



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
WOODMEN ROAD METROPOLITAN DISTRICT
HELD SEPTEMBER 1, 2020**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Woodmen Road Metropolitan District was held on Tuesday, September 1, 2020, at 8:30 a.m., at The Olive Real Estate Group: 102 N. Cascade, Suite 250 and via tele/video conference.

Attendance: In attendance were Directors:

Les Krohnfeldt
Lindsay Case
Tom Cone
Tom Kerby
P.J. Anderson

Also, in attendance were:

Pete Susemihl, Susemihl, McDermott & Downie, P.C.
Kevin Walker, WSDM

1. Call to Order & Certification of the Agenda:

The meeting was called to order at 8:30 a.m. by President Krohnfeldt.

2. Approval of the May 5, 2020 Meeting Minutes:

Director Cone moved to approve the May 5, 2020 meeting minutes; seconded by Director Kerby. Motion passed unanimously.

4. Manager Report:

- a. 2020 takeover of collections by El Paso County
 - i. Interpretation of Resolution by County Attorney: Mr. Walker explained the County has an interpretation of the first IGA Amendment that says land inside the County that currently is platted and obtains a building permit, the District does not receive any of the funds from the building permit fees. If it is platted afterwards, then the District would keep the fees. Mr. Walker discussed needing to clarify the language with the County Commissioners. Mr. Walker and Mr. Susemihl will speak with the County Attorney.
- b. Wetlands pond use by Woodmen Heights Metro Districts: Mr. Walker explained that Woodmen Heights Metro Districts has asked if we would allow them to use a certain portion of our wetlands properties for a detention pond. They have completed some design work and Mr. Walker had an engineer review it. The City has approved the design and the Corp of Engineers is currently reviewing it. Mr. Walker explained the

history of the location of the pond and wetlands and the property surrounding. There was a drainage report signed by the District in the annexation agreement of Mr. Gatto's property in 2006. It said the District would be responsible for the construction of Sand Creek Improvements, the District would put up assurances, and the District would allow and accept developed flows from Mr. Gatto's property. The City told him that he would have to provide \$450,000 in assurances for his development to go forward. Mr. Gatto is going to request that the District put up the assurances because of the agreement in 2006. The Board discussed the new drainage requirements by the City and how they have negated all of the contract conditions that were entered into. Mr. Walker just wanted to let the Board know what was going on.

- c. Future Development and Annexation: Mr. Walker explained the Banning Lewis parcels that were not annexed into the City in 1986 are now coming in and are owned by Norwood. Norwood is trying to avoid being included in the District and paying fees, so Mr. Walker explained to them they will need to agree to annex into the District if they develop. Mr. Walker discussed the City wants a portion of the fees to go to development. The Board discussed that the District did what it said in the Service Plan and improved the road. Mr. Susemihl discussed the taxpayers in the District and that it would benefit them to pay down the debt faster versus other improvements that were not contemplated in the Service Plan. Director Case discussed what the bond underwriters would think about the revenues. The Board discussed previous court cases regarding developers suing to get out of a District and the debt mill levy.
- d. Marksheffel Rd. expansion by Oakwood: Mr. Walker noted there were no recent updates.
- e. Development Activity: Mr. Walker reported development activity is very hot in the District and there are a lot of building permits going out.

5. Legal Issues:

The Board agreed to schedule the 2021 Budget Hearing for the November 3, 2020 board meeting.

6. Old Business:

- a. Approve Financial and Payable Reports: Mr. Walker presented the Financials and Payables. He noted they are on track to collect tax revenues from the County. There will be one more payment due to the deferments, but should know more on September 10, 2020. Platting fees were 200% over budget and 100% for building permits. Expenses are low and the District is doing good financially. Director Case moved to ratify the Payables and approve the existing Payables; seconded by Director Kerby. Motion passed unanimously.

7. New Business:

There was no discussion.

8. General Discussion:

President Krohnfeldt discussed the Audit and the significant deficiency of management and segregation of duties and how they are working on improving the segregation of duties and management of override controls. It is a work in progress and an effort to keep the Audits as clean as possible. Mr. Walker noted he has hired a new Director of Accounting which will aid in improving the financials.

9. Next Regular Meeting:

The Board discussed holding the next regularly scheduled meeting in October if needed and meeting on November 3, 2020 for the budget hearing.

10. Adjournment:

The Board adjourned the meeting at 9:17 a.m.

Respectfully Submitted,
Walker Schooler District Managers

By: Kristina Kulick for the Recording Secretary

Les Krohnfeldt, President

Tom Cone, Director

Lindsay Case, Director

Tom Kerby, Director

P.J. Anderson, Director