

## **EAGLE BEND METROPOLITAN DISTRICT NO. 2**

**<http://www.eaglebendmetro.com>**

**The Inverness Hotel and Conference Center**

**200 Inverness Drive West**

**Denver, CO 80112**

**(800) 832-9053**

**Date: January 12, 2011**

### **MINUTES**

#### **I. Call to Order**

The meeting was called to order at 8:59 am by Director Coker. In attendance were Directors: Coker, Arellano, Meyer, Geiger and Board Recording Secretary Audrey Davie. Director Rexroat's absence was 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: January 12, 2010 agenda with the additions listed below; December 8, 2010 minutes; approval of the payables with check numbers 1563-1573 and checks to be ratified #1554-1562. Director Coker seconded the motion. The motion was unanimously approved. A short discussion ensued regarding prompt payment of all outstanding invoices. It was recommended that Director Rexroat and Scott Lehman, Board Water Consultant, clarify their process for such.

Agenda additions included:

- 1.)** Approval of Barnes & Wagner audit contract for 2011. Director Geiger made a motion to retain the firm of Barnes & Wagner to perform the EBMD#2 2011 audit. The motion was seconded by Director Arellano. The motion was unanimously approved.
- 2.)** Approval of the Eagle Bend Metropolitan District No. 2 Annual Administrative Resolution for 2011. Item #16 of the Resolution states a notice of the Board's meeting is to be posted at the Heritage Eagle Bend (HEB) Clubhouse. In addition to the HEB clubhouse Director Arellano reported he also posts the agenda at the: fire station, liquor store, Compass Bank and Discount Tire. A discussion ensued about moving the meeting day to the 2<sup>nd</sup> and/or 4<sup>th</sup> Thursday of each month versus the established Wednesday. In conclusion, Director Geiger made a motion to meet on the 4<sup>th</sup> Wednesday during January and February and move to the 2<sup>nd</sup> and/or 4<sup>th</sup> Thursday for the months of March through December. Revisions regarding this change will be made to the Resolution and a copy will be filed with legal counsel. Director Arellano seconded the motion. The motion was unanimously approved.
- 3.)** Approval of membership with Special District Association (SDA). Director Geiger stated the annual membership cost is \$507. Director Coker made a motion to renew the Board's SDA membership for 2011. Director Meyer seconded motion. The motion was unanimously approved.
- 4.)** Approval of IRS mileage rate change. Director Geiger moved to adopt the IRS' new rate of \$0.51 per mile when being reimbursed for travel. Director Meyer seconded the motion. The motion was unanimously approved.
- 5.)** Discussion of insurance policy regarding the sewer system and potential backups. The Board does not operate any sewer lines however; the Board's insurance company recommended this specific coverage. It was stated the premium increased to \$864 with payments of \$10,000 issued per claim. After much discussion, Director Coker made a motion to cancel the sewer liability coverage from the liability policy with the Board's pool. The motion was seconded by Director Geiger. The motion was unanimously approved.
- 6.)** Completion of Conflict Forms. Director Geiger reviewed the State Statute which requires each Director to complete and file their individual Conflict Form with the Secretary of State. All Directors are to submit their Conflict Forms to Audrey no later than February 23, 2011 who will file them with the Secretary of State.

#### **IV. Management Theory "William Oncken's Management Concept" -**

Director Coker presented an overview of Oncken's Management Theory with the purpose of having the Board understand the value of operating effectively within a system. Director Coker believes that when each Board member understands their role and responsibilities as well as the Board's operating processes and procedures the overall work of the Board is more efficient and effective. The terms of: operator, boss, director, innovation, system and self-imposed were introduced and explained.

#### **V. EMD#2 Long Range Strategic Plan**

Director Coker led the process to update the Board's Strategic Plan. He presented two outcomes: **1.)** Agree upon Proposed Modified Actions/Outcomes to current strategic plan and **2.)** Discuss and agree upon new Projects the Board will commit to and decide which Board member will take responsibility for leading such project(s). See Attachment #1 for agreed upon Actions/Outcomes.

The following information represents the proposed new projects for each of the Boards five (5) Goal Areas:

**COMMERCIAL PARTNERSHIPS**  
**ECCV, COA Templeton & All Commercial**

- Explore financing possibilities to develop commercial properties
- Expand landscaping through grants/IGA's for undeveloped land areas
- Assist qualified developers who are interested in the two objectives above
- Communicate goals of District through newsletter, website & public meetings
- Coordinate public meetings w/ presentations by: fire, police, elected representative at State, County & COA level
- Develop inventory of undeveloped areas and property ownership of all areas

**HOMEOWNER SATISFACTION with EBMD#2:**

*Communication:*

- Communicate goals of District through newsletter, website & public meetings
- Create dialogue with all HOA's within District boundaries
- Coordinate public meetings w/presentations made by: fire, police, elected representative at State, County & COA level
- Present overview of Board's performance/achievements in newsletter as well as current topics and/or news events. Newsletter dates: January 15, April 15, July 15 and October 15.

*Community Values:*

- Sponsor meetings & events
- Develop schedule to meet with HOA's regularly
- Create HOA liaisons
- Expand landscaping grants/IGA's for undeveloped land areas
- Create & maintain community infrastructure e.g. parks, dog runs, etc.

**WATER**

- Investigate more water rights
- Establish water rates by January 1
- Develop third well concept
- Create storage possibilities
- Supply commercial area(s)

**FINANCE**

- Invest Metro District's financial reserves

**GOVERNANCE**

- No new projects added.

**\*Note:** "Service Agreements" previously Goal #4 was incorporated into Partnerships.

During the course of identifying new projects for the goal areas the following topics were discussed: Board's purpose, taxes, mil levy, landscaping, website, homeowner survey, 2011 budget, City of Aurora, HOA's within the District's boundaries and the Eagle Bend Marketplace commercial area. The Board created a "To Do" list which included: **1.)** Identifying the property owners of the undeveloped land areas; **2.)** Reconsidering community safety issues e.g. traffic light @ Gartrell; **3.)** Increasing the community's usage of the District's website; **4.)** Communicating the goals of the Metro District via the website; **5.)** Creating a schedule of quarterly topics to be addressed in the newsletter. This will be completed by: Directors Meyer, Geiger, and Coker; **6.)** Establishing a specific annual date for delivering information regarding the District's water rate.

The Board discussed their purpose and drafted the following, "*The Purpose of the District is to provide services to the community, residential as well as the commercial, in order to continue the development of growth through the Board's Mission, Vision, Values and Goals.*"

Director Coker stated that the EB Marketplace has a 40% vacancy rate per Bob Simons; who is one of the owners of the commercial property. Mr. Simons is currently working with each tenant to maintain as well as increase the occupancy rate. Director Coker reported that Mr. Simons appreciates the Board's help with the maintenance of the native grasses within the commercial area.

The COA is investigating the drainage problem located near E-470 and Ridgeview. No other information is available at this time.

## **V. EMD#2 Long Range Strategic Plan continued**

Director Meyer reported the District website had ten (10) hits/queries from January 2010 to December 2010. His data shows two (2) direct visits to the website.

A discussion ensued about lowering taxes and the mil levy. The conversation will continue.

## **VI. Unfinished and/or New Business**

Director Geiger reported that he and Director Coker met with Creekside HOA President, Frank Massey and their engineer regarding Creekside's erosion issue. Director Geiger photographed the area and displayed the photos for the Board to see firsthand what is specifically occurring at the identified site. Mr. Massey has estimated the cost to mitigate the situation to be approximately \$107,000 (does not include hard costs). Creekside has not determined liability but is seeking financial assistance to rectify this problem. Director Coker stated he will consult with legal counsel to clarify any possible liability should the District decide to provide financial support to Creekside. Upon further discussion, Director Meyer made a motion that the District participate in the funding of the mitigation of the erosion issue at Creekside Eagle Bend provided that District's legal counsel approves the agreement as drafted by Creekside's legal counsel and financial support does not exceed \$35,000. The motion was seconded by Director Geiger. The motion was not unanimous with Director Arellano exercising a "No" vote. Director Arellano stated he objects to the motion because liability has not been established by Creekside.

Time was budgeted for Director Geiger to review the budget process and the annual planning process with the following goal as the outcome: 1.) To establish a new financial review process for the directors managing the operations of water, landscaping, communication and finance. Director Geiger stated he would prefer to discuss those issues when all Board members are present. The discussion would also be more appropriate when the assessed values are made public by the Arapahoe County Assessor.

## **VII. Adjournment**

The meeting ended at 3:45 pm.

**The next meeting will be February 23, 2011**