



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
BENT GRASS METROPOLITAN DISTRICT
HELD MAY 1, 2018 AT 10:30 AM**

Pursuant to posted notice, the meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Tuesday, May 1, 2018 at 10:30 AM, 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 10:48)

Also in attendance were:

Peter Susemihl, Susemihl, McDermott
& Cowan, P.C.
Kevin Walker, Walker Schooler DM
Lori VonFeldt, Walker Schooler DM
Kristina Kulick, Walker Schooler DM
Brad Lam, 2018 Board Candidate
Ron Waldthausen
Randy DeYoung

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

President Randle Case II called the meeting to order at 10:30 AM.

2. Approval of Minutes:

The Board postponed the approval of minutes for the next scheduled meeting.

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

President Randle Case II asked for public comment. There was no public comment. President Randle Case II introduced Mr. Lam to the Board as the newest Board member. Mr. Lam introduced himself and discussed his background and family. The Board welcomed Mr. Lam to the group. President Randle Case II noted that Mr. Lam will formally become a member of the Board after the May election results are certified.

4. Review of the Financials and Invoices:

Ms. VonFeldt presented the financials to the Board and discussed funds from collected property taxes that will be expected in June. Mr. Waldthausen said there would be platting fees, for his commercial project, that would be collected by the District this year. President Randle Case II noted that the platting fees are used for General Fund expenses since the District is not collecting enough from the mill levy to cover those costs yet.

5. Board President Report:

President Randle Case II discussed the election and the candidates that were duly elected with there being enough open seats for those candidates. Mr. Lam was elected to the open 2-year seat filling the vacancy.

President Randle Case II said the District has been having several water supply discussions that will be discussed on item 10 and 11 on the agenda later in the meeting. He said that on behalf of BGMD, he is working with Woodmen Hills Metro District (WHMD) and others on getting supplemental water supply for the BGMD next phases. He said there are many conversations running in parallel, and the City is thinking regionally, as well as Cherokee Metro District. President Randle Case II said there are a lot of Board elections going on and that Cherokee, Woodmen Hills and Paintbrush Hills all have contested races. He added that providers of water all have elections going on right now as well except the City. President Randle Case II said that Paintbrush Hills is charging a water resource fee of \$8,095 per house and pointed the area out on the map. He discussed that they are talking about doing another High School somewhere in District 49, building an elementary school and that a lot of dirt has turned in the last 12 months near Towner and Stapleton. President Randle Case II discussed competitors and that people are now being charged a water resource fee per house. WHMD is charging a tap for water and wastewater and is considering adding the water resource fee similar to Paintbrush Hills. Falcon Highlands voters did not approve a resolution to their water shortage and have been sitting dormant for some time. President Randle Case II asked Mr. DeYoung if his company Falcon Broadband is installing fiber optic lines in Sterling Ranch. Mr. DeYoung replied that they were not. President Randle Case II noted that WHMD does not have in house management for their water division at this time as they are relying on their wastewater staff to handle those matters. They have 4 of 5 Board seats up for election and are expecting changes to their District.

6. Manager's Report:

Mr. Walker reported that Challenger's first residential filing is getting ready to do the handover to the District for landscaping/maintenance and getting bids.

7. Development Updates:

President Randle Case II noted that it has been about 5 years since the District started requesting supplemental water supply. President Randle Case II informed the Board that he is serving as an appointee for El Paso County Water Master Plan Committee and is Mr. Walker. The two of them have been attending meetings to understand what the County wants to do and how they are considering addressing water in their County Planning. The timeline is pretty short as the County wants to have the Master Plan completed by the end of 2018. The next meeting is May 21st. President Randle Case II discussed the State Engineer who oversees water rights in Colorado and that they provide authorizations for how water is used, water rights and that affects how ground is platted or not. President Randle Case II will be involved in those discussions and has been doing parallel work with WHMD and Cherokee for a different kind of regional approach as mentioned earlier. One concept that concerns the County and the City is that any time small water districts have a problem, it affects the City at large and the City may be able to be a regional player. President Randle Case II said the District is getting closer to having an agreement with WHMD that may involve, in part, Sterling Ranch, Falcon Highlands, Paintbrush, Meridian, Cherokee or the City.

Director Bahr noted that he cannot move forward with any planning on next phases of residential until the outstanding water issue is solved.

8. Review and Action on:

- a) Woodmen Road/Bent Grass Meadows Drive Access Update:
President Randle Case II had a conversation with representatives from Hummel Development and they are trying to get set up to open a King Soopers and retail, but access from Woodmen Road has been denied by the County. They must use a frontage road that would have to carry a lot of traffic. Hummel is looking to get a right-in only, but that may affect the lower side of Bent Grass. President Randle Case II said he was approached by the County Engineer in March about her proposal for a right-in/ right-out for the District and a right in only for Hummel. She is processing that with the Board of County Commissioners (BOCC).
- b) Proposed Changes to Bent Grass Meadows Drive, Drainage and Utilities Construction Phasing:
The Board tabled this item until more information is received.
- c) Proposed Schedule for Traffic Signal at Bent Grass Meadows Drive and Meridian:
President Randle Case II opened the discussion up to Mr. Waldthausen to share what he has been experiencing with conversations with El Paso County. Mr. Waldthausen has been developing the eastern commercial in the District including 7-11 and he pointed out on the map a commercial site to the west of that which he is trying to develop and said the County is requiring the Meridian Bent Grass signal be constructed. Mr. Waldthausen discussed having the District pay for the costs of the signal since the Board has implemented an additional \$10,000 per acre commercial signal fee. He said last fall a schematic was developed for a span wire signal instead of a pole supported signal, which was sent to Mountain View Electric for a proposal to get their overhead system underground. Mr. Waldthausen passed out design layouts to the Board as well as the proposal from Mountain View Electric. Mr. Waldthausen said he took Mountain View's proposal and design and have incorporated that into the District's design that will be submitted to the County later this week. Mountain View's proposal is \$39,233 for the undergrounding. He said this discussion has come at a good time since The Falcon Herald has come out with an article on dangerous intersections, which includes this intersection. Mr. Waldthausen requested the Board consider getting the undergrounding done and approve the proposal from Mountain View. Ms. VonFeldt noted that the District has collected, to date, \$105,000 for the traffic signal. Director Lena Gail Case moved to approve the funding of the proposal from Mountain View Electric for the undergrounding; seconded by Director Bahr. Motion passed unanimously.

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

It was moved at 11:10 AM by Director Lena Gail Case, seconded by Director Bahr to have the Board convene in executive session to receive legal advice regarding water resources. At 11:37 AM Director Long moved to come out of executive session; seconded by Director Bahr. Motions passed unanimously.

Director Bahr moved to authorize President Randle Case II, management, and legal counsel to draft a proposal to WHMD for additional water service; seconded by Director Lena Gail Case. Motion passed unanimously.

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

This item was discussed in Executive Session.

11. Other Old Business:

There was no old business discussed.

12. New Business:

There was no new business discussed.

13. Confirm and Set Next Meeting:

The next regular scheduled meeting is set for June 5, 2018, if needed.

14. Adjournment:

The meeting was adjourned at 11:39 A.M.

Respectfully Submitted,
Walker Schooler District Managers

By: Lori VonFeldt for the Recording Secretary