



**MINUTES OF REGULAR MEETINGS  
OF THE BOARDS OF DIRECTORS OF THE  
WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3  
SEPTEMBER 6, 2017 AT 1:00 P.M.**

Pursuant to posted notice, the joint meeting of the Boards of Directors of the Woodmen Heights Metropolitan District Nos. 1, 2 and 3 was held on Wednesday, September 6, 2017 at 1:00 p.m., at 102 E. Pikes Peak Avenue, Suite 200, Colorado Springs, CO 80903.

In attendance were Directors:

Lindsay Case, President  
Les Krohnfeldt, Vice President/Treasurer  
Randle Case II, Asst. Secretary  
James Morley, Secretary (1:16 p.m.)  
Kyle Geditz, Asst. Secretary

Also in attendance were:

K. Sean Allen, Esq., White Bear  
Ankele Tanaka & Waldron (by phone)  
Terry Schooler, WSDM  
Kevin Walker, WSDM  
Lori VonFeldt, WSDM  
Bryan Long

Combined Meeting:

The Boards of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

1. Call to Order:

Director Lindsay Case called the meeting to order at 1:12 p.m.

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

Director Lindsay Case indicated that a quorum of the Boards was present, and stated that each Director has been qualified as an eligible elector of the Districts pursuant to Colorado law. The Directors confirmed their qualification. Ms. VonFeldt noted that the Directors' disclosures of their potential conflicts of interest were filed pursuant to state law for the meeting, and were made part of the official minutes of the meeting by reference. The Boards determined that participation by the directors with potential conflicts of interest was necessary to obtain a quorum or otherwise enable lawful action to occur.

3. Approval of  
the Agenda:

The agenda was approved.

4. Approval of

the minutes: Director Krohnfeldt moved to approve the July 11, 2017 minutes seconded by Director Geditz. Motion passed.

## 5. District Manager Report:

- a. Ratify Contract with Twisted Metal Fencing – Forest Meadows Wall-  
Mr. Walker reported that the damage to the wall caused by the automobile accident has been repaired. Director Geditz moved to ratify the contract with Twisted Metal Fencing for the repairs done on the wall in Forest Meadows and to authorize payment of the invoice seconded by Director Morley. Motion passed unanimously. The proof of payment to the contractor will be sent to the insurance company for reimbursement to the District.
- b. Ratify Drainage Credits Assigned to SWAT X-  
Mr. Walker stated that in 2011 the District obtained drainage credits when SWAT X developed Forest Meadows Filings 1 and 3. In 2016 those credits were transferred back to SWAT X so the Board would need to ratify the transaction. Director Morley confirmed saying that the City used to take the credits and apply them toward the plats instead of the developer. Director Geditz moved to ratify the drainage credits assigned to SWAT X seconded by Director Krohnfeldt. Motion passed unanimously.
- c. Fire District Exclusions Update-  
Mr. Walker stated that there are two fire districts that overlap the Districts while the City provides fire protection services. Property owners within the Districts are requesting removal from Falcon Fire and Black Forest Fire, but approximately \$6,500 is the estimated legal cost to process the exclusion requests. Mr. Walker stated further that if the District were to contribute to the exclusion cost to help District residents remove the overlap and the fire districts' mill levies, then the District could gain favor and support from the residents for the Districts seeking an increase in the limited operational mill levy allowed under the service plan, which is at 10 now and will need to be increased to 15 or 20 mills for O&M expenses due to continued increase in landscape and maintenance costs. Mr. Allen noted that a service plan amendment would have to be done to increase the cap of the O&M mill levy and it would be necessary for the Districts to find that assisting in the cost for fire district exclusion is a cost related to the service plan amendment efforts. Mr. Walker said that a study would have to be done so the property owners can see the value of being removed from the fire districts and increasing the Districts' O&M mill levy. Director Randle Case II moved to approve exclusion funding for the Falcon Fire area at \$6,500, and setting a cap for all fire district exclusion costs at \$20,000, and authorizing management to move forward with the process of assisting in the fire districts exclusions and service plan amendment seconded by Director Krohnfeldt. Motion passed unanimously.
- d. Sorpresa Retaining Wall Construction Status-  
Mr. Walker said that the retaining wall on Sorpresa is complete, but they still have some clean up to do. The road will be open for access next week. The City is no longer holding up the plats for Keller Homes. Mr. Schooler reported that the total cost to build the wall was in the range of \$500,000 of which the District's portion was about \$70,000 per the litigation ruling which was from the extra 2 mills imposed to pay the Districts' portion of the court ruling along with insurance funds of approximately \$20,000. The collection of the 2 mills was stopped in 2017.
- e. Wetland Mitigation and Water Quality Detention Arrangement with Woodmen Road Metro District-

Mr. Walker stated that there was nothing new to report and the consultants continue to work with the related parties.

f. Cedarwood Cost Recovery Revenues and Releases-

Mr. Walker said last year Cedarwood paid \$500,000 of the \$1.150M agreement. The \$650,000 will be paid this year and put into an escrow account of which \$350,000 is obligated to Bond Safeguard for Black Forest Road. The rest of the funds will be disbursed to the Tiers.

g. Market Status of Ground or Developers-

Mr. Walker reported that there has been a slowdown in the number of building permits over the last few months, but there are several different projects coming online including Cumbre Vista now that the Sorpresa retaining wall has been built. Director Morley said that he just recorded 61 lots for Forest Meadow Filing 9. Director Geditz said he is putting in a Kum & Go and getting ready to plat Shiloh Mesa Filing 5. Mr. Walker noted that for the total number of permits pulled in El Paso County the District is 7% of that, which is down from the 9% in June.

There was general discussion regarding development and school sites in the area and Mr. Walker noted that the Sand Creek bridge is under design.

6. Financial Statement and Payables:

a. Approval of Invoices-

Director Geditz moved to approve the payment of invoices seconded by Director Morley. Motion passed unanimously.

b. District Facility Fee/Permit Status/Delinquent Accounts-

An update on fee collection was submitted to the Board.

7. Public Comment (on items not already on the agenda):

There was no public comment.

8. Other Business:

- a. The next regular meeting is scheduled for November 1, 2017 at 1:00 p.m. for the budget hearing.

9. Adjournment: The meeting was adjourned at: 2:18 p.m.

Respectfully Submitted,

---

By: Lori VonFeldt for the Recording Secretary