



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
BENT GRASS METROPOLITAN DISTRICT
HELD DECEMBER 4, 2018 AT 10:30 AM**

Pursuant to posted notice, the continued meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Tuesday, December 4, 2018 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
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, P.C.
Jeff Hodsdon, LSC Transportation Consultants
Ron Waldthausen, Land First Inc
Ron Pace

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

President Case called the meeting to order at 10:32 a.m. President Case confirmed a quorum.

2. Approval of November 6, 2018 Minutes:

Director Lam moved to approve the November 6, 2018 minutes; seconded by Director Case. Motion passed unanimously.

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

Mr. Ron Pace introduced himself and told the Board that he runs a blog called Woodmen Hills Exposed. He said he blogs about issues such as water resources and things that people are stuck paying for overtime. Mr. Pace said that he has run for election and people have been paying money to prevent that. He asked how someone would come to know who he is and put negative information about him on a flyer and who would spend money to say something negative without asking him about it. He told the Board that he is a disabled veteran and his son is serving now. Mr. Pace said he thinks he knows the person who has a lot to do with the flyers. Mr. Pace thanked the

Bent Grass Board for being a part of the Woodmen Hills family, but added that he would like to find out how we got to this point and he would like to get to the bottom of this. He thanked the Board for their time and said that he looks forward to an interview in the future.

4. Review of the Financials and Approval of Payables:

Ms. VonFeldt presented the payables to the Board. She noted invoices for landscaping and water. Director Lam moved to accept the financials and approve the payables; seconded by Director Case. Motion passed unanimously.

5. Board President Report:

President Case told the Board that similar to last month, the President Report is generally limited to updates reflected in the minutes from the last meeting. He shared there will be an executive session to continue the discussion. President Case said we have had a relatively uneventful last few weeks since last Board meeting. President Case told the Board that he inspected the 7-Eleven and other businesses and residences in the area and they all seem to be doing fine. He noted the traffic coming into town at around 7:45 a.m. and saw that Highway 24 was backed up several miles going into town at Woodmen. He added that it may be appropriate to ask Woodmen Hills to consider additional capacity for peak hours. President Case asked Director Lam if he has experienced heavy traffic in the area. Director Lam said there is a lot of traffic in the Falcon metro center area, but he leaves early and the traffic is not out of the ordinary.

6. Manager's Report:

Mr. Walker asked Director Lam about snow removal and if it has been adequate so far. Director Lam confirmed there has been no issues with snow removal. President Case confirmed the snow removal included the sidewalks and common space areas. President Case asked about the expensing of posts and chains at the ponds. Mr. Walker said it is included in maintenance, but would come out of capital expenses. Mr. Walker also noted that Mr. Pace had requested documents.

7. Development Updates:

Mr. Jeff Hodsdon with LSC Transportation Consultants passed out copies of the report to the Board. He noted the report was a finished draft without the technical appendix. Mr. Hodsdon said since the last update, he has obtained additional data on crash accident history from CDOT and CSP. The data shows that in the last 12 months there have been significant crashes that meet the crash warrant. There crash warrant requires at least 5 crashes that could be corrected by signal, which was met by 8 or 9 crashes, and the value warrant criteria has been met. The final criteria needed is that there has been sufficient remedial measures, such as enforcement or temporary channelization that must be met, but the County must weigh in on this warrant. Once they weigh in, then the signal is warranted. President Case asked if they striped and added a right turn lane, would those be considered mitigation efforts in advance. Mr. Hodsdon said that may be considered, or having a police officer out for a period of time would be another example of remedial measures, but we will need to visit with the County as well. Mr. Hodsdon said he ran some numbers on the Vet Clinic expansion, and the 4 hour warrant will be met once the expansion is done. Mr. Waldthausen asked Mr. Hodsdon to expand on the additional improvements needed beyond the signal indicated in the report. Mr. Hodsdon said they amended the land use table, called out traffic zones that match up with land uses and put in additional future commercial and office warehouse uses and added the trips to the intersection and evaluated levels of service. He came up with the short term improvements list such as the signal at intersection and a right turn accel lane on southbound Meridian. The accel lane is already warranted based on numbers, but it is possible to get a deviation to delay based on constraints such as relocation of power polls, reworking of ditch, and the County likes the raised islands in conjunction with the accel lane so

that could help delay it as well since the work would be done all at once. Mr. Hodsdon said it would be okay to delay the accel lane because the signal would allow traffic to make right turns and improve service and the crash history does not indicate a problem with right turn movement. President Case asked about existing intersections north of this area and if they have accel lanes. Mr. Hodsdon said those projects were done by the County and they don't always do what they make us do. President Case looked up other intersections near the area on Google Earth and they do not have accel lanes. President Case asked what the intersection will look like at Eastonville. Mr. Hodsdon said they will be adding left turn northbound and right turn southbound, and adding an accel and decel lane between Eastonville and Meridian. President Case noted there will be significantly more traffic there due to a school. Mr. Hodsdon said this project was done with the current ECM which calls for accel lanes as part of it. President Case requested that the report include references to current intersections. Mr. Hodsdon discussed the 7-Eleven access and triggers for closure such as; blockage of access point, closing the left turn in by restriping and plastic reflectors in center of painted median to prevent left turns. It will become a right-in right-out and eventually the entire access point would be closed when needed. Mr. Hodsdon discussed that the report does not look at long term, but looks at short term development. President Case asked Mr. Hodsdon if this intersection resembles any work he has done to know if there are similar issues with temporary closures. Mr. Waldthausen noted there is an agreement in place with 7-Eleven that they have signed in regards to this. Mr. Waldthausen requested that Mr. Hodsdon include in the report who pays for what and to have a clear definition of responsibilities to prevent any potential issues or delays with the County on development plans. Mr. Hodsdon said he will add a column on table 4 that shows the District will be responsible for paying for it's part and 7-Eleven will be responsible for paying for the closures. President Case discussed the District fees such as the platting fee and that the District has taken on the responsibility. Mr. Hodsdon asked if the parcels on the north side are part of the permit fee program. The Board clarified it is in the Bent Grass MD but not Woodmen Hills MD and part of the Woodmen Road service area. President Case noted we would charge them if they platted in the Bent Grass MD. Mr. Waldthausen said we should request a deviation for the accel lane since none of the other intersections have it. President Case asked Mr. Hodsdon to add a statement in the report that other similar intersections up the road do not have the accel lane for southbound Meridian. Mr. Hodsdon also noted the new signal will stop traffic and allow for right turns which adds to the fact that the accel lane is not needed. Mr. Hodsdon said he could supplement with the argument that there are no safety problems without an accel lane and the limitations of existing conditions such as ditch and culverts, things that would have to be done to get accel lane to fit. Mr. Waldthausen said it would be better to make a case as to why it was not needed instead of including the additional work required with the accel lane. Director Case moved to submit the report for action by the County with the modifications as discussed; seconded by Director Bahr. Motion passed unanimously. Mr. Hodsdon left the meeting at 11:17 a.m.

Mr. Waldthausen told the Board that he had a request from Falcon Dental to expand their facilities. This would require moving of electric lines and all of this is under consideration now. Hammers is doing the design so they will know how much land they will want to buy to increase their parking and facility. President Case noted they have been parking in the culdesac. Mr. Waldthausen said he is waiting on additional developments until the plan is done for the intersection. He said the County is now asking for a full preliminary plan done for all of the commercial in the area. President Case said that normally land use planning is done by the land owner and it seems like the District could bless it, but not prepared to do the land use planning. President Case asked Director Bahr if the District paid anything on his development plan. Director Bahr said no and that they paid a lot on electrical plans and the District did not pay for reimbursement of entitlement. Mr. Pace said he wanted to comment on the intersection and asked if he could share the report as exciting news on his blog. President Case asked him to not post or

share anything yet until it is ready. Mr. Pace said he witnessed an accident at the intersection, so it is good news that there will be a new traffic signal. Mr. Pace told the Board that he will come to the next meeting with information on the Woodmen Hills Board and he would like to do an interview soon. Director Lam said he has seen an increase of trash on Bent Grass Meadows Drive and asked Mr. Waldthausen if there could be trash collection in that area. Mr. Waldthausen said that could be done.

8. Review and Action on:

- a. Woodmen Road/Bent Grass Meadows Drive Access Update: President Case had no new updates to report. President Case asked Mr. Walker if he had any updates on Falcon Marketplace. Mr. Walker said he will not see anything until they submit for building permits. President Case said he expects traffic for eastbound to go by the Golden Sage stoplight until further notice and this will create more activity going in front of the project. The Board will keep this item on the Agenda and will continue to monitor.

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

Director Case moved to go into Executive Session at 11:33 a.m.; seconded by Director Lam. Motion passed unanimously. Director Bahr moved to come out of Executive Session at 12:13 p.m.; seconded by Director Lam. Motion passed unanimously.

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

There was no discussion.

11. Other Old Business:

There was no discussion.

12. New Business:

There was no discussion.

13. Confirm and Set Next Meeting:

Director Case moved to continue the meeting to December 12, 2018 at 9:00 a.m.; seconded by Director Lam. Motion passed unanimously. Director Lam moved to reschedule the January 1, 2019 meeting to January 15, 2019 at 10:30 a.m.; seconded by Director Case. Motion passed unanimously.

14. Adjournment:

The meeting was adjourned at 12:17 p.m.

Respectfully Submitted,
Walker Schooler District Managers

By: Lori VonFeldt for the Recording Secretary