



**MINUTES OF A CONTINUED MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BENT GRASS METROPOLITAN DISTRICT  
HELD JUNE 18, 2019 AT 10:30 A.M.**

Pursuant to posted notice, the continued meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Tuesday, June 18, 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  
Lena Gail Case, Director  
Brad Lam, Director (by phone)

Also in attendance were:

Peter Susemihl, Susemihl McDermott & Downie P.C.  
Ron Waldthausen  
Kevin Walker, WSDM  
Lori VonFeldt, WSDM  
Kristina Kulick, WSDM

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

The meeting was called to order by President Case at 10:36 a.m. President Case confirmed a quorum. Director Bahr was absent and excused. Director Case moved to approve the Agenda; seconded by Director Lam. Motion passed unanimously.

2. Approval of the 4/2/19 Minutes:

Director Case moved to approve the April 2, 2019 Minutes; seconded by Director Lam. Motion passed unanimously. President Case noted the May Minutes were not ready and would be tabled until next meeting.

3. Public Comment:

There was no public comment.

4. Review of Financials and Approval of Payables:

Ms. VonFeldt presented the financials and noted there was nothing out of the ordinary. President Case confirmed most of the taxes are in at this point. Ms. VonFeldt said she included a District Snapshot in the packet. It showed higher income in March and May due to taxes being paid. The Board discussed the anticipated revenue from the monthly specific ownership tax and the second half-payers that will be reflected in July and August. The Board agreed that the Snapshot was helpful. Director Long moved to approve the financials and payables as presented; seconded by Director Case. Motion passed unanimously.

## 5. Board President Report:

President Case reported that most of his report will be discussed later in the Agenda. He noted that all of the water documents were completed, funds were received by Woodmen Hills Metro District, and the Inclusion Agreement was signed and recorded. The water acquisition fees have been received and acknowledged by Woodmen Hills, so we are off and running which is very exciting. President Case discussed the anticipated closings of residential parcels which are scheduled for next Friday 6/28 with Challenger Homes as the lead buyer. They appear to be on schedule which is also good news.

## 6. Manager's Report:

Mr. Walker said that he had no other updates other than the action items that will be discussed later in the Agenda.

## 7. Development Updates:

President Case said they met with Hammers Construction about the expansion of the dental office as well as a monument sign that may need to be moved and addressed with the owners. The Board discussed that with anticipated closings after June 28<sup>th</sup>, land use applications and lots are expected to be platted in 2019. They also discussed fees from the Man Cave included in 2019 but more likely 2020. Director Lam reported that the same households as last year are not maintaining their weeds and landscaping. Mr. Walker said there are covenants but no HOA board. Mr. Walker discussed possibly sending a letter. Mr. Susemihl noted the covenants may allow a property owner to enforce them. The Board agreed to discuss this more at the next meeting.

## 8. Review and Action on:

- a) Bent Grass Meadows Drive South Reimbursement Request:  
President Case explained he received an email from Mr. Hammers where he commented on the Agenda and said the reimbursement request is at his attorney's office. President Case discussed that there is only one lift needed for the road and we agreed to issue a B-bond to reimburse him for that. He noted that the deadline is closer to the end of the year, so no time pressure. He added that he has not seen any paving being done and it could take the County 60 days to inspect. Director Long asked about U-haul parking vehicles there. Mr. Walker said the street belongs to the County, so we could send a complaint to the County. Mr. Walker said he will call Mr. Hammers and ask for the status of the reimbursement request.
- b) Man Cave and RV Storage Review:  
Mr. Walker said Mr. Hammers sent a revised site plan and he met with them at the County for the development review process. Mr. Walker explained they were trying to move from the idea of the building set-back at 50 feet, and it was less than required by the zone. Mr. Walker said they are still working on the concept and will hopefully not need to go to the County's Board of Adjustment, they may have a set-back wide enough so they don't have to do it which would be good news.
- c) Woodmen Road/Bent Grass Meadows Drive Access Update:  
President Case said there is not a specific update to address today but will likely come up as land use matures. Mr. Walker said he heard the original developer has sold and King Soopers has bought it and moving forward but he is not sure if that is accurate. President Case said he spoke with a property owner near Meridian and McLoughlin, he said his family owns some of the adjacent ground and they are working on a condemnation, so Falcon Highlands may have water from Woodmen Hills. President Case said he will be watching this as land use items go through.

- d) **Bent Grass Meridian Traffic Signal Update:**  
Director Lam reported there were two bad car accidents last weekend. One of the accidents closed Meridian in both directions for a brief time. Mr. Walker said the County was possibly still waiting for us to send designs to them. President Case said he is waiting on a call back from Mr. Hodsdon of LSC Traffic Consulting. Mr. Walker noted that Jim Byers' approval is relying on this as well.
- e) **County Development Agreement:**  
President Case noted this item is on the Agenda to keep the Board aware of it, but there may be more discussion as platting moves forward.

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

The Board agreed there was no need for an Executive Session. The Board agreed this item can remain on the Agenda as Executive Session to receive legal advice.

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

President Case reported that the inclusion agreement was signed by all parties and recorded with the County Clerk and Recorder, and the recordings are being recognized by the Title companies. Funds were tendered and water acquisition fees for the next 200 lots are paid for.

11. Other Old Business:

Mr. Susemihl discussed the issue of the covenants and noted that Special Districts have the power to enforce covenants based on a statute that was passed a few years ago. He said we could have the declarant assign the rights of covenant enforcement to a new organization. We could assign rights to that entity and could put Board Members on the Covenant Enforcement Board and form a non-profit to enforce the covenants. The Board discussed that it is allowed in the service plan, so it is a possibility. The Board discussed the possibility of looking into this further.

12. New Business:

There was no discussion.

13. Confirm and Set Next Meeting:

The Board cancelled the July 2<sup>nd</sup> meeting and agreed to meet on August 6<sup>th</sup> at 10:30 a.m., if needed.

14. Adjournment:

Director Long moved to adjourn the meeting at 11:09 a.m.; seconded by Director Lam. Motion passed unanimously.

Respectfully Submitted,  
Walker Schooler District Managers

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By: Kristina Kulick for the Recording Secretary