

Miranda Benson2

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**From:** Josh <flash.jjg@gmail.com>  
**Sent:** Monday, December 11, 2023 8:46 PM  
**To:** PCD Hearings  
**Cc:** Ryan Howser  
**Subject:** Comments in opposition to PUDSP225 for BOCC hearing 14 Dec 2023  
**Attachments:** Opposition to PUDSP225 Josh Gordon.pdf; KRDO Residents Pump WaterSept 18 2023.pdf; KRDO More Development Proposed Dec 11 2023.pdf; The New Falcon Herald Groundwater Seepage Nov 2023.pdf; The New Falcon Herald Residents Rally Nov 2023.pdf; The New Falcon Herald Friends of Falcon Nov 2023.pdf

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Hello,

My name is Josh Gordon and I would like to have my attached statement of opposition and supporting documentation (6 files total, attached to this e-mail) added to the public record for the BOCC hearing 14 Dec 2023. Please let me know if there are any questions or concerns. Thank you,

## Opposition statement to PUDSP225 – Josh Gordon



(Falcon, Colorado pictured above)

PUDSP225 rezone is a bad idea! It will allow 378 homes to be built in the Falcon Highlands community (instead of the 138 homes originally planned for this area) and here is why it should be disapproved:

1. It does NOT comply with PUD Rezone Approval Criteria #4: “The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties...”
  - a. The proposed development is NOT compatible with the existing neighborhood in Falcon Highlands, because the lot sizes are too small and the density of homes is too great. It would not be in harmony with our existing homes.
  - b. Existing lot sizes in Falcon Highlands are on average one quarter acre up to one acre. Proposed lot sizes are slashed down to 3,500 to 6,600 sq. feet.
    - i. The biggest proposed lot is much smaller than the smallest existing lot.
  - c. Increase from 138 to 378 homes triples the density of homes.
  - d. PUDSP225 as planned will dramatically change the look and feel of the neighborhood, negatively impacting neighboring homeowners (who could not have foreseen this change)
2. It will have a negative impact on the already strained infrastructure in Falcon
  - a. Explosive increase in new home construction in the Meridian Ranch area in recent years has resulted in a dramatic increase in traffic and accidents, and the deterioration of already inadequate roadways.
  - b. Ground water is scarce and a previous development on this same land was halted in the past due to lack of available water – this groundwater scarcity has not been resolved it has been “deferred”
3. Falcon Hills Metropolitan District is the entity that is responsible for our area and there have been several news articles (KRDO, The New Falcon Herald) recently highlighting their failure to maintain and refusal to take responsibility for the ground water underdrain systems. This has led to ground water damage to basements and flooded roadways. FHMD refuses to take any responsibility even though they have been identified clearly as the responsibly party. How can Falcon Hills Metro District take on more homes when they do not fulfil current obligations?

The above should be reason enough to disapprove the rezone of this PUD. But please allow me to introduce

myself and tell you why we believe our case is special and unique when compared to other similar PUD requests you may have reviewed.

My name is Josh Gordon and I've lived in the Falcon area for 13 years. I've owned a home in Falcon Highlands for 6 years. I served 22 years on active duty in the Air Force and recently retired. I have been happily married for 23 years. I have a teenage daughter who attends Falcon HS and is learning to drive. And I have a German Sheppard dog that loves to go for walks with me through the neighborhood.

We chose Falcon Highlands for a specific reason. We bought our home just before I retired, in hopes to make it our "forever home." The place we could settle down at, and catch up on time I'd lost on assignments and overseas deployments. The area is spread out and has a very rural feel to it. The lots are large and homes are not close together. It's a great neighborhood to take my dog for walks. We see things like chicken coups and vegetable gardens. And if you cross highway 24, there are cow pastures and folks that own horses. On the west and south we are bordered by ranch land. The only thing we had to ask about was the vacant land to the east. I was told there was a development that started there and was stopped due to water issues. It was stopped before the roads were paved. We figured eventually that houses might be built there if they ever sorted out the water issues. But we believed it would be houses like our own on lots like our own. We never imagined that a developer would try to build what they are planning today. This is of course the same land where PUDSP225 is planned today. But 6 years ago, when we purchased our forever home, we could not have foreseen homes being built at triple the density there. So, at the time it seemed perfect. And it has been, until now...

Now, we are not opposed to houses being built. The original plan, at 138 homes and with lots comparable to our own, was always expected at some point in the future. But putting PUDSP225 would dramatically change the look and feel of our neighborhood and degrade our quality of life. It will further overwhelm our already overwhelmed infrastructure. And FHMD has shown it is not currently capable of responsibly serving the community it already has. The infrastructure and Metro District issues should be resolved before any homes are built. But once resolved, any homes built should still be compatible with our own. That is all we are asking.

The developer has the right to build. They own property as do we, as homeowners. But the difference is the developer's interest is strictly profit. We're concerned with our property values, but more than that, we live there!!! I'm not the only one who chose Falcon Highlands to settle down or retire with their family because of the way it feels. My neighbors and I have organized and become involved to try and save what we have, and we hope you will see that Falcon Highlands is a very special place. We chose it for that reason. The developer has the right to build, but PUDSP225 as planned is not fair to us as neighbors. We ask that that you disapprove the PUD rezone and hope and pray you will prevent our amazing community from being ruined. Thank you.

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## More development proposed in Falcon neighborhood with drainage system problems

**KRDO****By Quinn Ritzdorf**

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Published December 11, 2023 2:52 PM

FALCON, Colo. (KRDO) -- As Janelle McNeil pumps more than 100 gallons of water per minute from underneath her house to keep her basement from flooding a second time, a sign a couple of blocks down the street proposes the development of 378 new homes.



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spring, her sump pump worked around the clock, pumping about 63 gallons per minute.

"Pumps are supposed to last five or ten years and we only had that one for six months," she said. "We were worried that it wouldn't keep up."

So the McNeils switched to a new pump that worked twice as hard. However, during the installation process, the transfer pump blew the home's breaker, turning off the power. In a matter of minutes, the McNeil's basement flooded.

The McNeils hired a restoration company, but despite their new sump pump pumping out 108 gallons per minute, their basement flooded again. This time water seeped through the cracks of their concrete floor.

"Once we got the new pump in and we got the initial flooding cleaned up, we thought we had some reprieve," McNeil said. "Then the very next day we came into our unfinished room and it was flooded and the water was coming up through the cracks in the slabs."

On Sunday, the McNeils dug a hole in one of their window wells to install a second sump pump. It helped keep the basement from flooding again, but McNeil calls it a "band-aid fix." She's laid down towels and flooding alarms on her



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"This is thousands of dollars in damage," she said. "We have no intention of rebuilding the basement until this is figured out. Every day I wake up not knowing if my basement is going to be flooded. I'm nervous every time I open the door to go downstairs."

When the neighborhood was developed in the early 2000s, an underground drainage system in the neighborhood right-of-ways was installed because the area has a high water table and high levels of groundwater. But residents are worried the system is either clogged or crushed, forcing residents' individual sump pumps to do the work.

Throughout the neighborhood, black hoses stretch across front yards spewing water into the sidewalk gutter. *KRDO13 Investigates* previously spoke to neighbors back in September with similar issues, flooded basements, and overworked sump pumps.

Yet neighbors said nothing has been done to fix it and it's unclear who is responsible.

In a previous statement to *KRDO13 Investigates*, El Paso County said there is no documented evidence that either the county or the metro district is responsible for maintaining the drainage system.

We realize this is frustrating for our citizens and are looking into solutions with the Metro District. As things currently stand, there is confusion regarding the responsibility for the specific underdrain system in question. By way of background, El Paso County roads are primarily designed to manage stormwater runoff along the side of, or sometimes under, the roadway. They are not intended or designed to convey groundwater discharged from adjacent properties. While the underdrain was installed within County right-of-way, the County did not accept maintenance

The plat includes a specific note expressing an intent for the Falcon Highlands Metro District to maintain the underdrain system. However, our records indicate that there is no documented evidence indicating the Metro District formally accepted maintenance responsibilities for the underdrain.

We have taken measures to ensure that this lack of clarification does not arise again and will continue to work with the Metro District to resolve the issue.”

El Paso County

The Falcon Highlands Metro District also has a statement posted on their website from November:

As a Board, we provide this update regarding the concerns about groundwater seepage and the underdrain system. As we previously advised, this is a complicated issue without clear or easy answers. However, we are aware and recognize that the community is frustrated, and we are continuing to discuss and evaluate the matter to help obtain a full understanding of the issues and, hopefully, to identify potential solutions.

We are taking affirmative steps to continue the investigative process, which includes working with El Paso County to cooperatively trouble shoot and discuss potential actions. Specifically, we are working to coordinate the District’s engineer and the County’s engineer to discuss options related to the underdrain issues. That collective exploration must occur first. Then, there is the potential for some additional scoping of the Filing 1 underdrain for additional investigation and troubleshooting, if a blockage is, in fact, an issue.

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and responsibility are still not conclusive. We appreciate your patience. This is the only comment we are able to make on this matter at this time. When there is more factual information to be shared, we will provide an update.

Falcon Highlands Metro District

*KRDO13 Investigates* reached out to both El Paso County and the Falcon Highlands Metro District for an update on solutions to the drainage issue but we haven't heard back from the Falcon Highlands Metro District. El Paso County provided the following statement.

El Paso County is resolutely focused on reaching a resolution. We are fully aware of the urgency of this issue and have taken a proactive stance. Our efforts have included active engagement with the metro district, spearheading critical engineering dialogues focused on a collaborative approach.

El Paso County

Now, Challenger Communities wants to build 378 new homes in the neighborhood. Residents told *KRDO13 Investigates* the current drainage system can't handle the current homes much less 300 more.

According to the project description, the Falcon Highlands Metro District, which is in charge of water services in the area, said it is only committed to providing water services to 50 of those proposed homes.

"Development of an additional well will be required before the District will be able to commit to providing water service to the remaining lots," the proposed plan said.

The El Paso County Planning Commission disapproved of the proposed development during a November meeting. Now, the

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"It's really frustrating," McNeil said. "It's kind of a slap in the face that we're struggling over here and for some what's more important is building more homes."

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Quinn is a reporter with the 13 Investigates team. [Learn more about him here.](#)



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## FEATURE ARTICLES

# Groundwater seepage in Falcon Highlands

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Some residents in Falcon Highlands are frustrated because of groundwater that is seeping everywhere: Basements are flooded, the sump pumps are overworked and the excess groundwater is flowing freely throughout the neighborhood.





Bob Aamodt has lived in Falcon Highlands Filing 1 since 2008. For years, his sump pump saw no activity despite heavy rains at various times. In May 2021, his sump pump started pumping out water — and it hasn't shut down since.

This past summer, Aamodt installed a three-quarter horsepower pump with an additional outlet hose. This high-power pump now runs 24/7 and is currently pumping 1.6 million gallons of water out of his home each month, he said. That amount of water could fill the Falcon Highlands Metro District's water holding tank 1.5 times. (See the bucket test link at the end of this article.)

He said his neighbor on the south side of his home started receiving excessive groundwater as well in the spring of 2021, and was pumping it out up until late last year. Aamodt theorizes that the neighbor's connecting lateral lines have since been blocked off because the clog in the mainline has grown larger. "As of May 2023, groundwater that previously backed up through the underdrain to that house has now found its way to a historically dry home across the street," he said.

Aamodt said if the underdrain system is not properly maintained, it is going to further affect property values in the neighborhood, and he feels his property is currently unsellable in its current condition.

In early June, Kyle and Elizabeth Geitzenauer had 4 inches of water in their basement. Once that was cleared, more water appeared. Geitzenauer said he has replaced the sump pump several times, adding that he knows of many homeowners who have had to do the same. Mold has set in as well. Multiple engineers who have evaluated their house came to the same conclusion: Their house is sinking.

Cristina Welch has been in her home in Falcon Highlands Filing 1 for 17 years. She said the sump pump never ran until this past May, when it began continuously pumping out water. It hasn't shut off since. They have replaced the sump pump

twice and created an additional backup system, adding another sump pump. Welch said their sump pump is pumping 25 to 30 gallons of water per minute.



often, it at all," Welch said.

Some residents, including Welch, have hired engineers and they have all concluded that the underdrain system in Filing 1 is not functioning as intended and is either damaged or clogged.

### **The root of the problem**

Most likely, the root of the problem is the underdrain system, said Billy Hudson, who lives in Falcon Highlands and also works for a utility maintenance company. Falcon Highlands was required to put in an underdrain system and also advised to avoid basements within the development.

An underdrain system is designed to collect subsurface water before it saturates road surface or the road ditch. By intercepting springs and groundwater, underdrains can help stabilize the road base, road ditches, and banks that would otherwise be softened by emerging springs and seeps. Underdrains prevent water from accumulating under the pavement and causing premature subgrade failure, according to a Penn State Technical Bulletin.

The underdrain system has holes in it so the water can go through it; however, it has to be encased in rock with netting on top of the rock so the dirt cannot get in and plug the holes, Hudson said. "Think of a burrito," he said. The pipes are wrapped in rocks and netting.

The sump pump is placed in a basement to remove accumulated water from a basement or crawl space, basically to prevent flooding and maintain a dry area. The sump pump is attached to the drainage pipes. Hudson said the sump pump pumps water out from seepage that is usually from groundwater or springs. Hudson said he believes the amount of water from rain is the problem, and most likely the underdrain is clogged. He doubts that the pipes are broken somewhere. "In the hundreds we have dealt with, we only found two breaks in the system," Hudson said.

He said the system needs to be maintained by someone. "Usually, the responsibility for infrastructures is turned over to metro districts after the development is finished," he said.

Hudson said they need to have the underdrain system inspected to find out the cause of the excess groundwater.

So far, in Filing 2, the water is moving as it's supposed to, exiting to creeks, he said.

Filing 3 should definitely be on hold until they get Filing 1 fixed, he said.

Aamodt believes the roadwork performed in 2020 could have "stirred things up and caused fine material to settle into the underdrain system," which was installed as a requirement in the development to help mitigate the high groundwater conditions in the area. "It can take time for sediment to move down the line, but eventually it can build up and clog an underdrain system," he said.

### **The Rolling Thunder issue**

The residents from Falcon Highlands have had two meetings — one on Sept. 9 and the other on Oct. 7. More than 80 people attended the first one and about “55-plus” people attended the October meeting. In the September meeting, the



As the underdrain system is already compromised and inaccessible, it is impossible to predict what type of impact this would have on the system. Potentially, new clogs or failure points could form along the line; and, as a result, additional homes could be impacted.

“Bridge paving over a compromised system without first addressing the condition of the underdrain system would be a waste of taxpayer money, as it will be significantly more expensive to address the underlying issues in the future.”

Carrie Geitner, county commissioner for District 2, told the NFH in a phone call on Oct. 27 that the county will work with the community and Welch to “minimize the impact” caused by the road work.

### **Taking responsibility**

Welch contacted both Woodmen Hills and Falcon Highlands metro districts. According to Woodmen Hills, the excess water is groundwater, and that’s not their problem. Welch called Josh Miller, who represents Falcon Highlands, on May 1. He returned the call June 27 and said it’s not their problem either.

When the NFH called Miller in October, he said, “No comment.”

Welch, dissatisfied with the responses, began investigating the situation and reviewed numerous reports, from the development records to the Falcon Highlands master development drainage report. She tried to determine through her research the source responsible for the maintenance of the underdrain system.

According to El Paso County, the county transferred responsibility to the Falcon Highlands Metro District. And the metro district claims they have no document stating the county conveyed the responsibility to them.

In mid-October, Geitner called Welch to say their lawyers were finished reviewing the situation and concluded that in the planning stages it was clear that Falcon Highlands would be responsible for the underdrain system, but they also admitted that this responsibility was not as clearly defined as perhaps it should have been.

However, Geitner said, in a follow-up phone call and text to the NFH on Oct. 27, further research of the archived records indicate clearly defined intent. “We have historical documentation that clearly shows the intent is for the metro district to maintain this underdrain,” she said. “We are working to get that information to the metro district and the community for clarity and transparency.”

### **What now?**

Aamodt said it has been six months since homeowners confirmed the existence of the underdrain system and brought its condition to the attention of the county and the metro districts, which includes Woodmen Hills.

“We need board members with integrity and honesty — a ‘golden rule’ mentality,” he said.

Currently, two board members have resigned; one of them has put his house up for sale. Two other board members are representatives of Challenger Homes.



an election year for them, but they have said they will consider homeowners. Aamodt and other neighbors have volunteered for the position. The next regular election is in 2025, and Aamodt said if he is not appointed this fall, he plans to run in the future.

Meanwhile, a recall of the Falcon Highlands board is in the works. Welch has hired lawyers and has filed a claim against Falcon Highlands Metropolitan District.

### **Water commissions weigh in**

Dave Doran, president of the Upper Black Squirrel Ground Water District, said the commission has jurisdiction only for water rights. The state, however, has sent a letter to Falcon Highlands instructing them to file a replacement plan.



“The groundwater emerging from the ground is part of the alluvial aquifer system and it cannot be used for anything else,” Doran said. “The water comes from non-renewable aquifers. You can’t expose groundwater. You cannot waste groundwater for any reason.”

Doran agreed that Filing 3 should be on hold until the problems with Filing 1 are determined.

Doran said the groundwater is not safe. “It has effluent (sewage) in it; do not let kids play in it or ride their bikes through it.”

“Excessive rains did compound it (the groundwater excess) but the sheer volume of growth is part of the problem,” Doran said. This could be just the beginning of problems like this, he said.

Editor's note: The New Falcon Herald will follow up with the Falcon Highlands saga in the next issue.

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Groundwater seepage in Falcon Highlands - The New Falcon Herald



Link for the bucket test: [https://drive.google.com/file/d/1Oq9ayTsynkrjP2Ah5npVsOXyBUxa3aTi/view?usp=drive\\_link](https://drive.google.com/file/d/1Oq9ayTsynkrjP2Ah5npVsOXyBUxa3aTi/view?usp=drive_link)



About the author

**Marylou Bride**

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# Residents in Falcon neighborhood pump water to avoid major damage after apparent drainage system failure



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By **Quinn Ritzdorf**

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**September 18, 2023 4:54 PM**

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underground drainage system stopped working.

Cristina Welch has lived in the Falcon Highlands neighborhood for 17 years. She said her sump pump has never turned on. Since May, she said it has been working around the clock, pumping out 40 gallons of water per minute.

"I am not pleased that I have millions of gallons of water circulating my foundation," Welch said. "It's not what's supposed to happen."

When the neighborhood was developed in the early 2000s, an underground drainage system in the neighborhood right-of-ways was installed because the area has a high water table and high levels of groundwater. Now residents are worried the system is either clogged or crushed, forcing residents' individual sump pumps to do the work.

"They're letting it all just come down to our house and they're letting our little noncommercial sump pump it out to the street so that they can avoid their responsibilities," Welch said.

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However, some homeowners' sump pumps can handle the workload.

"My sump pump has been running since June," said Josh Whittle, another homeowner. "I have already burnt out one pump and replaced it with a larger pump."

Whittle said he found flooding issues when he began work on his basement. He said the construction crew tore up the concrete floor to find four inches of water sitting there.

"Since we dug the trenches to do plumbing for the basement they started filling with water," he said. "They've pumped them out, but it immediately starts filling back as soon as they stop the pump."

Another homeowner, Kyle Geitzenawer, came home from a work trip to a flooded basement. He said the groundwater level was so high, it just seeped through his concrete floor.

"We had a mitigation company come out and suck water out, tear all the carpet up, rip all the drywall out," he said. "They were here for two weeks. When they left it was dry on a Tuesday night and Wednesday morning, we came to the basement and there were six more inches of water in the basement."

The larger concern for these homeowners is what all this water has been doing to their foundations.

"It's going to create a possible sinkhole underneath our house," Geitzenawer said. "We've already had foundation damages. We've already had siting damages. Our house is already starting to shift, so if we don't get this taken care of now, then more issues are going to arise later down the road."

Not all homeowners have groundwater issues but many are worried if the drainage system isn't fixed the flooding will spread throughout the neighborhood. To fix it, Welch said the

"We don't have any other avenues," Geitzenawer said. "We've brought it to the board. We've brought it to all the utility companies. We've called the county. We've reached out to all of our facets and we can't seem to get an answer."

The Falcon Highlands Metro District that placed the system in the ground when the neighborhood was first being developed told residents they transferred responsibility to El Paso County. However, El Paso County told residents they don't take responsibility for drainage systems.

"We can't find anybody to take responsibility," Geitzenawer said. "So there's multiple different hands in the pot, but nobody wants to maintain the situation."

13 Investigates reached out to Falcon Highlands Metro District, but it declined to comment. El Paso County said there is no documented evidence that either the county or the metro district is responsible to maintain the drainage system.

We realize this is frustrating for our citizens and are looking into solutions with the Metro District. As things currently stand, there is confusion regarding the responsibility for the specific underdrain system in question. By way of background, El Paso County roads are primarily designed to manage stormwater runoff along the side of, or sometimes under, the roadway. They are not intended or designed to convey groundwater discharged from adjacent properties. While the underdrain was installed within County right-of-way, the County did not accept maintenance responsibility for the underdrain system due to this design limitation.

It's essential to note that there is no confirmed damage to the underdrain system at this point. Homeowners

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infrastructure, especially considering the already shallow water table in the area.

Attached is the recorded plat for Falcon Highlands Filing No. 1, which was recorded in 2005. You will note that the plat includes a specific note expressing an intent for the Falcon Highlands Metro District to maintain the underdrain system. However, our records indicate that there is no documented evidence indicating the Metro District formally accepted maintenance responsibilities for the underdrain.

We have taken measures to ensure that this lack of clarification does not arise again and will continue to work with the Metro District to resolve the issue.

- El Paso County

"By the authorities not taking responsibility, they're burdening the homeowners with the responsibility of managing the system," Welch said.

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### Quinn Ritzdorf

Quinn is a reporter with the 13 Investigates team. [Learn more about him here.](#)



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## GENERAL ARTICLES

# Residents rally to save their homes

🕒 1 month ago   👤 Pete Gawda   📖 5 Min Read



Residents of Falcon Highlands Filing 1 have formed a coalition of people to address water issues that have wreaked havoc with their individual homes since springtime. Flooded basements and groundwater seepage from possible drainage system issues are at the center of their concerns.



Attendees at the Falcon Highlands residents Oct. 7 meeting were urged to display blue lights indicating their support for a recall election.

They need a fix for the situation, and as of this date, the Falcon Highlands metro district is not claiming responsibility for the underdrain system and the county says it's not their responsibility.

Cristina Welch, Filing 1 resident, has thus far headed up the "coalition" and has conducted two meetings to address their options, which include a board recall election.

On Sept. 9, more than 80 people attended a homeowners' meeting for residents of Falcon Highlands. On Oct. 9, homeowners attended a Falcon Highlands Metropolitan District board meeting.

The following information includes excerpts from the minutes of the two meetings, recorded by Cristina Welch.

At the Sept. 9 FHMD board meeting, the board listened to comments from residents regarding the groundwater issue, but no action was taken. During the meeting, the board went into two executive sessions during the meeting, which created a



This meeting led to exchanges on Facebook a couple of days later. On Sept. 11, Welch posted her disappointment at the low key reaction of FHMD board members toward residents' complaints at the board meeting.

Tonia Joyner, president of the board, responded by stating that homeowners were heard and the board was trying to find a solution but it would take time.

Welch posted again on Sept. 13 stating that immediate action needed to be taken to resolve the issue.

A second homeowners' meeting was held Oct. 7. More than 55 people attended.

One of the speakers was Dave Doran, president of the Upper Black Squirrel Creek Water Management District, the taxpayer-supported organization responsible for adopting the rules and regulations dealing with the use, control, conservation and protection of both the quality and quantity of groundwater in the area. He said that when Falcon Highlands was being developed, Upper Black Squirrel advised against building basements in the area due to high groundwater. However, the developers won out and basements were built. He said the subdivision's water supply comes from nonrenewable aquifers.

Doran expressed concern that building more homes in Falcon Highlands Filing 3 would add to the problem. He said Upper Black Squirrel is on the community's side and wants to help resolve the issue.

A second homeowners' meeting was held Oct 7. More than 55 people attended. A Concerned Homeowners' Committee was formed, not to establish an HOA, but to address major issues like road conditions, property taxes and water issues.

The meeting focused on the groundwater/drainage issues such as the lack of response from the county and the metro district and recall election options.

Charles Wolfersberger of Wolfersberger LLC, a metro district management company for metro districts that have homeowner controlled boards, spoke at the meeting

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Wolfersberger brought out these points: Colorado and Florida are the only states in the country that allow corporations to form property tax districts. He said California did away with the practice because it is a conflict of interest when developers who are not elected by taxpayers sit on boards and receive taxpayers dollars.

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Wolfersberger brought out the following points: Colorado and Florida are the only states in the country that allow corporations to form property tax districts. He said California did away with the practice because it is a conflict of interest

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He said homeowners who control the district have a limited voice and can make it work for them.

Metro districts are formed by court order, funded by homeowners' taxes and elect board members who fund infrastructure and manage things like parks and open spaces, Wolfersberger said.

Two board members, Erin Ganaway and Leo Schumacher, are representatives from Challenger Homes, which creates a conflict of interest, he said.

He also made the assertion that if a board is not responsive to homeowners, it could be because of too much developer influence.

Wolfersberger also said Falcon Highlands is unique because 50% of its operating funds are funded through commercial properties like Walmart. He suggested homeowners petition the county to change the operation of the district.

He also made the assertion that if a board is not responsive to homeowners, it could be because of too much developer influence.

Wolfersberger stated that FHMD accountants, lawyers and management for the district are paid more than \$300,000, which amounts to \$775 per household and is comparable to what larger neighborhoods with more amenities pay.

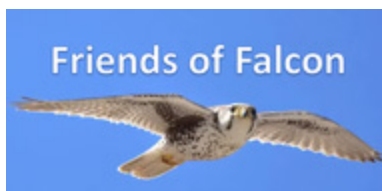
There was discussion about a recall process. Attendees at the meeting were urged to display blue lights indicating their support for a recall election. To begin the process, a petition signed by 200 registered voters or 40% of the residents is needed.

A show of hands by residents who were present indicated a majority were in favor of a recall election for board members. The Concerned Homeowners Committee will begin organizing the recall election process.



About the author

**Pete Gawda**



## GENERAL ARTICLES

# Friends of Falcon

🕒 2 weeks ago 👤 Michelle Barrette 📖 1 Min Read



Friends of Falcon met last month with Falcon Highlands homeowners who are concerned about drainage issues for which neither the county nor the metropolitan district are assuming responsibility. Residents were also concerned that the developer's application to increase residential density in the next filing would exacerbate the issues and potentially have a negative impact on the health and safety of both current and future residents. That potential stress on infrastructure is an example of why Friends of Falcon advocates for including proper infrastructure as part of "responsible development." To put that advocacy into action, Friends of Falcon representatives advised the residents on how to frame their concerns for the El Paso County Planning Commission in terms of the established decision criteria. The Planning Commission sided with residents and voted 5-2 to recommend denial of the Falcon Highlands South application. It next goes to the El Paso County Board of County Commissioners on Dec. 14 for a final decision. In the end, the planning commission vote is proof that citizen input matters. Visit the website (<https://www.TheFriendsOfFalcon.org>) for news of applications and be sure to speak up on issues affecting you!



## About the author

**Michelle Barrette**