

EAGLE BEND METROPOLITAN DISTRICT NO. 2

<http://www.eaglebendmetro.com>

Regular Meeting

Heritage Eagle Bend Clubhouse

23155 E. Heritage Parkway, Aurora, Colorado 80016

Date: December 8, 2010

10:00 am

DRAFT MINUTES

I. Call to Order

The meeting was called to order at 10:02 am by Director Coker. In attendance were Directors: Coker, Arellano, Geiger and Board Recording Secretary Audrey Davie. Directors Rexroat and Meyer absences were excused. .

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

It is the responsibility of each Director to disclose any matter of conflict of interest with the District to the Board prior to each meeting, and any such potential conflicts must also be filed with the Secretary of State. The current practice of filing each month will be amended to filing on an annual basis for all meetings, absent new conflicts that arise during the year.

III. Approval of Consent Items

Director Geiger made a motion to approve the Consent Calendar which included: the December 8, 2010 agenda, the November 10, 2010 minutes with two revisions proposed by Director Coker, and the approval of the payables with check numbers 1552-1553 and checks to be ratified numbered 1546-1551. Director Coker seconded the motion. The motion was unanimously approved.

IV. Public Input

A member of the public asked whether it was proper for the Metro District to be involved with Creekside's erosion issue. YES per Director Coker who clarified the Metro's role would only be a source of funding.

V. Reports of Officers, Committees and Professional Consultants

A. Water

1. Update on Wi-fi

Director Arellano stated he spoke to Bruce Simner, HEB HOA Board President, regarding the easement agreement. Mr. Simner reported the HEB HOA management company is making changes to the agreement and the HEB HOA Board is to vote on the agreement Thursday, December 9, 2010. A short discussion ensued about the communication process between the HEB HOA Board and the Metro Board. The Metro Board stated they prefer to work and communicate with Mr. Simner in order to expedite the process.

2. Update ECCV Pipeline and Wells

Director Arellano reported the north and south wells are shut down and the East Cherry Creek Valley (ECCV) pipeline was turned off approximately two months ago. Director Coker reported the north well is generating an unidentified noise. Director Arellano will investigate the proposed noise and determine if further action is necessary.

3. Discussion of Irish Tap

Director Arellano reported he has not had any further communication with Frank Massey, President of Creekside HOA, to discuss this issue. Director Arellano stated he wants to complete the Creekside landscaping project for the following reasons: **1.)** the design has been approved by the City of Aurora (COA); **2.)** funds have already been allocated for this project; **3.)** the entire community benefits aesthetically and **4.)** completion reduces water costs incurred from the Irish Tap.

B. Landscaping

1. HOA/Commercial

Director Coker reviewed the Board's long term strategic plan projects. The first project involved the installation of the water pipeline. The second project involved landscaping approximately 1/2 mile of the center medians. The third project he believes should involve the development of Eagle Bend Marketplace (Safeway area). The

1. HOA/Commercial continued

License Agreement with E-470 Authority is almost completed which allows the Metro District to use 7 to 8 feet of commercial property in order to complete the Northwest landscape project. The COA has approved the plans as presented by TerraCare Associates. Director Coker reported construction is to begin December 2010, pending weather conditions, with the project to be completed in May 2011. Sod removal is part of this project therefore a COA rebate may be a possibility. Director Coker stated that should all of the commercial area be developed this would obviously help the local tax base therefore providing aid in lowering the taxes for tax payers within the District.

The Board and Bob Simon, one of the owners of the Eagle Bend Marketplace, agreed to 50-50 cost sharing agreement to mow the native grasses. The mowing occurred twice this year with Director Geiger remarking that this proactive action makes the overall appearance of HEB's entry way more attractive. Per Director Arellano Mr. Simon's is also willing to relocate trees if necessary. Director Arellano reported that the property next to the Mormon Church is to be put on the market for sale in December. The property is currently owned by Creekside church.

2. Northwest Project

3. South Aurora Parkway

Director Arellano reported a final walk-through of the South Aurora Parkway (SAP) landscape project was conducted per the TerraCare contract. The trees were wrapped and the sprinkler system was checked. Director Arellano requested to water the trees next week and also in February.

Director Coker reported seeing water on the north side of the SAP center median on Tuesday, 12/7/2010. Director Arellano will follow up with TerraCare regarding this issue. Director Arellano pointed out the TerraCare Associates Landscaping Management Agreement (included in each Director's packet) and noted TerraCare will now be responsible for blowing out the sprinkler system versus HEB HOA facilities and maintenance personnel. Director Arellano made a motion to approve the TerraCare Associates Landscaping Management Agreement. The motion was seconded by Director Geiger. The motion was unanimously approved.

C. Communications

1. Newsletter

Director Coker reported the Board would like the newsletter to be six pages in length. It was stated that the Board prefers Director Meyer to develop the content himself versus relying on Board members to generate the topics and articles. Director Geiger reminded the group that the newsletter is a great opportunity for communicating but the Board must communicate relevant information. Director Geiger reported that residents have commented to him the newsletter articles are informative and helpful. One member of the public commented that he reads the newsletter and wants to learn more about the Board's future projects. A member of the audience suggested that the first page be a "grabber page" so that residents are compelled to read it!

2. Website

Director Coker reported the Board's website must be updated regularly to ensure that all information posted is current and correct. Director Coker noted that when he meets with residents he often refers them to the webpage so they may obtain additional information about the Board and their work. The newsletter and website will be discussed more in January.

D. Operations & Services

Director Coker reported that he would like to conduct a full day working session in January for the Board to work on the next phase of the Strategic Plan and a variety of other issues. The meeting would be posted as required by law and all Board members would be expected to attend. A few topics were suggested. At this time it was not determined whether any of the Board's consultants would need to be present.

Director Coker asked Mr. Simner whether the HEB HOA was conducting a water study. Mr. Simner reported that yes a water study is underway and the purpose is to determine how the HEB HOA can save money via landscaping and/or water. A conversation ensued about the possibility of securing future water rights and drilling water well. Director Geiger pointed out that lowering water consumption is not always conducive to saving money and keeping a community looking visually appealing.

E. Legal

Director Coker reported that legal expenses throughout the year have been reduced. Director Coker cited this is possible due to Director Geiger's areas of expertise which have benefited the Board.

VI. Unfinished Business

A. Update on HEB HOA 2011 Final Agreement regarding Water Rates

The HOA 2011 final Agreement regarding water rates was completed. A late payment clause was added to the 2011 Agreement.

VII. New Business and Special Orders

A. Board of Directors Annual Planning Meeting

See Section V. Reports of Officers, Committees and Professional Consultants, D. Operations & Services.

B. License Agreement for E-470 Property

See Section V. Reports of Officers, Committees and Professional Consultants, B. Landscaping 1. HOA/Commercial.

C. Wagner and Burke Audit

Director Geiger requested to delay the discussion of the audit proposal. More time is needed to review the proposal. Director Arellano suggested the Board give Director Geiger make the decision as to which 3rd party company should audit the Metro District finances as required by state statute.

VIII. Adjournment

The meeting ended at 11:46 am.

The next meeting will be held January 26, 2010