



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
BENT GRASS METROPOLITAN DISTRICT
HELD MARCH 5, 2019 AT 10:30 A.M.**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Tuesday, March 5, 2019 at 10:30 AM, at 102 E. Pikes Peak Avenue, Suite 200, Colorado Springs, CO 80903.

Attendance

In attendance were Directors:

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

Also in attendance were:

Peter Susemihl, Susemihl McDermott & Cowan P.C.
Kevin Walker, WSDM
Lori VonFeldt, WSDM
Kristina Kulick, WSDM

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

President Case called the meeting to order at 10:35 a.m.

2. Approval of the 12/4/18, 12/12/18, 12/20/18, 1/15/19, 2/5/19, 2/21/19 Minutes:

Director Lam moved to approve the 12/4/18, 12/12/18, 12/20/18, 1/15/19, 2/5/19, 2/21/19 minutes; seconded by Director Bahr. The motion passed unanimously.

3. Public Comment:

There was no public comment.

4. Review of Financials and Approval of Payables:

Ms. VonFeldt noted the second draw of payables done in February as shown on the attachments to the agenda. She added that there are no March payables today because invoices have not been received yet, but she will prepare them next week. Director Lam moved to approve the payables for February; seconded by Director Case. The motion passed unanimously.

5. Board President Report:

President Case said he spoke to Jeff Hodsdon with LSC Consulting and they are finalizing the traffic signal related traffic study documentation. The Board will have an update by email before

the next scheduled meeting on April 2nd. President Case added that the Minutes had addressed many of the updates, and additional updates will be covered later in the Agenda.

6. Manager's Report:

Mr. Walker said he didn't have anything other than what is on the agenda. Director Lam noted that snow removal has been great.

7. Development Updates:

Director Bahr said Challenger has been speaking with the County to develop 300+ lots subject the approval of the Amendment of Inclusion Agreement (with Woodmen Hills Metro District). He added there are no red flags with the County. Director Lam asked for clarification on the area being discussed. Director Bahr said it starts just west of the already developed residential lots but eventually will be the entire remaining area to Falcon Storage side of Bent Grass. President Case reported that he had spoken with Mr. Waldthausen who is continuing to work with the existing dental office about an expansion. Their tax bill is \$36,000 a year, so they are taking a step back and determining what to do moving forward.

President Case shared that School District 49 is looking for additional parking for buses and would like to expand administration offices on or near their present campus. He also noted they are speaking with Director Case and Mr. Waldthausen about commercial users for land adjacent to Woodmen. Once the water acquisition is resolved, development may mature. Mr. Walker said there are no updates on Falcon Marketplace (NW Corner of Woodmen and Meridian), and his office has not been asked to process any fees but understands that they are moving forward.

8. Review and Action on:

a) Woodmen Road/Bent Grass Meadows Drive Access Update:

President Case said the Bent Grass MD participants continue to have conversations with landowners and users about what type of access they will need. Nothing specific has been discussed, but they will at least need a right-in, right-out to Woodmen as was recently approved by El Paso County Board of County Commissioners in May 2018. The Board will see how that matures with buyers and with Falcon Marketplace as traffic to and from Falcon Marketplace could be an interesting flow of traffic to leave that project westerly. There have also been discussions around possibly doing a courtyard type of project on the south part of Bent Grass near Woodmen since the existing Courtyard project to the east is going so well with higher density single family detached houses. The owners would hope to still satisfy the School District with their needs. The owners are hopeful that the project may not have to do the access to Woodmen with a roundabout. President Case noted that Bent Grass MD does not have the money and Woodmen Road MD is hesitant to spend the money on those improvements so the owners and districts may have to think differently and put additional residential in that area which generates less traffic.

b) Bent Grass Meridian Traffic Signal Update:

President Case said he participated in a meeting with the County recently where the signal and some residential in the area was discussed. He discussed what it will take to connect the eastern residential and Falcon Storage and that the developer(s) will probably build Bent Grass Meadows Drive all the way through as part of the next residential phase of around 100 lots. He noted they might need to talk with the District about a bond refinance to help reduce the expense.

c) County Development Agreement:

Coming also from the County meeting mentioned, President Case said the County Development Agreement with Bent Grass owners and the BG District was put in place in 2015 talking about a traffic signal at Meridian and building that final segment of the Bent Grass Meadows Drive. He

said this is a beneficial document to help Bent Grass participants address the timing of improvements and there are discussions around not putting the road all the way through immediately and instead prioritizing putting a signal there instead.

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

Director Bahr moved to go into executive session to receive reports from consultants on water resources issues and receive legal advice at 11:07 a.m.; seconded by Director Case. The motion passed unanimously. Director Bahr moved to come out of executive session at 11:12 a.m.; seconded by Director Lam. The motion passed unanimously.

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

President Case referred to the Minutes of the February 5th meeting and the motion when they came out of executive session and suggested adding 600 remaining single-family equivalents (SFEs) instead of 500 SFEs. After discussion, the proposed number of 500 SFEs is acceptable. Director Bahr moved to approve the revised Amendment to Inclusion Agreement and Owner Certification process with Woodmen Hills Metro District as redlined including the limit of 500 SFEs provided the exhibit identifying the committed properties, and Water Access Fee (WAF) area is corrected to show Falcon Storage on the west side; seconded by Director Lam. The motion passed unanimously.

President Case explained the signature tracking document and had the Board review the signatures. President Case asked Mr. Susemihl if the Board needs anything else to authorize an officer to sign the agreement. Mr. Susemihl replied no. Director Bahr said Challenger Communities, LLC is proposed to be the entity to pay \$1,300,000 for the 200 WAFs. Director Bahr noted we need to have a letter that states that Challenger Communities, LLC is the Designated Owner. The Board discussed the signature pages and the accurate map exhibit is to be sent to Attorneys Steve Mulliken and Sara Frear to get to Woodmen Hills Metro District counsel.

11. Other Old Business:

There was no discussion.

12. New Business:

There was no discussion.

13. Confirm and Set Next Meeting:

Director Bahr moved to continue this meeting to 3:00 p.m. on March 14th; seconded by Director Case. The motion passed unanimously. The next regularly scheduled meeting on April 2nd will follow. Director Case notified the Board that she will be in Vietnam and will be unable to attend.

14. Adjournment:

The meeting was adjourned at 11:27 a.m.

Respectfully Submitted,
Walker Schooler District Managers

By: Kristina Kulick for the Recording Secretary