



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.

SPECIAL 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: June 20, 2023

TIME: 5:30 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. **Special Presentation – The Loop**

Loop Authority Members

4. **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.

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 May 16, 2023 Regular Board Meeting
- B. Directors Signatures

6. Called Up Consent Items

7. Action Item Requests and Staff Reports

- A. Resolution 2023-09 – 2023 Annual Administrative Matters, Amended
Resolution 2023-10 – 2023 Time and Location For Regular Meetings, Amended
Resolution 2023-11 – 2023 Notice of Regular Meetings of the Board of Directors, Amended
- B. Mayberry Development
 - 1. Property Transaction
 - 2. Ellicott Springs Exclusion
- C. Tamlin Tank Adjacent Property, Acquisition/Condemnation
- D. Staff Reports
 - 1. CMD History and Services
 - 2. District Rules and Regs
 - 3. CCR
 - 4. TDS Project
 - 5. Water Impacts from Recent Rainfall
 - 6. General Report

8. Finance and Accounting-Cathy Fromm

- A. May Monthly Financials

9. Attorney Items

- A. Introduction to Special Districts
- B. May 16, 2023 Meeting Discussion
- C. Legal Attestation to May 16, 2023 Executive Session
- D. Transparency and Meeting Requirements

10. Other Business/Directors Items -No Action Taken

11. 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 1.) §24-6-402(4)(b), C.R.S. Conferences with the District's attorney regarding legal advice on specific legal questions;. 2.) §24-6-402(4)(a), C.R.S. Purchase, acquisition, lease, transfer, or sale of any property interest. (Note: Not available where a member of the Board has a personal interest in the transaction.)

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.

- 1. Mayberry Development, Property Transaction
- 2. Tamlin Tank Adjacent Property, Acquisition/Condemnation Status

12. 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.
June 20, 2023, SDA Workshop

13. Adjournment

CHEROKEE METROPOLITAN DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS

June 20, 2023

MINUTES

The Regular Meeting of the Board of Directors of the Cherokee Metropolitan District was held on Tuesday, June 20, 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, Kevin Brown, Tyler Dunich, Jeff Munger, Joshua Watkins, Cathy Fromm

Others Present: Paul Rufien, Dennis Daniels, Walt Herrley, Jessie Shaffer, Jeff Hodge, Bob Lathen, Roger Stolz, Allen and Elke Drayton, Robert Hernandez, Jeff Bandy, Andrew and Christina Hagn, Mark Valentine, Lauren and Michael Casto, Brett Gracely, Nathan Williams, Virtual: Mike, Krystal, jc, Mike Corder, Rene, Christian Harbour, Noah Vogel

ITEM 1: Call to Order

The meeting was called to order by President Kinney at 5:28 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. Director Wall stated he would be emailing his conflict disclosure statement after the meeting.

ITEM 2: Review and Approval of the Agenda

President Kinney mentioned a few items that needed to be changed on the Agenda and asked that Item 5. Consent Agenda be moved to Item 6 and add (a) Minutes, (b) Inclusions, and (c) Parcels to Item 6. Called Up Consent Items.

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

ITEM 3: Special Presentation – The Loop

Jessie Shaffer, Woodmoor Water and Sanitation District and Jeff Hodge, Donala Water and Sanitation District, were present to provide a special Loop water system project presentation to the Board. In December, 2022, the Loop Water Authority was formed via an IGA which would aim to provide a sustainable water supply and relieve pressure off the Denver Basin and use its members' water rights to divert water from Fountain Creek to Chilcott ditch in southern El Paso County and deliver it to a nearby reservoir. There, providers would treat it to near-potable standards at an onsite treatment facility before pumping it northward and delivering it to users along the way.

Last year the Loop Water Authority received a \$4 million dollar grant from ARPA funds to begin this project. Over the last several years, a Loop Water System Study and Regional Reuse Study were completed. This year, the Project will refine cost sharing agreements, begin engineering design of the Loop water system, and in 2024-2025, complete engineering design of the system and develop and execute financing strategies.

ITEM 4: Public Comment

Robert Hernandez congratulated Directors Wall and Ferguson, who received the most votes in the election, which he believed was indicative of the District's community and customer support.

ITEM 5: Consent Agenda

Review and approval of the Minutes for the Regular Board Meeting of May 16th were moved to Item 6.

ITEM 6: Called Up Consent Items

The Minutes for the Regular Board Meeting of May 16th were brought before the Board.

MOTION: DIRECTOR FERGERSON MOVED, SECONDED BY DIRECTOR WALL, TO TABLE THE MAY 16TH MINUTES FOR FURTHER REVIEW AT THE NEXT BOARD MEETING. DAN WALL, TRACEY FERGERSON, LINDA KELEHER, MICHELLE MARIE KINNEY – IN FAVOR. STEVE HASBROUCK-OPPOSED. MOTION PASSED (4-1).

Director Wall stated there are approximately 112 customers living in the Majestic Plains, Jessica Heights, and Hannah Ridge subdivisions who are in the service boundaries, but not legal boundaries, of the District. Staff and legal counsel were asked to research and determine the best course of action, whether it would be through homeowners' petitions or an inclusion election, to ensure all homeowners have voting privileges in future elections.

President Kinney asked Kevin Brown to locate the 2079 Meadowbrook parcel on the El Paso County Assessor's website for viewing by the Board. It was stated the easement near Plower Court continues to be a safety hazard and eye sore for the citizens living in this area because it was not

properly developed and continues to have drainage and erosion problems. Discussion continued concerning how these concerns can be rectified and will be discussed further in the next Board meeting.

President Kinney asked for an update on 2207 Jeanette Way (Pinyon Jay Park). The Quitclaim Deed is currently under review, and Mrs. Lathen stated she didn't believe she'd have a problem with the grantor approving the Deed. President Kinney asked for the deeds for 2386 and 2395 Springside Dr. to be researched to determine if those can be quit claimed to the District. She also asked that grooming and maintenance begin on the corners of Springside Dr. and Constitution Ave.

MOTION: PRESIDENT KINNEY MOVED, SECONDED BY DIRECTOR WALL, TO DIRECT STAFF TO CORRECT THE TITLES FOR 2386 AND 2395 SPRINGSIDE DR.

There was no further discussion.

DAN WALL-YES. LINDA KELEHER-YES. TRACEY FERGERSON-YES. STEVE HASBROUCK-ABSTAIN. MICHELLE MARIE KINNEY-YES. MOTION PASSED (4-1-0).

ITEM 7: Action Item Requests and Staff Reports

Tyler Dunich provided a brief presentation on the CCR (Consumer Confident Report) for 2022. It can be found on the District's website.

With the new time change for meetings to begin at 5:30 p.m. three resolutions with amendments were provided to the Board for approval: Resolution 2023-09 – 2023 Annual Administrative Matters, Amended; Resolution 2023-10 - 2023 Time and Location for Regular Meetings, Amended, and Resolution 2023-11 – 2023 Notice of Regular Meetings of the Board of Directors, Amended.

MOTION: DIRECTOR WALL MOVED, SECONDED BY DIRECTOR KELEHER, TO APPROVE THE AMENDMENTS FOR RESOLUTIONS 2023-09, 2023-10, AND 2023-11.

Discussion continued.

DAN WALL-YES. TRACEY FERGERSON-YES. STEVE HASBROUCK-NO. LINDA KELEHER-YES. MICHELLE MARIE KINNEY-YES. MOTION PASSED (4-1).

The development project of Mayberry Colorado Springs was updated for the Board by Kevin Brown. The District will be adding new access to the Mayberry site through a proposed plat plan revision. Mr. Brown stated he could have signed documents ready for Board review at the next meeting. Final purchase price and construction will take place next summer.

An exclusion of the District's Ellicott Springs Subdivision has been under discussion for many months. To be excluded, all residents would have to agree to the exclusion by 100% vote, or there would need to be an election to determine exclusion from the District.

The Tamlin Tank acquisition/condemnation continues to develop. The District has been provided with an offer to sell by Norwood Development Corp. but is currently in discussion with both legal teams. The acquisition will be discussed further in next month's meeting if the District's attorney is able to make contact with the proper individuals by that date.

Mrs. Lathen and Mr. Brown are working together to address an easement acquisition for the Ellicott pipeline. In July or August, they hope to have a capital project to review with the Board.

ITEM 8: Finance and Accounting

Cathy Fromm provided a presentation on the May monthly Financial Report. Director Kinney advised that pie charts were no longer needed in Mrs. Fromm's report.

ITEM 9: Attorney's Items

Mr. Rufien began his report to the Board by introducing Special Districts and Title 32 Statute. He then provided his legal opinion regarding the course of action that took place with the Executive Session concluding last month's adjournment of the meeting. Transparency requirements, and meeting requirements were reviewed.

ITEM 10: Executive Session


There was no Executive Session.

ITEM 11: Other Business – No Action Taken

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 7:43 p.m.


Tracey Fergerson, Secretary/Treasurer

Board Members


Term Expires

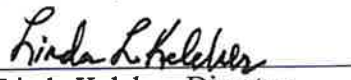
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