

**CHEROKEE METROPOLITAN DISTRICT  
REGULAR MEETING AND PUBLIC HEARING OF THE BOARD OF DIRECTORS**

**MINUTES**

The Regular Meeting and Public Hearing of the Board of Directors was held on Tuesday, May 21, 2024, at 5:30 p.m. at 6250 Palmer Park Boulevard, Colorado Springs, Colorado.

**#1. Call to Order**

Director Wall called the meeting to order at 5:35 p.m. Those in attendance were asked to stand and cite the Pledge of Allegiance. All Directors except Director Hasbrouck were present. There were no Directors' qualifications or disclosures.

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

The Agenda was reviewed for any amendments or corrections. General Manager Amy Lathen requested adding the Loop Project Report in place of #6 after the Recall Election update and removing #11(E), Billing and Meter update, under the Staff Reports.

Motion: Director Kinney moved, seconded by Director Wall, to approve the May 21, 2024, Agenda with modifications. All in favor. Motion unanimously passed.

**#3. Recall Election Update**

Wayne Williams, the District's designated election official, updated the Board on the upcoming recall election. There were 14,680 ballots mailed. He estimated the cost of the election would be between \$50,000 to \$60,000. He stated if more people voted, the costs would increase; but he was confident he could stay within the budget appropriated by the Board.

**#4. Loop Water Authority Report**

Jessie Shaffer, General Manager of the Woodmoor Water and Sanitation District, and Jeff Hodge, General Manager of the Donala Water and Sanitation District, presented a report on the Loop Water Authority project. RFPs were advertised last fall to hire a company to be the project manager and workflow coordinator. American Company was selected to oversee upcoming projects and developments. They are currently preparing the finance and contribution agreement.

**#5. PFA's Pilot Study Report**

Hazen and Sawyer, represented by Rahul Subramanian and Natalia Hoogesteijn, gave a slide presentation showing how to manage and remove PFAs going through water systems. They are currently running several pilot studies across the state, including Cherokee's, and explained the types of technology (Granular Activated Carbon and ION Exchange) used to rid systems of PFAs.

**#6. Public Comment**

There were no comments.

**#7. Minutes**

The April 16, 2024, Regular Meeting Minutes were reviewed by the Board. Director Kinney stated the Minutes showed the Directors as absent, although they were present; and that would need to be corrected using a strike through.

Motion: Director Ferguson motioned, seconded by Director Kinney, to approve the April 16, 2024, Regular Meeting Minutes as corrected. All in favor. Motion unanimously passed.

**#8. Consent Agenda**

There were no items.

**#9. Called Up Consent Items – Items from Consent Agenda Only**

**Recess Regular Meeting, Move into Public Hearing**

Motion: Director Ferguson motioned, seconded by Director Kinney to recess the Regular Meeting and move into the Public Hearing. All in favor. Motion unanimously passed.

The purpose of the Public Hearing was to ratify two resolutions that were approved on February 20, 2024: Resolution 2024-05 Budget Appropriation-\$1,272,000 Land Purchase and Resolution 2024-06 Budget Appropriation-\$100,000 Costs of Recall.

It was the consensus of the Board to table the ratification of the two resolutions to the June or July Board so the exact numbers could be correctly entered in the documents.

Director Wall asked if there were any comments or questions. Legal Counsel Paul Ruffen addressed a couple questions from the audience.

Motion: Director Ferguson motioned, seconded by Director Kinney to come of the Public Hearing and return to regular session. All in favor. Motion unanimously passed.

**Close Public Hearing, Resume Regular Meeting**

**#10. Finance and Accounting**

Cathy Fromm provided a report on the April financial statements and stated she was starting the 2023 Financial Audit.

She mentioned the negative social media comments about her and her abilities from a financial perspective and reputation. She asked the Board to help put a stop to the untruths being posted and to listen to the facts.

#### **#11. Action Item Requests and Staff Reports**

Jeff Munger introduced the District's new engineer, Brandon Zembles, who is filling in for Kevin Brown while he is on a leave of absence. Mr. Munger discussed the automatic transfer switch at Well 13 and the legal steps the District is taking to move forward with depositions with the replacement plan as well as projects going on at the Wastewater Reclamation Facility.

Cole Miller explained how the golf budget balance works throughout the year.

Mrs. Lathen went over the bids for a pickle ball court at Eastridge Park and suggested sending out notifications to adjacent property owners to notify them of the proposed court. The court will not have lighting, and use is free to the citizens. It was the consensus of the Board to consider forming a parks committee, and letting them decide how to move forward.

Matthew Mevis provided the Board with a water and distribution report. The Consumer Confidential Report has been forwarded to the state for consideration and will be posted on the website. He went over the staffing and explained how he is getting the "green" operators up to speed. ed publicly on our website. He discussed staffing and getting the "green" operators up to speed.

Joshua Watkins discussed the blower and screw press projects and why they are being replaced. Director Wall requested a presentation at the next meeting to explain what is actually being completed and how far along the various projects are.

Mrs. Lathen summarized her report to the Board. Director Wall suggested scheduling a work session to go over the Employee Handbook updates.

#### **#12. Attorney Items**

Mr. Rufien gave a PFAs litigation update in his report. He has not received any objections.

#### **#13. Other Business/Directors' Items**

No items to discuss.

#### **#14. Executive Session**

Motion: Director Wall motioned, seconded by Director Kinney, to close the regular session and move into the Executive Session pursuant to §24-6-402(4)(b), C.R.S., Conference with the District's attorney regarding legal advice on specific legal questions; §24-6-402(4)(e), *Determining* positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing

negotiators, and §24-6-402(4)(a), C.R.S., Purchase, acquisition, lease, transfer, or sale, acquisition, lease, transfer, or sale of any real, personal, or other property interests. (Note: Not available where a member of the Board has a personal interest in the transaction). All in favor. Motion unanimously passed.

1. Replacement Plan Update
2. WHMD Mediation/Arbitration Status
3. Norwood Condemnation

Motion: Director Wall motioned, seconded by Director Keleher, to go into the Executive Session. All in favor. Motion unanimously passed.

Executive Session began at 7:55 p.m.

Motion: Director Ferguson motioned, seconded by Director Kinney, to come out of the Executive Session. All in favor. Motion unanimously passed.

The Executive Session ended at 8:56 p.m.

Directors Wall, Kinney, Keleher, and Ferguson were all present in the Executive Session. No votes were taken; direction was given to staff.

**#15. Other Meetings of Importance – as Listed on Agenda**

**#16. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 9:05 p.m.

  
Jeff Bandy, Secretary