

EAGLE BEND METROPOLITAN DISTRICT NO. 2

<http://www.eaglebendmetro.com>

Regular Meeting

Heritage Eagle Bend Clubhouse

23155 E. Heritage Parkway, Aurora, Colorado 80016

Date: July 28, 2010

10:00 am

MINUTES

I. Call to Order

The meeting was called to order at 10:08 am by Director Coker. In attendance were Directors: Coker, Arellano, Geiger, Meyer, and Recording Secretary Audrey Davie. Director Rexroat was absent and excused. Members of the public introduced themselves. Mr. Robert Broom, City Councilman for Ward 6 was also in attendance.

II. Declaration of Quorum/Director Qualifications/Disclosure of Conflicts

Director Coker stated he is a member of the City of Aurora (COA) Citizens Advisory Budget Committee and four other COA subcommittees. In addition, Director Coker is a liaison to Arapahoe County for the COA. Director Meyer is the Environmental & Sustainability Coordinator for COA in the Planning Department and a District Delegate with HEB HOA. Director Arellano serves as a District Delegate with HEB HOA. Director Rexroat is a member of the HEB Golf Committee. Director Geiger serves on several mountain area boards. Legal counsel has filed all disclosures with the appropriate entities.

III. Approval of Agenda

Director Arellano made a motion to approve the July 28, 2010 agenda. Director Meyer seconded the motion. The motion was unanimously approved.

IV. Approval of Minutes

A. Date: June 23, 2010

Director Geiger made a motion to approve the May 26, 2010 and June 23, 2010 minutes. The motion was seconded by Director Meyer.

V. Approval of Bills and Disbursements

A. Payables

Director Geiger made a motion to approve the payables with check numbers #1475-1496 and ratify checks #1473 and #1474. Director Arellano seconded the motion. The motion was unanimously approved.

VI. Public Input

Mr. Simner, HEB HOA Board President, requested Director Arellano to attend the HEB HOA Finance Committee meeting on Aug. 19, 2010 to discuss the proposed cost sharing landscape project. Residents asked the following questions: **1.)** Are the District's minutes posted on-line? *Response: YES* **2.)** Will the COA reimburse the District for landscaping? *Response: Some projects received a COA rebate; with respect to landscaping the center medians on Gartrell and the South Aurora Parkway (SAP) the Board is choosing to beautify the entire community versus waiting for the COA to take action.* **3.)** Does the landscape rebate come from COA's general fund or grant money? *Response: Probably both.*

VII. Reports of Officers, Committees and Professional Consultants

A. Water

Director Coker gave the Water Operations Summary for the periods of June 18 to July 4 and July 11 to July 20. The report was prepared by Scott Lehman of PureCycle. Mr. Lehman is the Metro District's water consultant. The report included water usage and financial information. Director Coker reported, "For the year to date the South Well has produced 51% of the total water, the North Well 35% and the ECCV service line 14%."

A. Water continued

Director Arellano reported the areas around the wells need maintenance. The weeds need to be mowed and the ditch needs to be cleaned. He and Director Rexroat will contact Bruce Simner, HEB HOA Board President,

regarding this issue. Director Meyer stated the HEB HOA is using a new software system for responding to calls; the software assigns a tracking number and a specific person to respond.

B. Landscaping

Lee Ruterbories, Chairman of the HEB Grounds Committee stated he met with the HEB Finance Committee to give them a status report of the proposed cost sharing landscape project which included a review of the landscaping plan (draft #2). Daniel Levine, TerraCare Associates and District #2 contracted landscaper, also attended the meeting. He stated the HEB HOA may choose to do the project in two phases due to costs. This project would be submitted to the COA for a xeriscape rebate.

Mr. Zach Versluis, COA Xeriscape Department, was contacted regarding COA rebates. Mr. Versluis “believes” the rebates will continue until 2011. Lee Ruterbories stated that he and Director Coker met over a year ago to begin talks about a joint landscaping project. Directors on both Boards stated that it has been a frustrating process but as noted by Mr. Bruce Simner, “This project is good for relationships as well as for the community now and in the future”. Mr. Ruterbories thanked the Board for working with the HEB HOA and stepping forward.

Director Arellano reported the Creekside landscape project has been delayed due to Creekside’s erosion problem. Directors Meyer and Geiger were appointed to serve as liaisons with Creekside regarding this situation. Director Geiger was an erosion specialist for Lennar Homes. Frank Massey, Creekside’s HOA Board President, stated he is looking to the Metro district for advice only. Mr. Massey has been meeting with Lennar, Creekside’s legal counsel, the COA, and engineers to solve the problem as well as determine who is responsible for remedying the situation. The projected cost is \$150,000. In closing Mr. Massey stated that Creekside will budget more money next year for xeriscape projects however; Jamison Drive to Ducane Court was xeriscaped at a cost of \$22,000.

A short discussion was held regarding the Irish Tap. The tap will be turned over to Creekside in 2011.

It was noted that the State has passed a law which gives resident the approval to xeriscape their yards; however the “COA is on the fence” regarding this new law. Residents can also apply for a xeriscape rebate if their lot is larger than 500 sq feet.

The Ridgeview dog run project is complete per Director Arellano with only one tree to be replaced. Director Arellano stated the grasses and weeds in the Safeway area were mowed. City code states grasses/weeds can be no taller than 8”. Daniel Levine, TerraCare, is currently designing a demonstration garden for the Safeway area which may include: paths, a gathering place and informational signage regarding the planting materials.

Mr. Levine reported 44 dead trees along Gartrell have been removed. He explained that the trees did not mature due to the following reasons: **1.)** trees were planted in a narrow and confined median; **2.)** trees were exposed to salts; **3.)** trees were planted with baskets; **4.)** trees were “topped off” and **5.)** irrigation was inadequate. However, Mr. Levine reported twelve trees were replanted. In additions, plants were added to the remaining 32 areas where trees had been removed or areas where the original plant material had died. The tips of the center medians are barren due to tree removal however stamped concrete or perennial beds could be installed in these narrow areas. The COA has approved both options. The tips will be uniform in design and either option does not impede the line of sight while driving. The estimated cost to landscape the center medians on South Aurora Parkway is \$176,000.

C. Communications

Director Meyer suggested the following topics for next quarter’s newsletter: water, conservation, landscape update, and the E470 Authority. Comments from residents regarding the June newsletter included: focus on the articles versus Board member pictures, photos need captions, and the newsletter is improving, article on RedTail Hawk Park was informative. A discussion ensued regarding the mill levy article. A resident stated that the article was informative, but the text and graph were “not congruent”. Another resident stated, “You've done a lot of great things and it needs to be explained better” which prompted a conversation about how to best educate the community regarding how the District allocates and spends its funds. In addition, Lee Ruterbories thanked the Metro Board for the remembrance article for Ken Voska.

C. Communications continued

Director Meyer reported the website is current. He is considering revamping the website to make it more user friendly and inclusive. Resident comments regarding the website were: it’s getting a lot better, good to have financials and minutes posted.

D. Financials

The Directors discussed the water usage bills and water reports from Scott Lehman. It was determined that historical data and accurate daily data were needed to keep them informed about the cost and revenues generated by the Water Enterprise system.

Director Geiger presented the 2010 financial statements for the first six months of the year. Geiger cautioned the use of care in reading in the statements in that the large excess of revenues over expenditures seen in these statements is due to the timing of revenues versus the timing of expenditures in the governmental accounts and the debt service accounts. The District receives substantially all its revenues in the third through sixth months of the year yet makes the majority of its expenditures in the last half of the year. Director Geiger moved to accept the June 30, 2010 financial statements of the District. Director Arellano seconded the motion which passed unanimously.

E. Operations & Services

Director Coker reported preparations for the year-end budget need to begin. A special meeting will be held. Location and time TBD. Peggy Purcell, Simmons & Wheeler, will write one check for all Board members to attend the Special District Association's annual conference. The conference will be held the 3rd week in September in Keystone.

F. Legal

Director Coker and Director Geiger will be meeting with Kristen Bear, legal counsel, to discuss water right issues. Director Arellano reported that the HEB HOA has agreed to set up an informative meeting for residents to become educated about the three November ballot initiatives: Proposition 101 and Amendments 60 & 61. The Board discussed when this meeting could be held and offered various names of speakers. Director Geiger suggested the Board consider writing a resolution regarding the ballot initiatives and publish the resolution in the upcoming newsletter.

G. Erosion

See above. Section VII. Reports of Officers, Committees and Professional Consultants, B. Landscaping

VIII. Unfinished Business

A. Approval of TerraCare Contract Change Order 5/23/2010

Director Arellano stated that the changes within the TerraCare contract change order were centered on revisions made by legal counsel. Director Coker made a motion to approve the TerraCare contract change order in the amount of \$191,974. The motion was seconded by Director Geiger. The motion was unanimously approved.

B. Approval of Miscellaneous Landscaping Change Orders

Director Arellano reported that the projects are moving forward and staying within budget.

IX. New Business and Special Orders

A. No New Business or Special Orders.

X. Adjournment

The meeting ended at 12: 43 pm.

The next meeting will be held August 25, 2010