (which had not been fully executed), whereby a second treatment process blower replacement was required for final design. Mr. Munger requested the Board to withdraw the original Change Order #5 and approve the revision of Change Order #5 which documented the additional secondary treatment process blower replacement.

MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR FERGERSON, TO APPROVE THE BURNS & MCDONNELL CHANGE ORDER #5 REVISING THE CONTRACT PRICE TO \$42,554,874.

There was no further discussion.

ALL IN FAVOR. NONE OPPOSED.

It was earlier discussed for an Executive Session to have its own agenda in a Special Meeting. This would give an opportunity for the guests to attend the Regular Meeting without having to wait for an Executive Session to finish, as those sessions are not open to the public. The Special Meeting would commence at 4:30 p.m. and the Regular Board Meeting would follow at 5:30 p.m. The time change would result in the amendment of three resolutions – Annual Administrative Matters, Time and Location for Regular Meetings, and Notice of Regular Meetings of the Board of Directors.

President Kinney asked for discussion.

MOTION: DIRECTOR HASBROUCK MOVED, SECONDED BY DIRECTOR WALL, TO TABLE THIS ITEM TO NEXT MONTH'S DISCUSSION.

Discussion ensued. Director Hasbrouck requested the tabling of the amended Resolutions because he is going to ask to have the Resolutions and Bylaws be added to the Agenda so a motion can be made to return them back to their original form.

ALL IN FAVOR. NONE OPPOSED.

The General Manager's Report included a presentation from Kevin Brown regarding the inclusion research for parcels not in the District's legal boundaries; follow up of 2079 Meadowbrook flooding, additional holiday leave time, staff recommendation of Moltz Construction, Inc., for

chlorinator design phase support services, and follow up discussion to Mayberry Colorado Springs parcels.

As a follow-up to Director Wall's original request, Mr. Brown extensively researched the District's service boundaries and summarized yet a greater number of residential and commercial customers who do not fall into the legal boundaries. Moreover, complications are arising where homes and properties are divided in half, where one part of the property is within the legal boundaries and the other part of the property is not. Mr. Brown will continue to research and refine these listings with projected completion in several months to allow for the possibility of an election to occur to correct these service/legal boundaries.

In last month's meeting, President Kinney asked staff to investigate a parcel near 2079 Meadowbrook that consistently floods and causes erosion in the streets and sidewalks of customers' homes, specifically in the vicinity of Plowers Court. Paul Rufien had researched this concern a few years ago and concluded in his research that the District was not responsible for the erosion and flooding concerns.

Mrs. Lathen had previously emailed the Board regarding the possible addition of three federal holidays be given to employees. It was discussed again at this time, and the Board had no objections to the additional leave. The three additional holidays will be Juneteenth Day, Columbus Day, and Christmas Eve; and these new holidays would begin in October with Columbus Day.

ITEM 8: Finance and Accounting

Cathy Fromm provided an overview of the June Financial Report.

ITEM 9: Attorney Items

Paul Rufien provided a handwritten legal report for their review and discussion. He stated the Quitclaim Deeds for the three-referenced plats are in the final stages and will be mailed to the owner for his approval.

ITEM 10: Other Business/Directors Items-No Action Taken

Connie Hughes gave an update on the liquor license for the District, and Julie Wells provided an overview of the payable/check signing policy.

President Kinney recently took a class online concerning cyber security hosted by SDA and felt it was very beneficial.

Mrs. Lathen advised the Board that Joshua Watkins received a certificate for his contribution to the Colorado Rivers, which was awarded to him by Avista Technologies, Inc., and Kurita Water Industries, Ltd.

A report, "Setting the Record Straight," which was handed out prior to the Board Meeting was brought up for review. Director Wall believed this was an important document and that, with some revision, would be a good fact sheet to be placed on the District's website.

ITEM 11: Executive Session (Moved to Separate Meeting which began at 4:30 p.m.)

ITEM 12: Other Meetings of Importance – As Listed on Agenda

ITEM 13: Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:08 p.m.



Tracey Fergerson, Secretary/Treasurer

Board Members

Term Expires

Michelle Marie Kinney, President

May 2025

Dan Wall, Vice-President

May 2027

Tracey Fergerson, Secretary/Treasurer

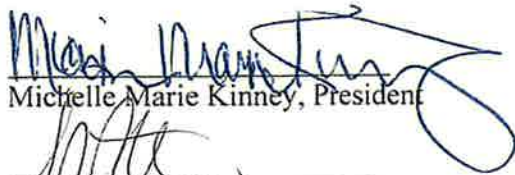
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Steve Hasbrouck, Director

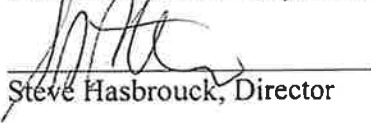
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Linda Keleher, Director

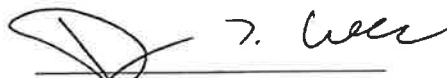
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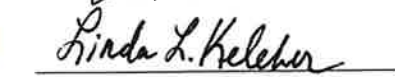
Michelle Marie Kinney, President



Steve Hasbrouck, Director



Dan Wall, Vice-President



Linda Keleher, Director