



**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
CENTRAL MARKSHEFFEL METROPOLITAN DISTRICT  
HELD NOVEMBER 1, 2016  
AT 9:30 A.M.**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Central Marksheffel Metropolitan District was held on Tuesday, November 1, 2016 at 9:30 a.m., at 102 E. Pikes Peak Avenue, Suite 200, Colorado Springs, CO.

|                   |                                      |                                    |
|-------------------|--------------------------------------|------------------------------------|
| <u>Attendance</u> | <u>In attendance were Directors:</u> | <u>Also in attendance were:</u>    |
|                   | Lindsay J. Case, President           | K. Sean Allen, Esq., White, Bear & |
|                   | Bryan Long, Treasurer/Secretary      | Ankele Tanaka & Waldron (by phone) |
|                   | Randle Case II, Vice President       | Terry Schooler, Schooler & Assoc.  |
|                   | Creagh Howe, Director (by phone)     | Lori VonFeldt, Schooler & Assoc.   |
|                   |                                      | Kevin Walker, Schooler & Assoc.    |

James Morley, Director, was absent and excused.

1. Call to Order:

President Lindsay Case called the meeting to order at 9:38 a.m.

2. Declaration of Quorum/Director Qualifications/Disclosure Matters:

President Lindsay Case indicated that a quorum of the Board was present, and each Director confirmed their respective eligibility as an eligible elector of the District pursuant to Colorado law. Ms. VonFeldt noted that the Directors' disclosures of their potential conflicts of interest were filed pursuant to state law for the meeting.

3. Approval of

the Agenda: The agenda was approved.

4. Approval of

Minutes: Director Long moved to approve the May 31, 2016 meeting minutes, seconded by Director Howe. Motion passed unanimously.

5. 2016 Amended and 2017 Budget Discussion and Public Budget Hearing:

Ms. VonFeldt presented the 2017 Budget to the Board for discussion.

President Case opened the Public Budget Hearing on the 2016 amended and 2017 budgets. There was no public comment, so President Case closed the hearing.

Ms. VonFeldt noted the increase in funds for landscape and bridge maintenance. Director Howe asked where the increase in funding for landscaping would go. Mr. Walker stated that the idea was to work with the Cherokee Metro District to construct a new park on the eastern side of the creek and to be proactive in keeping up with mowing and spraying weeds. Mr. Walker stated

further that there have been some issues with the lighting on the bridge that will need to be fixed as well. The Board briefly discussed the revenues that the mill levy would generate and the anticipated industrial build out within the District.

a. 2016 Amended Budget Resolution

Director Long moved to approve the 2016 Amended Budget Resolution seconded by Director Howe. Motion passed unanimously.

b. 2017 Budget Resolution

Director Long moved to approve the 2017 Budget Resolution seconded by Director Howe. Motion passed unanimously.

6. Meadowbrook Marksheffel Intersection Funding IGA (Signature and Construction Status):

Mr. Schooler indicated that a letter was sent to the County to urge them to install the light at Marksheffel and Meadowbrook and a response has not yet been received. Mr. Walker stated that there is a proposal to do a roundabout instead of a light, but he feels the County will probably go with the light. Mr. Walker stated further that he expects some action to be taken by next year. Board member discussion indicated opposition to a roundabout approach and encouraged the Management to continue to pursue the signal.

7. Market Status:

Mr. Schooler said that the industrial park continues to grow and pad sites adjacent to King Soopers will expand as well. Mr. Long noted that King Soopers would not be opening for another six months because some internal issues the company is dealing with.

Vice President Randle Case II reported that Danny Mientka was putting in 133 lots on adjacent land to the District and asked how the recoveries for the water line was handled when the District participated in the funding of the water line. Mr. Walker suggested that they were rolled over into the recoveries from the County that is now included in the annual minimum payment from the County of \$100,000. Mr. Schooler inferred that Hammers Construction had signed agreements with the District and their Bank of which the District paid the Bank \$350,000 to satisfy any potential recoveries. Vice President Case questioned the right to collect from adjacent property owners. Mr. Schooler indicated that there was no assignment of recoveries to commit to the District and the Bank's position didn't include any kind of water line recovery. Vice President Case asked the managers to revisit the water line recovery to make sure other developers are participating if they are supposed to.

8. Financial Statement and Payables:

a. Current Payables-

Ms. VonFeldt presented claims payable. Director Long moved to approve the payables as presented seconded by Director Howe. Motion passed unanimously.

b. Permit Income Status-

There was nothing new to report.

9. Other Business:

a. Discussion and approval of the Resolution for Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges

Mr. Walker said that there was confusion with Century Communities regarding the fees to be paid because some of the lots they bought from Beazer had already been paid and the District has only collected about half of the fees on some of the units that have not been constructed and

not on what has been built. Mr. Walker said that to strengthen the District's position on fee collection a resolution was drafted to establish guidelines for processing. Upon motion and second the resolution establishing guidelines for the collection of delinquent fees and charges was approved.

b. Capital Facility Fees Resolution

Mr. Allen reported that an updated fee resolution from 2004 was needed to address the increased frequency of delinquent property owners. After discussion, Director Howe moved to approve the updated Capital Facility Fee Resolution seconded by Vice President Case. Motion passed unanimously.

c. 2017 Annual Administrative Resolution

Mr. Allen stated that the Administrative Resolution directs legal counsel and the district manager to do what is required by statute throughout the year. Director Long moved to approve the 2017 Annual Administrative Resolution seconded by Vice President Case. Motion passed unanimously.

d. Special District Public Disclosure

Mr. Allen stated that the Special District Public Disclosure is submitted each year and is for Board transparency. No action was required by the Board.

e. The next regular meeting is scheduled for November 7, 2017 for the 2018 Budget Hearing.

10. Adjournment:

The meeting was adjourned at 10:20 a.m.

Respectfully Submitted,

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By: Lori VonFeldt for the Recording Secretary