



**MINUTES OF REGULAR MEETINGS
OF THE BOARDS OF DIRECTORS OF THE
WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3
MARCH 7, 2018 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, March 7, 2018 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
Kyle Geditz, Asst. Secretary (1:28 PM)

Also in attendance were:

K. Sean Allen, Esq., White Bear (by phone)
Kevin Walker, WSDM
Lori VonFeldt, WSDM
Kristina Kulick, WSDM
Dave Mersman
Ron Waldthausen
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 1:08 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 with the addition of Item 8.c. Inclusion/Exclusion.

4. Approval of the minutes:

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Director Krohnfeldt moved to approve the November 1, 2017 minutes seconded by Director Morley. Motion passed unanimously.

5. District Manager Report:

a. Marksheffel Rd Extension Status-

Mr. Walker stated that there has not been a lot of movement in the last 4 months and that they are still waiting to hear back from City staff. Mr. Walker stated further that he would find out the status from the City and report back at the next regular meeting.

b. Sorpresa Retaining Wall Completion Status-

Mr. Walker said that the Sorpresa retaining wall and the construction documentation are complete. The District now owns the wall and will maintain it. Mr. Mersman said that with the completion of the wall, Keller Homes was finally able to record their plat in 2017 and have sold 25 units in the last few months. Mr. Walker stated that Director Lindsay Case has signed the resolution accepting the Sorpresa retaining wall and needed the Board to ratify the agreement. Director Krohnfeldt moved to approve the resolution; seconded by Director Geditz. Motion passed unanimously.

c. Wetland Mitigation and Water Quality Detention Arrangement with Woodmen Road Metro District-

Mr. Walker discussed the water quality pond, related to Sand Creek and Marksheffel. Director Krohnfeldt said that Matrix had submitted a proposal for \$68,000 and asked for the District to pay for the study since it benefits all developments and then maintain it once it's built. The Board discussed the various platting fees being collected by the District to find a funding source for the study. Mr. Walker indicated that about \$500,000 has been collected so far for 2 of the parks. Director Lindsay Case asked what the land ratio is for park area. Director Geditz replied that it has been reduced to one park and is about 7 acres. Director Lindsay Case asked Mr. Allen for the definition of language for use of the funds that the District has collected from certain fees imposed by the Districts. Mr. Allen responded that the fee imposition resolution identifies a narrowly defined intended use of the fee revenue for certain park matters, and that the new intended use of the land would need to fit within the existing approval, or if it does not fit, then the Board could amend and revise the applicable fee resolution to expand the use to include the new uses as long as the fee revenue it is going to offset the costs of services provided by the Districts. Director Lindsay Case asked if the excess funds collected can be used at the Board's discretion. Mr. Allen said that it appears there are reasonable grounds to amend and restate the fee resolution based on the fact that the previously identified park area has undergone land use changes. Mr. Walker said that he and Mr. Allen will work on a memorandum regarding the changes to the use of the \$1,700/acre fee that is being collected for parks initially, but now the park use is changing.

d. Bond Safeguard / COLA Reimbursement Update-

Director Morley reported that he would be wrapping up the agreement with Bond Safeguard soon and that the previously approved \$350,000 settlement payment on the bonds that were used to pay for public infrastructure cost will soon be needed.

e. Market Status of Ground or Developers-

Mr. Walker reported that houses continue to be built and that the market is still strong. Director Morley said that he has 10 or 12 lots under contract in Forest Meadows and that is all that he has left within the District. Director Geditz stated Shiloh Mesa filings 1 and 2 are completely built out, filing 3 has maybe 15 lots left to be constructed, filing 5 will not be constructed yet due to a temporary pond issue, and filing 4 is currently installing water. Director Geditz stated further that development should be done in about 2 months with a total of 275 houses. Mr. Walker stated there has been communication about the convenient store at the southwest corner of Black Forest and Woodmen. The City is requiring them to pay drainage fees and construct the improvements according to the Sand Creek basin study improvements that will cost about \$150,000. Mr. Walker said that although major road improvements were made the City believes they do not have proper outfall for storm water that someone will need to build. Director Morley inferred that there are no fees being paid on the remaining land to be developed in Sand Creek that is causing the issues so the City is thinking about doing what the County does; pay fees, put up credit, build it, and then can get fees back, but you go to the bottom of the line so the developer cannot use credits against the plat until improvements are made.

Director Morley noted that all of the property that was to be commercial is changing over to residential and it could be impactful to the District should the resulting assessed valuation be lower than what it would have been as a commercial property.

6. Financial Statement and Payables:

- a. Approval of Invoices-
Director Randle Case II moved to approve the payment of invoices seconded by Director Geditz. 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. 2018 Joint Annual Administrative Resolution-
Director Krohnfeldt moved to approve the 2018 Joint Annual Administrative Resolution; seconded by Director Geditz. Motion passed unanimously.
- b. Next Meeting Date - The Board scheduled a special meeting for March 19, 2018 at 9:30 AM for the Inclusion/Exclusion Hearing.

9. Adjournment: The meeting was adjourned at: 2:19 PM.

Respectfully Submitted,

By: Lori VonFeldt for the Recording Secretary

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