

**CHEROKEE METROPOLITAN DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS**

**MINUTES**

The Board of Directors Regular Meeting was held on Tuesday, August 20, 2024, at 5:30 p.m. at 6250 Palmer Park Boulevard, Colorado Springs, Colorado.

**#1. Call to Order**

Director Kinney called the meeting to order at 5:28 p.m. Those in attendance were asked to stand and cite the Pledge of Allegiance. All Directors were present, and there were no Directors' qualifications or disclosures.

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

The Agenda was reviewed for any changes. Director Kinney asked to add the Item G-Loop Discussion, under #7. New Business. The Agenda was approved with this addition.

**#3. Minutes**

The Minutes for the July Board Meetings were not included in the Board packets so were tabled for later approval.

**#4. Public Comment**

The Board answered customer Roger Stolz's question when he asked how many residential and commercial accounts were serviced by the District.

**#5. Consent Agenda**

The following MSAs were reviewed: WRF Solids Handling System Upgrade-Replacement of Centrifuge with Screw Press-award installation contract to Filanc Construction; Lead and Copper Rule-Award to RECON for pipeline inventory and ratification, and DuPont Specialty Products USA, LLC, Spectrum Plastics Group.

Motion: Director Wall motioned, seconded by Director Atkinson, to approve MSAs for Filanc Construction, RECON, and DuPont Specialty Products USA, LLC. All in favor. Motion unanimously passed.

**#6. Old Business**

Resolution 2024-01, an Amended Resolution Concerning 2024 Annual Administrative Matters, was not ready for Board approval.

Motion: Director Atkinson motioned, seconded by Director Wilson, to increase Directors' salary in Resolution 2024-01, Administrative Matters, from \$1,200 to \$2,400. All in favor. Motion unanimously passed.

Brian Beaudette, Interim General Manager, asked for feedback on the Fire Departments' Memorandum of Understanding before he presented it to the local fire departments.

Motion: Director Wall motioned, seconded by Director Ferguson, to accept the current draft of the Fire Departments' Memorandum of Understanding. All in favor. Motion unanimously passed.

Mr. Beaudette discussed previous revisions of the Employee Handbook. He recommended the Board review the handbook and determine what can be approved and what needs to be revised. Director Kinney asked him to go through and reline the current draft.

There was discussion on the Hazen and Sawyer water softening proposal. Brandon Zembles gave an outline of the proposal which included a Scope of Work cost at \$149,000. The project does not require a bid for engineering services. Mr. Zembles will work with Hazen and Sawyer to present their proposal to the Board. Matthew Mevis presented an overview of the Chlorination System Study Scope RFP. Options for disinfection were given, and he listed the impacts of water hardness treatment. Jeff Munger recommended drafting a proposal for Board review and approval.

Motion: Director Wall motioned, seconded by Director Ferguson, to direct staff to draft an RFP for the Chlorination System Study. All in favor. Motion unanimously passed.

#### **#7. New Business**

A new exterior ballot box, with an approximate cost of \$1,500, was discussed.

There was discussion to consider Robert Hernandez and Nathaniel Williams as co-chairs for the Citizens' Parks Committee. The next Parks Committee meeting is at Colorado Tech Park on September 7, 2024, at 9 a.m.

Motion: Director Wilson motioned, seconded by Director Atkinson, to appoint Mr. Hernandez and Mr. Williams as co-chairs of the Citizens' Parks Committee. All in favor. Motion unanimously passed.

Director Kinney recommended staff notify the District's insurance provider, Colorado Special Districts Property and Liability Pool (CSDPLP), of a privacy breach and consider their recommendations. Legal Counsel Paul Rufien stated notification of a pre-loss claim would be acceptable with a possible minor increase in premiums. Mr. Beaudette will contact CSDPLP.

The Customer Appreciation Cookout will be Saturday, September 21, 2024, at Eastridge Park from 11 a.m. to 2 p.m., with a rainout day set for Sunday, September 22. There was discussion regarding the budget for the cookout and what food and drinks to purchase. Director Atkinson discussed

buying swag such as frisbees, water bottles, stress balls, etc., to give to customers. Director Wilson asked for a list of recommended purchases.

Motion: Director Atkinson motioned, seconded by Director Wall, to approve a budget of \$3,500 for food and swag for the Customer Appreciation Cookout. Director Atkinson-yes. Director Kinney-yes. Director Wall-yes. Director Wilson-yes. Director Fergerson-yes. Motion passed (5-0.).

A letter of engagement for Joan Fritsche was discussed among the Board.

Motion: Director Atkinson motioned, seconded by Director Fergerson, to appoint Joan Fritsche as the District's Legal Counsel. All in favor. Motion unanimously passed.

Director Kinney thanked Legal Counsel Paul Rufien for his service.

Mr. Beaudette's appointment with the Loop Water Authority as the designated Board Member for the District was brought to the Board for review.

Motion: Director Wall motioned, seconded by Director Wilson, to appoint Mr. Beaudette as the District's representative to the Loop Water Authority. All in favor. Motion unanimously passed.

There will be a meeting on August 26, 2024, at 5:30 p.m. to discuss updates and general information on the Loop project. Water Counsel Pete Johnson will virtually attend the meeting.

## **#8. Staff Reports**

Mr. Beaudette provided a summary of his General Manager's report, and Julie Wells provided the same in her financial report and answered questions from the Board.

Director Wilson requested all credit card statements from January 2024, to be compiled on a spreadsheet so she could review historical data for same-day, back-to-back, and repetitious transactions. She stated credit card purchases for beverages and meals, specifically pizzas, had been purchased at random and justified on receipts as "lunches." She felt purchases of water, sodas, and Gatorade should be suspended.

It was the consensus of the Board that meals bought for night crews on water leaks, for example, were legitimate meal purchases. Director Wilson offered to bring refreshments to Board meetings if attendance increased.

Motion: Director Wilson motioned, seconded by Director Wall, to suspend the use of credit card purchases for drinks for the office refrigerator and lunches for work; however, the final decision would be at the discretion and direction of the General Manager. Director Wilson-yes. Director Atkinson-no. Director Wall-yes. Director Fergerson-yes. Director Kinney-yes. Motion passed (4-1).

Director Kinney asked if there was a letter of engagement signed by CliftonLarsonAllen. Mr. Beaudette explained he has been in contact with the firm, and the engagement letter is currently under review as a Master Service Agreement.

The Facilities and Parks Director's report would not be published as written as there was confidential information and addresses included in the report. Director Wall commented that several addresses in the District were incorrect according to GPS coordinates and needed to be corrected for CDPHE text points. Mr. Beaudette recommended that work on the easements in select subdivisions should be suspended until the Parks Committee had an opportunity to inspect the neighborhoods and provide their recommendations.

**#9: Executive Session**

Motion: Director Ferguson motioned, seconded by Director Wall, that the Board go into Executive Session citing §24-6-402(4)(a), C.R.S., Purchase, acquisition, lease transfer, or sale of any real, personal, or other property interest, §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), C.R.S., Determining positions relative to matters that may be subject to negotiations, developing strategy, for instructing negotiations, and §24-6-402(4)(f), C.R.S., Personnel matters, identifying the person or position to be discussed. All in favor. Motion unanimously passed.

1. WHMD Arbitration
2. Employee Matter

The Executive Session began at 7:46 p.m.

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

The Executive Session ended at 9:02 p.m.

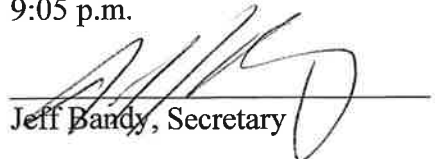
Directors Wall, Kinney, Wilson, Atkinson, and Ferguson were all present in the Executive Session. No votes were taken, and no direction was given to staff.

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

As listed on the Agenda.

**#11. Adjournment**

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

  
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Jeff Bandy, Secretary