

**MINUTES OF A CONTINUED MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BENT GRASS METROPOLITAN DISTRICT  
HELD OCTOBER 14, 2014 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, October 14, 2014 at 10:30 a.m., at 102 E. Pikes Peak Avenue, Suite 200, Colorado Springs, CO.

<u>Attendance</u>	<u>In attendance were Directors:</u> Randle Case II, President Brian Bahr, Director Bryan Long, Vice President Lindsay Case, Director	<u>Also in attendance were:</u> Pete Susemihl, Susemihl, McDermott & Cowan, P.C. Terry Schooler, Schooler & Assoc. Lori VonFeldt, Schooler & Assoc. Ron Waldthausen Randy DeYoung
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1. Call to Order & Certification of the Agenda-:

Director Randle Case II called the meeting to order at 10:29 a.m.

2. Approval of Minutes & Excusal:

Director Randy Case was absent and excused.

Director Bahr moved to approve the September 2 and September 23, 2014 meeting minutes seconded by Director Long. Motion passed.

3. Review of the Financials and Invoices:

After the Board reviewed the expenses, Director Lindsay Case motioned to approve the invoices as presented; seconded by Director Bahr. Motion passed.

4. 2014 Budget Revision Items/Preliminary 2015 Budget:

Director Bahr noted that \$137, 500 of platting fees budgeted for 2014 wouldn't likely come to the District until 2015.

Director Lindsay Case suggested that the District consider the bond offer that Zach Bishop drafted, but other Board members expressed concern that it appeared too costly for the District to manage at this time with an interest rate of 8% for both the interest and another 8-10% for cost of issuance. Director Lindsay Case agreed to continue to look for alternatives to this approach.

Director Bahr again requested that a portion of the platting fees that are collected be allocated to the debt service payment. The Board discussed at length the need to keep a portion of platting fees available for future years of O&M. Mr. Schooler noted that it would be at least another three to four years before there would be enough taxes collected to cover annual O&M.

Director Bahr indicated that an affiliated company will be funding bonds in 2015 for capital improvements. Director Randle Case II reminded the Board that there are \$4.65M of fill-up bonds approved already that would likely get the rest of Bent Grass Meadows Drive constructed in the north end of the project. He noted that there is still a second lift of asphalt for the existing southern road that hasn't been completed as well as a right-in, right-out that has been approved at Woodmen. However, he noted that unless the adjacent landowners or Woodmen Road Metro District can afford to build it, there are no funds available to finish those improvements.

Mr. DeYoung stated that the County has been in contact with him regarding the second asphalt lift on the road and he has had to retain an attorney because of the issues involved. Mr. Schooler indicated that Mr. Moore of Rivers Development and Mr. Novak, consultant to the District have not yet provided the updated numbers of construction costs, but the second lift on the south end should be added to the costs. The Board concurred. The Board discussed at length different options for the District to assist Mr. DeYoung and requested Mr. Schooler attend a meeting with him and County staff to work out a solution.

The Board discussed the interest payment that will be due on the outstanding bonds on December 15<sup>th</sup>. Ms. VonFeldt indicated that she would contact the Trustee to find out the details of the requirement for payment and from what fund source and how the carry over might occur if not paid.

5. District Manager Report:

Mr. Schooler said he had nothing additional to report.

6. District Development Priorities:

A. Development & Market Update-

See item 4.

B. Review and Improvements funding-

Discussed under item 4.

C. Proposed Bent Grass Metro District Construction Reimbursement Obligations Policy Statement-

Director Randle Case II stated that more clarity was needed on the revision and was waiting for more information.

7. Updates:

A. Bent Grass Meadow Drive-

Discussed under item 4.

B. Woodmen Road Access Plan Revision-

Director Randle Case II suggested a Board member attend the next Woodmen Road Metro District (WRMD) meeting to follow up on his prior meeting with that Board about two years ago to see if that Board would consider constructing the right-in, right-out and to speak to the needs of the subdivision. Mr. Schooler felt that taking specific costs regarding the project to the WRMD Board would help to encourage their involvement. Director Randle Case II stated he would bring an update on the presentation he made to them two years prior.

8. Old Business:

Director Randle Case II advised the Board that the agreement with the County, Rivers Development's entity and the District for the construction and maintenance of the new drainage pond in the eastern commercial area had been completed by Rivers and the District on September 23 and delivered to the County. We are waiting for an executed copy from the County. This agreement reduced the need for Land First Inc and Mr. Waldthausen to post assurances for another \$107,000 as indicated last month. Rivers will be constructing the pond on land owned by Land First and the District will take responsibility for maintenance after construction and warranty have been satisfied.

9. New Business:

Mr. Waldthausen of Land First Inc noted that Trey Lane in the commercial part of the east side of the subdivision has recently been renamed to Meridian Park Drive to accommodate E-911 concerns about having a public road in the middle of the commercial development and to satisfy the businesses' interests in having a Meridian named address. This was a compromise that took several weeks to accomplish with the assistance of the Regional Building Department and had to be done prior to recording his second plat which is scheduled to be completed any day now related to the Veterinary Clinic and other lots.

10. Other Business:

The next regular meeting will be November 4, 2014 at 10:30 a.m. to include the 2015 budget hearing.

11. Adjournment:

The meeting was adjourned at 11:28 a.m.

Respectfully Submitted,

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Terry E. Schooler, Manager