



BENT GRASS METROPOLITAN DISTRICT

Regular Board Meeting

Tuesday, June 3, 2025– 10:30 AM

119 North Wahsatch Ave

Colorado Springs, CO 80903

or

Please join my meeting from your computer, tablet or smartphone.

<https://video.cloudoffice.avaya.com/join/425501245>

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United States: +1 (213) 463-4500

Access Code: 425-501-245

Board of Director	Title	Term
Randle W Case II	President	May 2029
Bryan T Long	Vice-President/ Secretary	May 2027
Stephanie Pierce	Treasurer	May 2029
Troy Smith	Director	May 2029
Erin Smith	Director	May 2027

AGENDA

1. Call to Order/Introductions
2. Appointment of Officers
3. Approval of Agenda
4. Review and Consider Acceptance of the 2024 Audit Presentation (under separate cover) - BiggsKofford
5. Approval of the Minutes from Board Meeting on May 6, 2025 (see attached)
6. Public Comment (For items not on the Agenda)
7. Board President Report
8. Management Report
9. Legal Matters
10. Development Updates
11. Financial Report
 - a. Public Hearing on 2024 Budget Amendment
 - i. Review and consider approval of 2024 Budget Amendment Resolution
 - b. Consider approval of unaudited Financial statements dated April 30, 2025 (see attached)
 - c. Ratify approval of payables through June 3, 2025 (see attached)
12. Old Business
 - a. Bond Refinance Update
 - b. Evergreen Development Easements
 - c. Consider adoption of Fee Resolution Establishing Fine Schedule (see attached)

13. New Business
14. Executive Session to Receive Legal Advice on Contracts and Financing
15. Confirm and Set Next Meeting
 - a. Scheduled for July 8, 2025 at 10:30 AM
16. Adjournment



**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
BENT GRASS METROPOLITAN DISTRICT
HELD MAY 6, 2025
AT 10:30 AM**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Bent Grass Metropolitan District was held on Tuesday, May 6, 2025, at 10:30 am, at 119 North Wahsatch Ave and via tele/videoconference: <https://video.cloudoffice.avaya.com/join/425501245>

Attendance:

In attendance were Directors:

Randle W Case II,	President
Bryan T Long,	Vice-President/Secretary
Lena Gail Case,	Director
Erin Smith,	Director

Directors Attending Virtually

Stephanie Pierce,	Treasurer
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Also in attendance were:

Adam Noel,	WSDM Managers
Rebecca Harris,	WSDM Managers
Peter Susemihl,	Susemihl, McDermott, and Downie
Sean Murphy,	Evergreen Development
Steven Lazarowitz,	Bent Grass Resident

1. Call to Order:

The meeting was called to order at 10:30 am by President Case II.

2. Declaration of Quorum/Director Qualifications/ Disclosure Matters:

President Case II indicated that a quorum of the Board was present, stating that each Director has been qualified as an eligible elector of the District pursuant to Colorado law. The Directors confirmed their qualifications. Mr. Noel informed the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Noel reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Noel inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

3. Approval of Agenda:

Director Long moved to approve the Agenda as presented; seconded by Director Lena Gail Case. Motion passed unanimously.

4. Approval of April 1, 2025 Regular Board Meeting Minutes and April 25, 2025 Special Board Meeting Minutes:

After review, Director Long moved to approve April 1, 2025 Regular Board Meeting Minutes as presented; seconded by Director Smith. Motion passed unanimously. After review, Director Pierce moved to approve April 25, 2025 Special Board Meeting Minutes as presented; seconded by Director Long. Motion passed unanimously.

5. Public Comment: There was no public comment for items on the agenda.

6. Board President Report: There was no additional report from the Board President outside of items listed on the agenda.

7. Management Report:

- a. Architectural Covenant Committee Update: Mr. Noel announced that the Board of Directors appointed two members of the Board, Stephanie Pierce and Erin Smith, to fill the two vacancies on the Bent Grass Covenants.
- b. Mr. Noel reported on the outstanding platting fees and building permit fees within the current development in Bent Grass Commercial East. Mr. Noel reported that the District is now performing two site visits per month for covenant enforcement, and the Covenant Enforcement Administrator, George Dufresne, will be returning in two weeks. The District landscapers are removing the tree wraps from the trees and overseeding the pocket parks within the community.

8. Legal Matters: Mr. Susemihl discussed sending out the Oaths of Office for the elected board members and getting them signed and filed.

9. Development Updates: Director Smith discussed that Challenger Communities is finishing up developing lots, the drainage channel has been fully blanketed and waiting on County acceptance. Mr. Murphy with Evergreen discussed that they have made progress with the county concerning access to the commercial sites. They have support from the County to create a new signalized access to the commercial center. Formal submittals to the County should occur within the next thirty days.

10. Financial Matters:

- a. Approve Unaudited Financial Reports through March 31, 2025: Mr. Noel presented the unaudited financials. After discussion, Director Pierce moved to approve the Unaudited Financial Reports through March 31, 2025 with an amendment to add the interest line item to the Challenger Reimbursement; seconded by Director Long. Motion passed unanimously.
- b. Ratify and Approve Payables through May 6, 2025: Mr. Noel presented the Payables for the period. After discussion, Director Smith motioned to approve the payables as presented; seconded by Director Lena Gail Case. Motion passed unanimously.

11. Old Business:

- a. Bond Refinance Update: President Case II has been meeting with Director Smith with assistance from counsel to get legal opinions and paperwork completed for the bond refinance. Closing is estimated to occur within the next few weeks and interest rates have been fluctuating between 5.75% and 6.25%.

12. New Business:

- a. Consider adoption of Fee Resolution Establishing Fine Schedule: Mr. Noel presented the Fee Resolution Establishing a Fine Schedule. After further discussion, President Case II suggested to table this item for a future meeting.
- b. Mr. Murphy discussed working with Challenger on vacating the easements that were previously discussed. There is currently no pushback on vacating the easements from the County or any other party involved. President Case II requested this item to be moved into old business going forward.

11. Adjourn: President Case II adjourned the meeting at 11:24 am.

- a. Next Regular Meeting scheduled: June 3, 2025 at 10:30 am.

Submitted by: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 6, 2025, REGULAR MEETING MINUTES OF THE BENT GRASS METROPOLITAN DISTRICT.

Approved by: Secretary of the Board



**BENT GRASS METROPOLITAN DISTRICT
2025 BUDGET
GENERAL FUND**

	2023 ACTUAL	2024 ACTUAL	2024 AMENDED BUDGET	2024 BUDGET	2025 BUDGET
TRAFFIC SIGNAL FEE: BEGINNING FUND BALANCE				\$ 1,001,826.00	\$ -
TRAFFIC SIGNAL FEE REVENUE - RESIDENTIAL (\$1,000/UNIT)	\$	24,570	\$ 24,570	\$ 30,000	\$ -
TRAFFIC SIGNAL FEE REVENUE - COMMERCIAL (\$10k/ACRE)			\$ -	\$ -	\$ -
CONSTRUCTION			\$ -	\$ -	\$ -
TRAFFIC SIGNAL FEE: ENDING FUND BALANCE	\$ -	\$ 24,570	\$ 24,570	\$ 1,031,826	\$ -
BEGINNING FUND BALANCE	\$ 701,142	\$ 955,247	\$ 677,110	\$ 679,581	\$ 179,246
REVENUES					
FACILITY FEES (\$500/UNIT) 60 SF units	\$ 33,501	\$ 36,500	\$ 36,500	\$ 30,000.00	\$ 30,000.00
PLATTING FEES (5500/ACRE) 10 ACRES	\$ 174,625	\$ 93,331	\$ 135,135	\$ 55,000.00	\$ 55,000.00
GENERAL PROPERTY TAXES	\$ 77,190	\$ 334	\$ 104,138	\$ 103,234	\$ 119,642
DELINQUENT TAX AND INTEREST	\$ 66	\$ 81	\$ -	\$ -	\$ -
SPECIFIC OWNERSHIP TAXES	\$ 8,276	\$ 7,756	\$ 9,691	\$ 7,226	\$ 8,375
TAX ABATEMENT - INTEREST	\$ -	\$ (0)	\$ -	\$ -	\$ -
TRAFFIC SIGNAL FEE	\$ 61,000	\$ 24,570	\$ 24,570	\$ 30,000.00	\$ 30,000.00
CCR VIOLATIONS		\$ 5,475	\$ 5,475	\$ -	\$ -
INTEREST INCOME	\$ 2,648	\$ 4,336	\$ 4,336	\$ -	\$ -
TOTAL REVENUES	\$ 357,306	\$ 172,383	\$ 319,845	\$ 225,460	\$ 243,017
TOTAL REVENUE AND FUND BALANCE	\$ 1,058,448	\$ 1,127,631	\$ 996,955	\$ 905,041	\$ 422,263
EXPENDITURES					
POSTAGE	\$ 20	\$ 627	\$ 592	\$ 300	\$ 500
BOARD OF DIRECTORS FEE	\$ -	\$ 4,700	\$ -	\$ 6,000	\$ 6,000
AUDIT	\$ 9,325	\$ 9,600	\$ -	\$ 10,000	\$ 10,500
BANK FEES/LOC FEE	\$ 1,654	\$ 1,729	\$ -	\$ 1,000	\$ 1,000
DISTRICT MANAGEMENT	\$ 50,400	\$ 57,615	\$ 62,300	\$ 57,600	\$ 60,000
ELECTION	\$ -	\$ -	\$ -	\$ -	\$ 5,000
ENGINEERING	\$ 7,184	\$ -	\$ -	\$ -	\$ -
INSURANCE	\$ 3,072	\$ -	\$ -	\$ 8,000	\$ 8,000
LANDSCAPING & POND MAINTENANCE	\$ 17,758	\$ 29,751	\$ 29,751	\$ 25,000	\$ 35,000
LEGAL	\$ 11,327	\$ 18,403	\$ 28,003	\$ 8,000	\$ 8,000
OFFICE SUPPLIES	\$ 65	\$ -	\$ -	\$ -	\$ -
SPECIAL DISTRICT DUES (SDA)	\$ 1,238	\$ 616	\$ 616	\$ 1,500	\$ 1,500
TREASURER'S FEES	\$ 1,158	\$ 1,250	\$ 1,562	\$ 1,549	\$ 1,795
CONTINGENCY	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL EXPENDITURES	\$ 103,201	\$ 124,291	\$ 122,824	\$ 118,949	\$ 137,295
OTHER FINANCING SOURCES					
TRANSFER OUT: DEBT SERVICE	\$ -	\$ 973,684	\$ -	\$ -	\$ 223,868.00
TRANSFER OUT: CAPITAL	\$ -			\$ -	\$ -
	\$ -			\$ -	\$ -
GENERAL FUND: ENDING BALANCE	\$ 955,247	\$ 29,655	\$ 874,131	\$ 786,093	\$ 61,100
EMERGENCY RESERVE: State Required at 3%	\$ 3,096	\$ 3,729	\$ 3,685	\$ 3,568	\$ 4,119
ASSESSED VALUATION	\$ 9,148,280	\$ 11,946,960		\$ 11,946,960	\$ 13,845,820
MILL LEVY	8.641	8.641		8.641	8.641

**BENT GRASS METROPOLITAN DISTRICT
2025 BUDGET
DEBT SERVICE FUND**

	2023 ACTUAL	2024 ACTUAL	2024 AMENDED BUDGET	2024 BUDGET	2025 BUDGET
DEBT SERVICE FUND: BEGINNING BALANCE	\$ 690,672	\$ 606,317	\$ 880,270	\$ 879,019	\$ 1,496,336
REVENUES - BONDS				\$ -	
GENERAL PROPERTY TAXES	\$ 267,991	\$ 334,067	\$ 313,341	\$ 310,621	\$ 359,991
SPECIFIC OWNERSHIP TAXES	\$ 28,731	\$ 31,095	\$ 29,160	\$ 21,743	\$ 25,199
TRANSFER FROM GENERAL FUND		\$ 973,684			\$ 223,868
TRAFFIC SIGNAL					
INTEREST INCOME	\$ 35,752	\$ 40,221	\$ 40,099	\$ 30,000	\$ 30,000
TOTAL REVENUES	\$ 332,474	\$ 1,379,067	\$ 382,600	\$ 362,364	\$ 639,059
TOTAL REVENUE & FUND BALANCE	\$ 1,023,146	\$ 1,985,384	\$ 1,262,870	\$ 1,241,383	\$ 2,135,394
EXPENDITURES					
TRANSFER TO CAPITAL/ PROJECT FUND					
TRANSFER TO BOND RESERVES/ SURPLUS					
BANK CHARGES (BOND ACCOUNTS)	\$ 4,000	\$ 4,000	\$ 5,724	\$ 4,000	\$ 4,000
2020 BOND PRINCIPAL PAYMENT	\$ -	\$ -	\$ -	\$ -	\$ 45,000
2020 BOND INTEREST PAYMENT	\$ 354,375	\$ 354,375	\$ 354,375	\$ 354,375	\$ 354,375
DEVELOPER ADVANCE INTEREST	\$ 54,434	\$ 54,496			
DEYOUNG NOTE PAYMENT	\$ -	\$ 113,533		\$ 113,533	\$ 108,868
TREASURER'S FEES	\$ 4,021	\$ 5,012	\$ 4,700	\$ 4,659	\$ 5,400
TOTAL EXPENDITURES	\$ 416,830	\$ 531,416	\$ 364,799	\$ 476,567	\$ 517,643
DEBT SERVICE FUND: ENDING BALANCE	\$ 606,317	\$ 1,453,968	\$ 898,071	\$ 764,816	\$ 1,617,751
ASSESSED VALUATION	\$ 9,148,280	\$ 11,946,960		\$ 11,946,960	13,845,820
MILL LEVY	30.000	26.000		26.000	26.00000
	38.641			34.641	34.641

**BENT GRASS METROPOLITAN DISTRICT
2025 BUDGET
CAPITAL PROJECTS FUND**

	2023 ACTUAL	2024 ACTUAL	2024 AMENDED BUDGET	2024 BUDGET	2025 BUDGET
PROJECT/CAPITAL FUND: BEGINNING BALANCE	\$ -		\$ 2,357	\$ -	\$ -
REVENUES - BONDS					
PROJECT BOND FUND					
INTEREST INCOME	\$ -		\$ 122	\$ 100	
TOTAL REVENUES	\$ -	\$ -	\$ 122	\$ 100	\$ -
TOTAL REVENUE & FUND BALANCE	\$ -	\$ -	\$ 2,479	\$ 100	\$ -
EXPENDITURES					
REIMBURSE O&M FUND	\$ -			\$ -	
CAPITAL CONSTRUCTION	\$ -		\$ 569,000	\$ -	
ENGINEERING/PLANNING	\$ -			\$ -	
PROJECT MANAGEMENT	\$ -			\$ -	
DISTRICT MANAGEMENT	\$ -			\$ -	
LEGAL	\$ -			\$ -	
WATER CONSULTING	\$ -			\$ -	
DEVELOPER REIMBURSEMENTS	\$ -			\$ -	
CONSTRUCTION MISC	\$ -			\$ -	
BANK SERVICE FEES	\$ -		\$ 5	\$ 10	
TOTAL EXPENDITURES	\$ -	\$ -	\$ 569,005	\$ 10	\$ -
OTHER FINANCING SOURCES					
TRANSFER IN: GENERAL FUND	\$ -			\$ -	
CAPITAL FUND: ENDING BALANCE	\$ -	\$ -		\$ 90	\$ -



Bent Grass Metropolitan District

Balance Sheet

As of April 30, 2025

	Apr 30, 25
ASSETS	
Current Assets	
Checking/Savings	
1110 · BGMD Herring (CSB) Checking	
Traffic Signal Fees	122,957.89
1110 · BGMD Herring (CSB) Checking - Other	8,718.64
Total 1110 · BGMD Herring (CSB) Checking	131,676.53
1111 · UMB-2020 Bond Fund 153518.1	567,390.09
1112 · UMB-2020 Reserve Fund 153518.2	566,284.22
1113 · UMB-2020 Surplus Fund 153518.3	566,708.68
1115 · UMB-2020 Project Fund 153518.4	2,390.74
Total Checking/Savings	1,834,450.26
Accounts Receivable	
1210 · Accounts Receivable	10,960.00
Total Accounts Receivable	10,960.00
Other Current Assets	
1200 · Property Tax Rec-Debt Service	203,916.54
1215 · Property Tax -General Fund	67,771.26
Total Other Current Assets	271,687.80
Total Current Assets	2,117,098.06
Fixed Assets	
1540 · Accumulated Depreciation	-74,932.00
1560 · Landscaping & Ponds	500,000.04
Total Fixed Assets	425,068.04
TOTAL ASSETS	2,542,166.10
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2010 · Accounts Payable	6,690.61
Total Accounts Payable	6,690.61
Other Current Liabilities	
2015 · Developer Advance - DeYoung	807,348.00
2016 · Interest Payable - DeYoung	108,929.98
2017 · Developer Advance - Land First	569,000.00
2020 · Deferred Property Tax-General	67,771.26
2022 · Deferred Property Tax-Debt	203,916.54
2030 · Interest Payable	29,531.25
Total Other Current Liabilities	1,786,497.03
Total Current Liabilities	1,793,187.64
Long Term Liabilities	
2-2020 · 2020 Bond Fund	6,750,000.00
Total Long Term Liabilities	6,750,000.00
Total Liabilities	8,543,187.64
Equity	
3910 · Retained Earnings	-6,178,598.51
Net Income	177,576.97
Total Equity	-6,001,021.54
TOTAL LIABILITIES & EQUITY	2,542,166.10

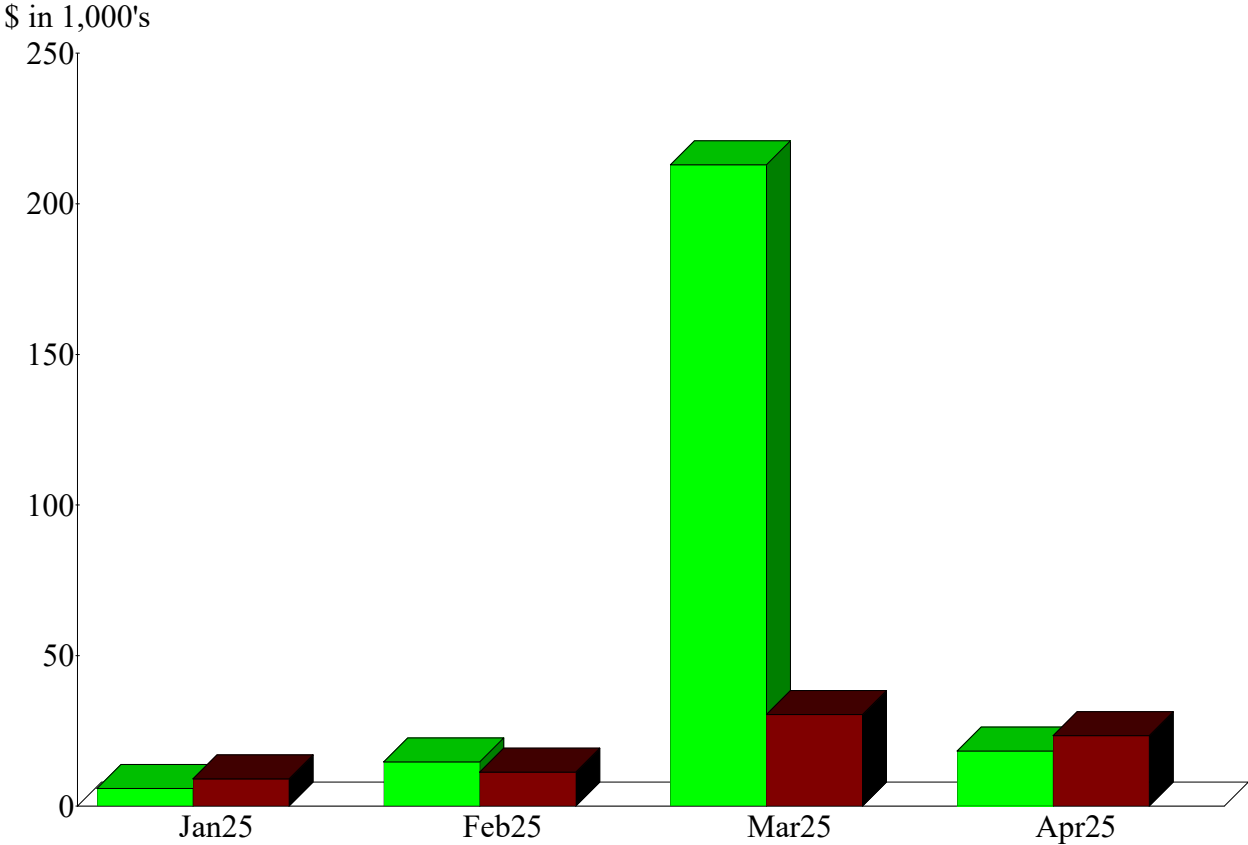
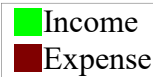
Bent Grass Metropolitan District
Profit & Loss Budget vs. Actual
January through April 2025

	General Fund				
	TOTAL				
	Apr 25	Jan - Apr 25	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
CCR Violation Fines	850.00	850.00			
Fees					
Facility Fees	2,500.00	9,000.00	30,000.00	-21,000.00	30.0%
Platting	0.00	0.00	55,000.00	-55,000.00	0.0%
Taxes					
Abatement Tax	-134.54	-134.54			
Abatement Interest	-6.73	-6.73			
Current Year Taxes	1,424.33	51,870.74	119,642.00	-67,771.26	43.36%
Specific Ownership Tax	937.25	4,678.40	8,375.00	-3,696.60	55.86%
Total Taxes	2,220.31	56,407.87	128,017.00	-71,609.13	44.06%
Traffic Signal	0.00	0.00	30,000.00	-30,000.00	0.0%
Total Fees	4,720.31	65,407.87	243,017.00	-177,609.13	26.92%
Total Income	5,570.31	66,257.87	243,017.00	-176,759.13	27.27%
Expense					
Director Fee	500.00	2,000.00	6,000.00	-4,000.00	33.33%
6025 · Audit	0.00	0.00	10,500.00	-10,500.00	0.0%
Treasurers Collection Fee	21.37	778.07	1,795.00	-1,016.93	43.35%
6060 · Bank Service Charges	0.00	0.00	1,000.00	-1,000.00	0.0%
6145 · Copies & Postage	71.79	253.88			
6160 · Dues and Subscriptions	0.00	641.55	1,500.00	-858.45	42.77%
6170 · Election	0.00	1,991.18	5,000.00	-3,008.82	39.82%
6180 · Insurance	0.00	3,187.00	8,000.00	-4,813.00	39.84%
6490 · Office Supplies	0.00	89.37			
6570 · Professional Fees					
District Management	5,000.00	20,000.00	60,000.00	-40,000.00	33.33%
Landscaping Maintenance	1,213.19	5,950.81	35,000.00	-29,049.19	17.0%
6572 · Legal Fees	0.00	3,317.70	8,000.00	-4,682.30	41.47%
Total 6570 · Professional Fees	6,213.19	29,268.51	103,000.00	-73,731.49	28.42%
6610 · Postage and Delivery	0.00	0.00	500.00	-500.00	0.0%
Total Expense	6,806.35	38,209.56	137,295.00	-99,085.44	27.83%
Net Ordinary Income	-1,236.04	28,048.31	105,722.00	-77,673.69	26.53%
Other Income/Expense					
7030 · Other Income					
7010 · Interest Income	57.17	250.40			
Total 7030 · Other Income	57.17	250.40			
Total Other Income	57.17	250.40			
8010 · Other Expenses					
Transfer to Debt Service Fund	0.00	0.00	223,868.00	-223,868.00	0.0%
Total 8010 · Other Expenses	0.00	0.00	223,868.00	-223,868.00	0.0%
Total Other Expense	0.00	0.00	223,868.00	-223,868.00	0.0%
Net Other Income	57.17	250.40	-223,868.00	224,118.40	-0.11%
Net Income	-1,178.87	28,298.71	-118,146.00	146,444.71	-23.95%

Bent Grass Metropolitan District
Profit & Loss Budget vs. Actual
January through April 2025
Debt Service Fund

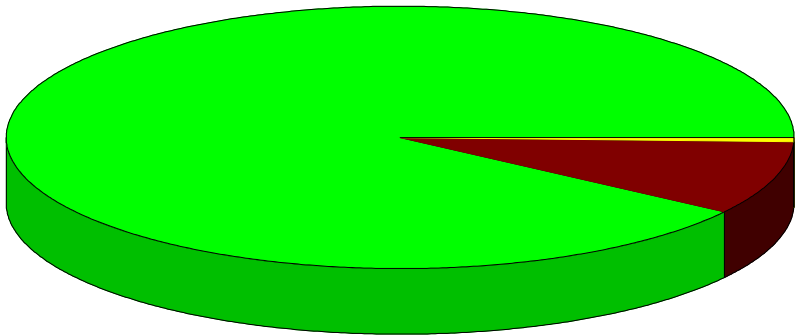
	TOTAL				
	Apr 25	Jan - Apr 25	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
Fees					
Taxes					
Abatement Tax	-404.82	-404.82			
Abatement Interest	-20.24	-20.24			
Current Year Taxes	4,285.67	156,074.46	359,660.00	-203,585.54	43.4%
Specific Ownership Tax	2,820.12	6,946.34	25,199.00	-18,252.66	27.57%
Total Taxes	6,680.73	162,595.74	384,859.00	-222,263.26	42.25%
Total Fees	6,680.73	162,595.74	384,859.00	-222,263.26	42.25%
Total Income	6,680.73	162,595.74	384,859.00	-222,263.26	42.25%
Gross Profit	6,680.73	162,595.74	384,859.00	-222,263.26	42.25%
Expense					
Treasurers Collection Fee	64.29	2,341.11	5,400.00	-3,058.89	43.35%
6060 · Bank Service Charges					
Lender/ Trustee Fees	0.00	0.00	4,000.00	-4,000.00	0.0%
6060 · Bank Service Charges - Other	319.86	1,256.65			
Total 6060 · Bank Service Charges	319.86	1,256.65	4,000.00	-2,743.35	31.42%
6075 · Bond Expense					
Cost of Issuance	16,250.00	32,500.00			
Debt Service Interest	0.00	0.00	354,375.00	-354,375.00	0.0%
Total 6075 · Bond Expense	16,250.00	32,500.00	354,375.00	-321,875.00	9.17%
Total Expense	16,634.15	36,097.76	363,775.00	-327,677.24	9.92%
Net Ordinary Income	-9,953.42	126,497.98	21,084.00	105,413.98	599.97%
Other Income/Expense					
Other Income					
7030 · Other Income					
7010 · Interest Income	5,988.37	22,780.28	30,000.00	-7,219.72	75.93%
Transfer from General Fund	0.00	0.00	223,868.00	-223,868.00	0.0%
Total 7030 · Other Income	5,988.37	22,780.28	253,868.00	-231,087.72	8.97%
Total Other Income	5,988.37	22,780.28	253,868.00	-231,087.72	8.97%
Net Other Income	5,988.37	22,780.28	253,868.00	-231,087.72	8.97%
Net Income	-3,965.05	149,278.26	274,952.00	-125,673.74	54.29%

Income and Expense by Month
January through April 2025



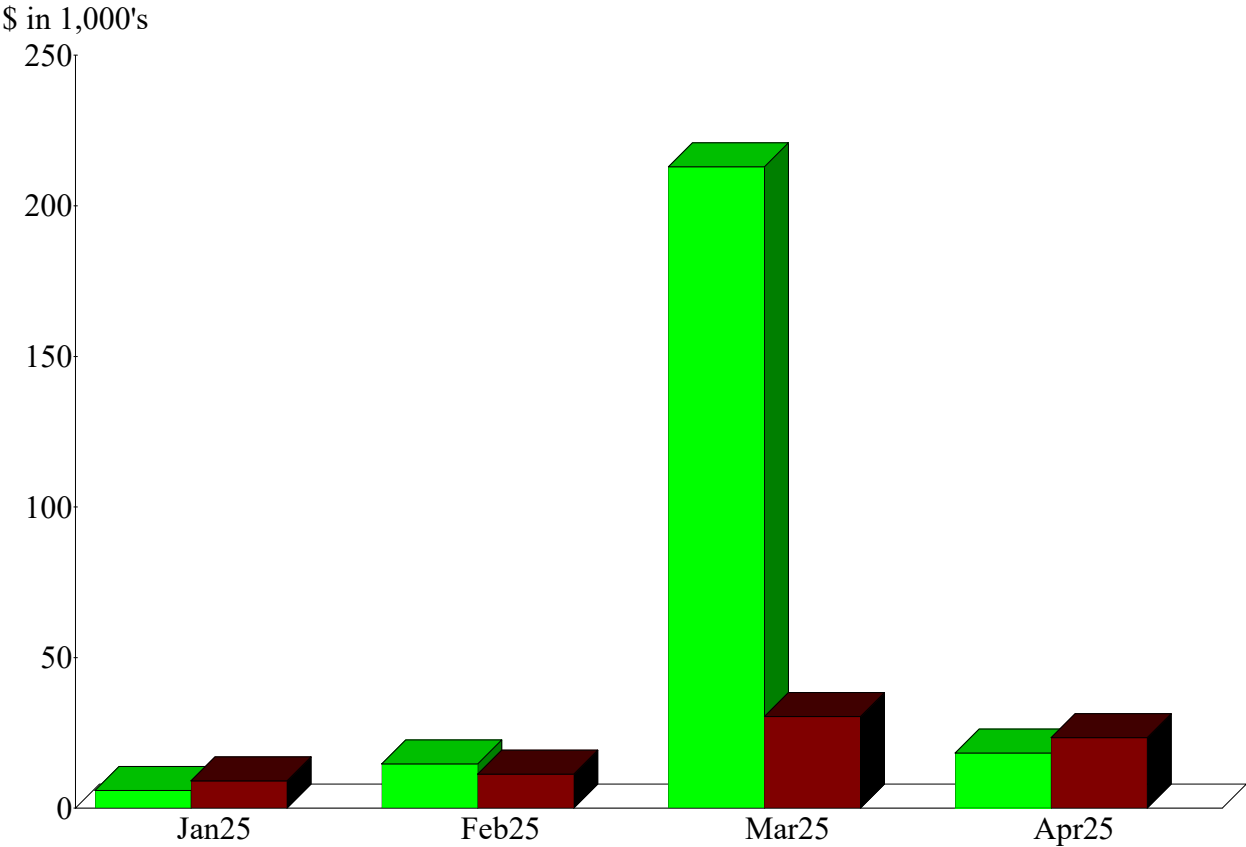
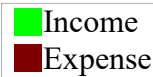
Income Summary
January through April 2025

Fees	90.52%
7030 · Other Income	9.14
CCR Violation Fines	0.34
Total	\$251,884.29



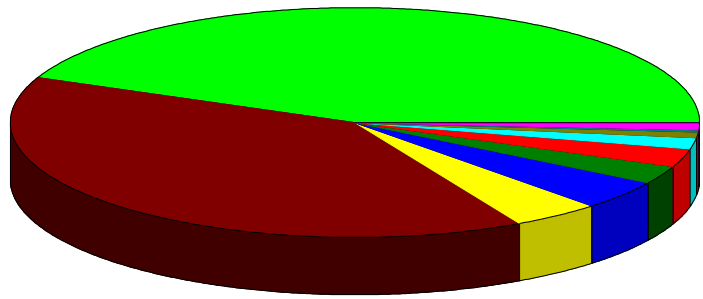
By Account

Income and Expense by Month
January through April 2025



Expense Summary
January through April 2025

6075 · Bond Expense	43.74%
6570 · Professional Fees	39.39
6180 · Insurance	4.29
Treasurers Collection Fee	4.20
Director Fee	2.69
6170 · Election	2.68
6060 · Bank Service Charges	1.69
6160 · Dues and Subscriptions	0.86
6145 · Copies & Postage	0.34
6490 · Office Supplies	0.12
Total	\$74,307.32



By Account



Bent Grass Metropolitan District

PAYMENT REQUEST

5/21/2025

GENERAL FUND ACCOUNT

Company	Invoice	Date	Amount	Comments
Randle Case II	50125RC	5/1/2025	\$ 100.00	
Bryan Long	50125BL	5/1/2025	\$ 100.00	
Stephanie Pierce	50125SP	5/1/2025	\$ 100.00	
Lena Gail Case	50125LGC	5/1/2025	\$ 100.00	
Erin Smith	50125ES	5/1/2025	\$ 100.00	
Mailing Services Inc	20194	2/7/2025	\$ 163.49	Previous Missing Invoice
Fisk Lawnscares	655289	5/21/2025	\$ 853.60	
Fisk Lawnscares	655283	5/16/2025	\$ 1,030.00	
Special District Association	21925	2/19/2025	\$ 641.55	Unpaid SDA Dues from 02/25
Woodmen Hills Metro District	43025	4/30/2025	\$ 64.19	Current Bill + Past Due Amount
WSDM District Managers	750	4/30/2025	\$ 5,071.79	
TOTAL			\$ 8,324.62	

DEBT SERVICE FUND ACCOUNT

Company	Invoice	Date	Amount	Comments
UMB - Bent Grass Metro District	51025	5/10/2025	\$ 63,363.78	April Pledged Revenue
TOTAL			\$ 63,363.78	

\$71,688.40

Bent Grass Metropolitan District

Herring Bank Before Payables	\$	131,676.53
Payables for this month		-\$71,688.40
Herring Bank after Payables	\$	59,988.13



**RESOLUTION
OF THE BOARD OF DIRECTORS OF
BENT GRASS METROPOLITAN DISTRICT
Regarding Policies, Procedures and Penalties for the Enforcement of the Governing
Documents**

WHEREAS, Bent Grass Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to the terms and conditions of the Covenants, Conditions, and Restrictions of Bent Grass Community, recorded in the real property records of the Clerk and Recorder of El Paso County, Colorado at Reception No. 215060458, on June 11, 2015; And Reception No. 220195623, on December 2, 2020 (the “**Covenants**”), the District is permitted to send demand letters and notices, charge interest and/or late charges, levy and collect fines, and negotiate, settle and/or take any other actions with respect to any violations or alleged violations of the Governing Documents (as defined in the Covenants); and

WHEREAS, the Board of Directors (the “**Board**”) of the District is authorized to promulgate adopt, enact, modify, amend, repeal, and re-enact rules and regulations concerning and governing the Property (as that term is defined in the Covenants); and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board is authorized to fix and from time to time increase or decrease, fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

WHEREAS, such fees, rates, tolls, penalties, or charges, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, the Board desires to set establishing policies, procedures and penalties for violations of the Governing Documents.

NOW THEREFORE, the Board hereby adopts this Resolution and the following policies and procedures:

1. Intent of District. This Resolution is adopted to ensure the protection of the health, safety and welfare of the residents and property owners of the District, to preserve property values, enhance the quality of life for all District residents, and provide a fair and consistent enforcement process of the Governing Documents.

2. Enforcement Policy. The District may enforce the Governing Documents through administrative proceedings or judicial action. Any non-compliance with the Governing Documents by any owner, renter or guest will be the responsibility of the owner of the respective property subject to this Resolution (the “**Owner**”). This Resolution is intended to serve as guidance to the Board and the District’s authorized representative(s) (the “**District Representative**”) and does not limit or restrict the authority of the Board. The Board may intervene at any time with respect to any authority granted to or action undertaken by the District Representative. In addition, this

Resolution shall not supersede the procedures for approval, disapproval, or notice of noncompliance related to improvements as set forth in the Governing Documents.

3. Investigative Procedure. Upon receipt of a written complaint alleging a violation of the Governing Documents, the District Representative will conduct an investigation to determine whether a violation of the Governing Documents has occurred. The submitter of the complaint shall provide a statement describing the alleged violation, shall identify themselves, the alleged violator, if known, the date on which the violation exists or occurred, and provide any other pertinent information. Non-written complaints or written complaints failing to include any information required by this provision may not be investigated or prosecuted at the discretion of the District.

4. Enforcement Process for Continuous Violations. Upon determining that a **“Continuous Violation”** (defined as a violation that is ongoing, uninterrupted by time and may take time to cure, such as installing an unapproved structure on a property or neglecting to maintain the exterior appearance of a property) has occurred, the District Representative and the Board shall take the following steps:

a. Continuous Violation Warning Letter. If the District Representative determines that a Continuous Violation of the Governing Documents exists, either through the investigative process as set forth above, or through independent inspections or observations of the District Representative, the District Representative will send an **“Continuous Violation Warning Letter”** via first-class United States mail to the last known Owner of the Property according to the District’s records notifying the Owner of: (i) the restriction violated and the nature of the violation, (ii) that the Owner must have the Continuous Violation corrected within 30 calendar days of the date of the Continuous Violation Warning Letter, and (iii) that failure to timely cure the Continuous Violation may result in potential fines or other sanctions. If, in the discretion of the District Representative, a Continuous Violation which is not an ARC Approval Violation requires more than 30 days to cure, the District Representative may extend the cure period or require the Owner to commence such cure within 15 days of the date of the Continuous Violation Warning Letter and diligently prosecute the same to completion. In the event the above mailing is returned as undeliverable, the District may send a second copy of the Continuous Violation Warning Letter to: (1) the Property; and (2) the address of the last known owner of the Property as found in the real property records of the county Assessor’s Office (the **“Assessor”**) for the county in which the District is located (collectively, the **“Property Address”**). The District Representative may deviate from the mailing destinations as included in the Property Address if requested by the Owner in writing. Upon receipt of any notice regarding a Continuous Violation, an Owner may propose arrangements to cure the violation to the District Representative. A District Representative may approve or deny arrangements to cure a Continuous Violation based on what is reasonable under the circumstances. If a District Representative denies arrangements for curing a Continuous Violation they must provide the Owner notice in writing prior to imposing any fines (**“Denial Letter”**). The Denial Letter shall further state the reasoning for the denial and that the Owner is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing by the Owner within 15 days of the date of the Denial Letter.

b. Notice of Complaint and Opportunity to Be Heard. If the Owner has not cured the Continuous Violation or made arrangements to cure the Continuous Violation and communicated such arrangements to the District Representative in writing within the time set forth in the Continuous Violation Warning Letter, this shall be considered a second violation for which a fine may be imposed. The District Representative shall send a notice of complaint and opportunity to be heard (“**Fine Notice**”) to the Owner at the Owner’s address notifying the Owner of the Continuous Violation and that a fine will be imposed on the Owner’s account pursuant to the fine schedule set forth in Paragraph 8 if the violation is not cured or no hearing is requested as set forth below. The Fine Notice shall further state that the Owner is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing by the Owner within 30 days of the date of the Fine Notice. The District may impose additional fines with each notice sent after the Fine Notice without the necessity of providing the Owner with the opportunity for additional hearings thereafter.

c. Continuing Violation. In the event that a Continuing Violation continues to exist uninterrupted 30 days after the date of the second Ongoing Violation and Fine Notice, the District may in its discretion, in addition to any other remedy, send the Owner a notice of monthly fines (“**Monthly Fine Notice**”) and thereafter impose a fine of up to \$100 for each 30 days that a Continuous Violation so continues.

5. Hearing on Violation. If a hearing is requested by the Owner pursuant to Paragraph 4.b above, the District Representative shall notify the Owner of the date, time and place of the hearing at least 10 days prior to the hearing. Hearings regarding violations of the Governing Documents shall be conducted by the Board, or a tribunal consisting of District residents or other persons as selected by the Board.

6. Failure to Attend or Request Hearing. In the event any Owner fails to request a hearing within 15 days of the date of the Fine Notice, no hearing shall be required. Failure to request a hearing or to appear at a requested hearing will result in the Owner being deemed to have admitted and acknowledged the violation and the Owner will thereafter be subject to all fines and penalties assessed in connection with the violation. After offering an Owner the opportunity for a hearing in the Fine Notice, as applicable, regardless of whether the Owner then requests a hearing or not, the District need not offer the opportunity for a hearing for any additional fines to be imposed for failure to cure a Continuous Violation.

7. Decision. After the District has taken the hearing steps as outlined above, and in the event a hearing is requested and held, upon a finding being reached, the District Representative shall send notice of determination (“**Notice of Determination**”) to the Owner’s Address informing the Owner of the Board’s findings. If the Board finds the Owner is in violation of the Governing Documents the District may revoke or suspend the Owner’s privileges, impose fines in accordance with the fine schedule set forth in paragraph 8 below and take such other actions as it may deem necessary or appropriate to assure compliance with the Governing Documents.

8. Fine Schedule. The following fine schedule is adopted for any and all violations of the Governing Documents.

Continuous Violations

First Violation (Warning Letter):	\$ 0.00
Second Violation (First Fine Notice):	\$ 50.00
Third Violation (Second Fine Notice):	\$ 75.00
Fourth Violation (Thirdy and Ongoing Violation and Fine Notice):	\$ 100.00
Monthly Fine Notice:	\$ 100.00 per month

9. Violations or Offenses that Constitute a Present Danger. If a violation concerns a serious or immediate risk to the health, safety, or welfare of person or property, the District Representative shall seek to obtain prompt action by the Owner to correct the violation and avoid any reoccurrence, and the procedural requirements under this Resolution may be waived by the Board and a hearing scheduled as soon as possible. The Board may impose sanctions as necessary to abate any threat to health, safety or welfare of any person or property.

10. Waiver of Fines and Other Amounts. The District may determine enforcement actions on a case by case basis, and take other actions as it may deem necessary or appropriate to assure compliance with the Governing Documents. The District Representative and/or the Board may, either in its sole discretion, waive all or any portion of any fines and other amounts levied under this Resolution. Additionally, the District Representative and/or the Board may condition waiver of any fine or other amount(s), upon the Owner coming into and staying in compliance with the Governing Documents.

11. Other Enforcement Means. The provisions of this Resolution shall be in addition to all other enforcement means which are available to the District through the Governing Documents, or by law. Application of this Resolution does not preclude the District from using any other enforcement means, including, but not limited to the recording of liens, certification to the county Treasurer's Office of delinquent fees, rates, tolls, fines, penalties, charges, or assessments related to enforcement, and any other legal or equitable remedies available to the District.

12. Legal Action. Any violation of the Governing Documents may, in the discretion of the Board, be turned over to legal counsel engaged for covenant enforcement matters ("Special Counsel") to take appropriate legal action either in lieu of, or in addition to, the imposition of any fines or other penalties under this Resolution, and Owners shall be responsible for all attorneys' fees and costs incurred in enforcing this Resolution and in collecting amounts due and owing the District.

13. Certification of Account to County Treasurer. Pursuant to § 32-1-1004.5(3)(b)(III), C.R.S., the Board may elect to certify any delinquent fees, rates, tolls, fines, penalties, charges, or assessments made or levied for covenant enforcement and design review services satisfying the criteria established therein to the county Treasurer's Office for collection with the District's ad valorem property taxes. The certification process may be performed by the District Representative, Special Counsel or general counsel to the District in addition to or in lieu of any

procedures set forth in this Resolution in the Board's sole discretion. The fees for the certification process shall be in accordance with Colorado law and the county's policy.

14. Deviations. The District may deviate from the procedures set forth herein if, in its sole discretion, such deviation is reasonable under the circumstances.

15. Amendment. The policies, procedures and fine schedule set forth in this Resolution may be supplemented and/or amended from time to time by the District, in its sole and absolute discretion.

16. Payment. Payment for all fines shall be by check or equivalent form acceptable to the District, made payable to Bent Grass Metropolitan District, mailed to the District, c/o WSDM Managers, 614 Tejon Street, Colorado Springs, CO 80903. The District may change the payment address from time to time and such change shall not require an amendment to this Resolution.

17. Severability. If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this resolution, which shall remain in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added as part of this Resolution a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

18. Effective Date. This Resolution shall become effective immediately and shall supersede in its entirety any prior resolution.

[Remainder of page intentionally left blank, signature page follows.]

APPROVED AND ADOPTED this _____, 2025.

Bent Grass Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado

By: _____
Officer of the District

ATTEST:

By: _____

APPROVED AS TO FORM:

SUSEMIHL, McDERMOTT & DOWNIE, P.C.
Attorneys at Law

General Counsel to the District