



**MINUTES OF A CONTINUED MEETING
OF THE BOARD OF DIRECTORS OF THE
BENT GRASS METROPOLITAN DISTRICT
HELD OCTOBER 10, 2018 AT 1:00 PM**

Pursuant to posted notice, the continued meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Wednesday, October 10, 2018 at 1:00 PM, at 102 E. Pikes Peak Avenue, Suite 200, Colorado Springs, CO.

Attendance

In attendance were Directors:

Randle Case II, President
Bryan Long, Vice President/Secretary
Lena Gail Case, Director
Brian Bahr, Treasurer (by phone)
Brad Lam, Director

Also in attendance were:

Peter Susemihl, Susemihl, McDermott & Cowan, P.C.
Kevin Walker, WSDM
Lori VonFeldt, WSDM
Kristina Kulick, WSDM
Steven K. Mulliken, Mulliken, Weiner, Berg & Jolivet
Jeff Hodsdon, LSC Transportation Consultants (1:07 p.m.)

1. Call to Order & Certification of Quorum & the Agenda:

President Case called the meeting to order at 1:05 p.m. He told the Board that Jeff Hodsdon with LSC Transportation Consultants would be joining the meeting to discuss the traffic signal. He noted the Budget Hearing meeting is scheduled for November 6th, 2018 at 10:30 a.m.

2. Approval of September 4, 2018 Minutes:

Director Lena Gail Case moved to approve the September 4, 2018 minutes; seconded by Director Lam. Motion passed unanimously.

3. Public Comment (for items not on the agenda):

There was no public comment.

4. Review of the Financials and Approval of Payables:

Ms. VonFeldt discussed the landscaping invoices that would be paid today. President Case asked if they were in line with the budget. Ms. VonFeldt confirmed they would be in line with the budget, but it may be close. Mr. Walker explained the District is now responsible for watering the landscaping and there were some repairs needed. Director Lam noted that the landscaping looks

much better now. Director Bahr moved to approve the payables; seconded by Director Lam. Motion passed unanimously.

5. Board President Report:

President Case had no updates from the last meeting.

6. Manager's Report:

Mr. Walker updated the Board about issues with the two detention ponds. He explained there are areas with standing water in both ponds that need to be cleaned up. He received two bids for the cleanup for \$900 and \$750. Mr. Walker recommends getting this done soon. Director Lam moved to approve the work needed on the two detention ponds; seconded by Director Lena Gail Case. President Case asked if there is a line item in the budget for this. Mr. Walker confirmed there is room in the budget for it. Motion passed unanimously.

Mr. Walker noted an issue at the commercial detention pond where a resident is using it as an access point to haul his camper trailer into his backyard. Mr. Susemihl said this may be a trespass on the District's property. President Case asked if the covenants allow parking of RVs. Director Lam said he is not sure if there are covenants. Mr. Susemihl suggested sending a letter saying he does not have permission to be on that road and property. President Case asked if it is a utility easement. Mr. Walker will check and see if it is a public access easement and then send a letter. Mr. Walker also noted that someone parked their trailer on the access to the detention ponds and the only way to prevent it from happening would be a chain, but he thinks we can hold off on that for now. There has been some dumping in that area as well which he will monitor.

7. Development Updates:

President Case welcomed Mr. Hodsdon with LSC Transportation Consultants, a consultant to the District to give his presentation on the Meridian and Bent Grass Meadows Drive traffic signal. Mr. Hodsdon said they were in progress with the traffic study for the intersection and addressing implications of additional growth in the commercial area. He said they took new traffic counts, and traffic has increased a bit from 2017. He explained that the 4 hour signal warrant is met, but the 8 hour warrant is just shy of being met (with 6 of the 8 hours required). He said any new development will result in the 8 hour warrant being met. President Case asked what the requirements are. Mr. Hodsdon said it depends on the County.

Director Lam said he has seen at least two bad traffic accidents at the intersection in the past month with one happening last night. Mr. Hodsdon said he will work on getting that accident data and will be sure to include it and added that it must show it is correctable with a signal. Mr. Hodsdon discussed that he is looking at the timing of the closure of the 7-Eleven access and that the west bound left turn in would be the first to go. He said they will look at median work to prohibit the left in while keeping the right turn out. President Case said he thinks it would be good for the subdivision to keep the right out. Mr. Hodsdon said the only challenge may be the stack up of left turning vehicles, causing the right turn vehicles to block the way out. Mr. Hodsdon discussed the widening of Bent Grass for a dual left, east bound Bent Grass to north bound Meridian, when it is necessary. This would be a little more out in the future since the left turn volume is not as high currently. He explained the County may require an acceleration lane based on today's traffic volume and the Meridian speed of 55 mph. President Case said the additional work on the road was not contemplated, just the signal, so the County would need to consider a phasing plan to help with the additional road work. Mr. Hodsdon said they are looking at all the pieces and have not gotten comments back on the preliminary plans but will follow up with the County and if they will allow the span wire signal at the intersection. President Case indicated

they would take the span wire. President Case confirmed with Mr. Hodsdon that in 6 weeks they should have some closure on this piece.

Mr. Mulliken asked if they are going to have to put the signal in with the next part of the development. Mr. Hodsdon said yes due to the accidents and safety. Mr. Mulliken said the County could say the District has to build it, or they could tell us to just pay the fee and they will build it. Mr. Walker noted that Bent Grass is not in the County's traffic impact fee system and is exempt until 2021 due to paying Woodmen Road fees. President Case said he would like to talk about the phasing before it is submitted to the County and asked if Mr. Hodsdon would attend the November 6th meeting if needed. Mr. Hodsdon said he will send a draft and can attend the meeting if needed.

President Case updated the Board on Mr. Waldthausen's expansion of the vet clinic. He explained that he has other users considering going into the 5-acre parcel. The County wants him to do more lots, but he is being held up by lenders that are not excited about loaning money until the hurdles are taken care of, with the biggest one being the traffic signal. President Case said Mr. Waldthausen needs the Board to authorize up to \$250,000 as additional funds towards construction of the traffic signal so the District can give that commitment to Mr. Waldthausen. President Case said the District already has a fill up bond in place that will fund upon request. During discussion, it was suggested that the amount be \$300,000. Mr. Susemihl said a letter would be sufficient from the funding entity, CH Metro Bonds. Director Lam asked if this additional funding impacts the mill levy of residents. President Case said no, it pays back over time and will not affect the mill levy but will affect the amount of time to pay off the bonds. Director Bahr moved to request authorization for up to \$300,000 for the traffic signal from the bond funding organization consistent with the fill up bond that has first priority; seconded by Director Long. Motion passed unanimously.

8. Review and Action on:

- a) Woodmen Road/Bent Grass Meadows Drive Access Update:
There are no new updates.
- b) Special Water Counsel Engagement: Burns, Figa & Will:
President Case told the Board that they have engaged Burns, Figa & Will and have had them review some water documentation.

9. Executive Session to receive reports from consultants on water resources issues and receive legal advice:

Director Lam moved to enter executive session at 1:38 p.m. to receive reports from consultants on water resources issues and receive legal advice; seconded by Director Bahr. Motion passed unanimously. Director Long moved to come out of executive session at 2:09 p.m.; seconded by Director Lam. Motion passed unanimously.

10. Review and Action on Woodmen Hills Metro District Proposal Intergovernmental or Other Agreement:

The Board tabled discussion until next meeting.

11. Other Old Business:

There was no discussion.

12. New Business:

There was no discussion.

13. Confirm and Set Next Meeting:

The Board confirmed the next meeting will be November 6, 2018 at 10:30 a.m. which will include the 2019 Budget Hearing.

14. Adjournment:

The meeting was adjourned at 2:10 p.m.

Respectfully Submitted,
Walker Schooler District Managers

By: Lori VonFeldt for the Recording Secretary