



**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BENT GRASS METROPOLITAN DISTRICT  
HELD NOVEMBER 5, 2024, AT 10:00 AM**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Tuesday, November 5, 2024, at 10:00 AM, via electronic means and telephone conference call.

Attendance

In attendance were Directors:

Randle Case II, President  
Bryan Long, Vice President/Secretary  
Stephanie Pierce, Treasurer  
Lena Gail Case, Director  
Erin Ganaway, Director

Also in attendance were:

Adam Noel, WSDM  
Rebecca Harris, WSDM  
Brenda Juarez, WSDM  
Peter Susemihl, Susemihl, McDermott, and Downie, P.C.  
Stephen Lazarowitz, resident  
Wal Walthousen, resident

1. Call to Order & Introductions: Mr. Noel called the meeting to order at 10:20 a.m. and confirmed a quorum was present.
2. Approval of Agenda: After discussion was made and amended to add 11a, Director Long moved to approve Agenda, seconded by Director Lena Case. Motion passed unanimously.
3. Approval of the Minutes from Board Meeting on October 8, 2024: After review, Director Ganaway moved to approve the October 8, 2024 Minutes; seconded by Director Pierce. Motion passed unanimously.
4. Public Comment for Items not on the Agenda: President Case II closed public comment as there was no discussion.
5. Board President Report: President Case II reported activities on the South side of neighborhood, Falcon School District, and Mtn View Electric.
6. Management Report: Mr. Noel presented the report that on October 28, 2024, WSDM hired replacement for Covenant Administrator George Dufresne. October shifted to winter covenant

enforcement schedule of once per month and will occur within the next couple of weeks. Mr. Noel stated there are no new properties that have been reported within the District.

7. Legal Matters:

- a. 2025 WSDM Engagement Letter: Mr. Noel presented the Engagement Letter that lists an increase to five thousand per month but same hourly rates. Included in the letter is an outline distinguishing the responsibilities between WSDM and legal counsel, and the role WSDM plays to ensure the District's website is ADA compliant. Director Long moved to approve Engagement Letter, seconded by Director Lena Case. Motion passed unanimously.
- b. Review and Consider approval of the May 6, 2025, Election Resolution. Mr. Noel advised the upcoming election date has three board seats, President Randy Case II, Treasurer Stephanie Pierce, and Director Lena Gail Case. Mr. Noel advised if there are three or fewer nominations, the election can be canceled. After amending the Resolution, President Case II noted that if there is no election, the District saves \$10 thousand in election costs. Director Long moved to approve; seconded by Director Pierce. Motion passed unanimously.
- c. Review and consider Approval of the BiggsKofford 2024-Audit Letter: Mr. Noel advised an increase to \$10,100 cost for 2024 audit and no other changes. Mr. Long moved to approve; seconded by Director Lena Case. Motion passed unanimously.

8. Development Updates: Mr. Noel advised no updates. Director Ganaway advised there will only be building permits for the District and that the channel is completed pre-credits for the county and reimbursement for the District. Mr. Susemihl asked if Challenger has a resolution for reimbursement for the work they've completed. Ms. Ganaway advised they do not have a resolution to date but plan to seek pre-credits with the county and reimbursement based upon final costs and not drainage. President Case II relayed that there is a church under contract for 8 acres north of the 7-Eleven. Mr. Hammers advised commercial buildings of Coldstone and Dunkin' Donuts. Mr. Noel stated submittal for Dunkin' Donuts was received last year. Discussion was had about the right-in/out along Woodmen Road/ frontage road near the Bent Grass site, and that the right-out was not approved by County. President Case II advised that the Board needs to meet with the board members of Woodmen Road Metropolitan District to collectively resolve traffic issues within the commercial property area. Ms. Harris advised the next Woodmen Road meeting will be November 11, 2024, at 8 am. President Case II advised he will attend the meeting on behalf of the Board.

9. Financial Report:

- a. Consider approval of unaudited financial statements dated October 30, 2024. Mr. Noel presented unaudited financial statements and advised that all the collected bond money has been sent to the trustee and will be paid out of the operating account. President Case II asked for a breakdown of the fees within the balance sheet. President Case II asked how the collected platting fees may be used. Ms. Harris advised that capital fees are obligated to the bond. President Case II delineated that such fees cannot be allocated to operational expenses. Mr. Noel advised of the increase in district management and landscaping expenses, which would be outlined during the budget hearing. Director Lena Case moved to accept approval of unaudited financial statements; Seconded by Director Pierce. Motion passed unanimously.
- b. Ratify approval of payables through November 5, 2024. Mr. Noel presented the payables through October 31, 2024. Director Lena Case moved to ratify approval; seconded by Director Ganaway. Motion passed unanimously.

- c. Public Hearing of 2025 Budget. Director Long motioned to open public hearing; seconded by Director Lena Case. No public was present. Director Long moved to close public hearing; seconded by Director Lena Case. Motion passed unanimously. Public hearing was closed.
- d. Consider Adoption of Resolution approving 2025 Budget: Mr. Noel presented the resolution of the 2025 Budget and mentioned that there was an increase in the BiggsKofford audit, the election expense which was added to the budget if election takes place, and the landscaping. Mr. Noel noted that the projected budget for 2024 was not to exceed the budgeted amount and therefore there is no proposal to amend the 2024 Budget. President Case II advised tax allocations would change next year and advised keeping the mill levy the same to create reserves if state law changes, so the District has at least had a baseline. President Case II recommended that the Board tables the discussion to make changes to the mill levy until the following year to assess how the new legislation will impact the baseline. Ms. Harris added that new buildings are exempt from the new TABOR rule of 5.5 to 5.25%. The board discussed that all the funds from the bonds have been expended, and all revenue is from capital fees collected. Director Long moved to approve adoption of resolution with the understanding that it will be amended as discussed, seconded by Director Lena Case. Motion passed unanimously.

10. Old Business:

- a. PILOT agreement for International Development Company Preliminary Review: President Case II discussed the need for the PILOT Agreement; no decisions were made as there needs to be further review.

11. New Business:

- a. Reimbursement Request Land First INC. President Case II provided the history behind the request for reimbursement. Property owners donated 75 ft to the county to expand Meridian Road and the drainage in that location. Property owners had to fund the project to rebuild Meridian Road southbound including Bent Grass Meadows Drive and Meridian Rd lot that is now 7-Eleven. Also built was a wastewater line. Property and business owner Mr. Walthousen submitted a request for reimbursement to his company, Land First Inc. To assist with reimbursement, Mr. Susemihl submitted a proposal where the church that is being built in that location pays half of reimbursement request directly to developer in lieu of taxes. As of date, Mr. Susemihl hasn't received a reply from the Bond Council at Sherman and Howard. Ms. Harris advised waiting for approval from the bond council before moving forward with resolution to ensure the proposed agreement doesn't violate bond documents. Conversely, at Mr. Susemihl's council, Board reviewed and amended the resolution proposal. Director Ganaway moved to approve reimbursement; seconded by Director Lena Case pending Bond council's approval. Motion passed unanimously.

12. Confirm and Set Next meeting: Scheduled for December 3, 2024, at 10:30 AM.

13. Adjournment: Meeting was adjourned at 11:50 AM.

Respectfully Submitted,  
WSDM District Managers

  
By: \_\_\_\_\_  
Recording Secretary