



**MINUTES OF CONTINUED MEETINGS  
OF THE BOARDS OF DIRECTORS OF THE  
WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3  
NOVEMBER 12, 2019 AT 1:30 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 Tuesday, November 12, 2019 at 1:30 p.m., at 102 E. Pikes Peak Avenue, Suite 200, Colorado Springs, CO 80903.

In attendance were Directors:

Lindsay J. Case, President  
Les Krohnfeldt, Vice President/Treasurer  
James Morley, Secretary  
Randle W. Case, Asst. Secretary  
Kyle Geditz, Asst. Secretary

Also in attendance were:

K. Sean Allen, Esq., White Bear (by phone)  
Kevin Walker, WSDM  
Lori VonFeldt, WSDM  
Dave Mersman

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:

The meeting was called to order at 1:36 p.m. by President Case.

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

President 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. Mr. Allen advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. VonFeldt 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. Allen inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

3. Approval of the Agenda: Director Geditz moved to approve the Agenda; seconded by Director Morley. Motion passed unanimously.
4. Approval of the June and August 2019 Minutes: After review, Director Geditz moved to approve the June and August 2019 Minutes; seconded by Director Krohnfeldt. President Case noted item 5.c. on the August 2019 Minutes, and clarified that the Board was against taking the parking land off and splitting it up. Motion passed unanimously.
5. District Manager Report:
  - a. Marksheffel Rd Extension Status: Mr. Walker reported the work was supposed to start in October but due to easement difficulties it has been delayed. Director Geditz explained they wanted a deed for the area and not just the easement, but he thinks the issues are resolved. Mr. Walker confirmed the money is there and they will be moving forward. Mr. Walker discussed that he and Director Case have been in contact with Mr. Travis Easton regarding the Marksheffel bridge project. Mr. Easton stated that the City believes PPRTA should be reimbursed by the developers for the bridge as opposed to having PPRTA pay for it because it was an item addressed in the annexation agreements; this assertion comes from the City Attorney. Director Case stated that other developments along Marksheffel have not been required to build any of Marksheffel. Mr. Walker outlined several other arguments about reimbursing the City; one is having the PPRTA apply for the bridge fee for reimbursement. The Board discussed the other arguments going against the City's position on these matters.
  - b. East Park land planning and construction; Select Park Designer: Mr. Walker discussed the East Park that is adjacent to Marksheffel north of the creek as a future park site. The resolution to that was holding up Aspen View, and the Board agreed to take the lead on it. There have been 3 proposals received from reputable landscape architects. Mr. Walker recommended selecting Thomas and Thomas' proposal which was the least cost alternative. Director Case moved to approve the proposal from Thomas and Thomas to do the East Park land planning and construction; seconded by Director Krohnfeldt. Motion passed unanimously.
  - c. Proposed BID for SE corner of Marksheffel and Woodmen: Mr. Walker reported the BID was adopted by the City Council after the proponent decided that he would only charge the 1 mill rather than 10 mills on top of the 10 operation and maintenance mills that imposed by the Districts. Mr. Walker noted there were odd questions from City Council about the but they all went away when the applicant for the BID indicated it would only charge 1 mill.
  - d. Additional improvements reimbursements for future developer costs: Mr. Walker explained the additional improvements reimbursements, if any, for future developer costs must be subordinate to the second subordinate C bonds. President Case stated that right now the

District already has 3 series of bonds outstanding, and the District should not issue additional debt. The Board discussed the options for the SW corner. Mr. Walker said he will contact the developer to discuss the overlay.

- e. District 1 Boundary Adjustment: Mr. Walker reported there has not been any progress on this, but he is going to focus on finding a piece that is at Sorpresa and Tutt in District No. 2 for inclusion into District No. 1.
  - f. Quail Brush Creek Update: Mr. Walker reported the takeover of the land at Quail Brush Creek went well last year. The projected cost to maintain was \$19,000 and it ended up being roughly \$12,000 total.
  - g. Market Status of Ground or Developers: Mr. Walker reported that there is a lot of commercial activity and discussions at Marksheffel and Woodmen. He noted he is not sure of Aspen View's status, but they were moving forward with their own plans for the land north of the creek. Director Case noted we received 2 notices, one was regarding the McDonalds that is about to sign their deal and a couple of other uses. The other is a development plan for the church site that includes the roads that are already done. The Board discussed the planned commercial development.
  - h. Fire District Exclusion Status Update: Mr. Walker reported we are still waiting on the City. Hoping to have movement before the end of the year, potentially removing all of those properties out of the Fire District.
  - i. Update on Assignment of Tier Reimbursement: Mr. Walker explained that in 2009 the Board acknowledged that the tier reimbursement payments to be made by the District could be assigned by the Tier recipients. Director Morley assigned certain of his Tier reimbursement in 2015 to MBH Bank, whose attorney has been asking when and how the District will be making the assigned payments to the Bank. Director Morley explained when he settled with MBH Bank on some of the land, his Tier reimbursement payments were assigned as part of his settlement.
6. Budgets; Financial Statement and Payables:
- a. 2019 Amended/ 2020 Budget Discussion and Hearing: President Case opened the public hearing on the budgets. After no public comment, President Case closed the public hearing. Mr. Walker presented the 2020 budget. The Board discussed projected income from platting fees for 2020. The Board agreed to budget for 17 acres of platting fees. Mr. Walker noted the O&M mill levy revenue in District No. 2 will be larger than 2019 due to new residents and higher appraisals. Mr. Walker noted the capital expenditures will increase this year about \$600,000 due to the park. He noted they would like to begin tree and fence replacements with the remaining \$120,000. The budget shows a healthy contingency of \$260,000. Mr. Walker discussed the bond funds and noted they have started to pay large payments toward bond interest. He explained in July the Trustee based on the bond documents took \$3,182,000 that was sitting in the bank and paid off some of the B-bond. He noted the District will not be able to make the complete interest payment next year, but it really does not change anything, and the plan remains to refinance the bonds in 2022. Director Krohnfeldt moved to approve the 2019 Amended and 2020 proposed Budgets; seconded by Director Morley. Motion passed unanimously.
  - b. Financial Statement and Payables: Ms. VonFeldt presented the Financial Statement and Payables. After review, Director Morley moved to approve the financial statement and

payables. He noted that a review of the Weisberg invoices may be helpful to understand what we are paying for. Seconded by Director Geditz. Motion passed unanimously.

7. Public Comment: There was no public comment.
8. Other Business:
  - a. May 2020 Director Resolution: Mr. Allen explained the May 2020 Director Election Resolution. He said he will send the Self-Nomination forms in January for those Directors whose terms are ending if they desire to seek re-election. Motion and second to pass the resolution passed unanimously. Director Morley left the meeting at 2:36 p.m.
  - b. Electronic Notices for Posting Resolution: Mr. Allen explained the changes to the public meeting notice laws, and the District can comply with meeting notices via the internet as opposed to physical postings of notice. Mr. Walker confirmed the District has a website through the State. Director Krohnfeldt moved to approve the May 2020 Director Resolution and Electronic Notices for Posting Resolution; seconded by Director Geditz. Motion passed unanimously.
  - c. Next Regular Meeting Date: February 5, 2020 at 1:00 p.m.
9. Adjournment: The meeting was adjourned at 2:37 p.m.

Respectfully Submitted,

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By: Kristina Kulick for the Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL NOVEMBER 12, 2019 MINUTES OF THE WOODMEN HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3 BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Lindsay Case, President

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Les Krohnfeldt, Vice President/Treasurer

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Randle Case, Assistant Secretary

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James Morley, Secretary

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Kyle Geditz, Assistant Secretary