

**EAGLE BEND METROPOLITAN DISTRICT # 2**  
**<http://www.eaglebendmetro.com>**  
Monthly Meeting  
Heritage Eagle Bend Clubhouse  
23155 E. Heritage Parkway, Aurora, Colorado 80016  
**Date: March 22, 2012**  
**10:00 am**

**MINUTES**

**I. Call to Order**

The meeting was called to order at 10:00 am by Director Geiger. In attendance were Directors: Coker, Arellano, Rexroat, Meyer, Geiger and Board Recording Secretary Audrey Davie.

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

A quorum was present. 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. An annual Conflict of Interest Disclosure must also be filed with the Colorado Secretary of State.

**III. Approval of Consent Items**

**A. Agenda for March 22, 2012**

**B. Minutes for February 23, 2012**

**C. Check Register for March 2012**

Director Coker made a motion to approve the following consent items: March 22, 2012 agenda with one change to the order of the items; February 23, 2012 minutes, and the March payables with check register #1754-1762. Director Rexroat seconded the motion. The motion was unanimously approved.

**IV. Public Input, self introduction by guests**

Fifteen (15) members of the public introduced themselves. Michael Shelton of ForestCity Commercial Group was also in attendance. Director Geiger asked for general comments from the public with specific questions regarding the proposed bond refinancing to occur after the formal presentation.

It was brought to the Director's attention that Tom McClanahan's letter dated January 4, 2012 had not been addressed. Four members of the Board were not aware of the letter with Director Coker responding he would personally work with Mr. McClanahan to answer his questions.

Bob Simons, commercial owner of Lots 1 & 3 of Eagle Bend Market Place, also submitted a letter to the Board. Director Coker read the letter which commended the Board for their involvement and installation of the demonstration garden located at the southwest corner of E-470 & Gartrell Road. Mr. Simons also expressed his desire to continue working with the Metro Board.

**A. Bond Refinancing Presentation - Sam Sharpe, D A Davidson & Company**

Director Coker introduced District accountant, John Simmons of Simmons & Wheeler and District banker, Zach Bishop of D A Davidson & Company. Directors Geiger, Coker and Arellano along with Mr. Simmons and Mr. Bishop prepared a slide show outlining 3 major objectives: **1.** Review outstanding debt of the District and history of that debt; **2.** Review pros & cons of accelerated repayment of the District's debt and **3.** Review the opportunity for refinancing district debt. Kristen Bear, District legal counsel, and Saranne Maxwell, bond counsel, were not present but were involved in the review and analysis of refinancing the 2003 Bond Series.

**A. Bond Refinancing Presentation - Sam Sharpe, D A Davidson & Company continued**

Mr. Bishop reported the District completed a complex proposal gathering process from competing lenders, which included approximately twelve (12 banks) national banks with a local presence. One bank, BBVA Compass Bank, responded to the District's request for a 20 year loan. This loan would lower the current interest rate of 5.06% to 3.43% generating more than \$1,000,000 of savings to the Debt Service Fund.

With the formal presentation concluded, Director Geiger opened the process to questions from the Board and public. Questions covered the areas of: deadlines, deposits, principal reduction, mill levy, and taxes. Upon no further discussion Director Coker made the following motion, which was written by legal counsel, "Subject to final review of general counsel to the District, a motion to authorize the Board president to execute the BBVA Compass Term Sheet and Rate Lock Agreement with BBVA, release the deposit of \$10,000 required under the Term Sheet and execute an engagement letter with Kutak Rock to serve as special bond counsel to the District." Director Rexroat seconded the motion. The motion was unanimously approved.

**V. Reports of Officers, Committees and Professional Consultants**

**A. Water**

**1. Update on Water Rate Contract for 2012**

Director Rexroat briefly reviewed the water rate contract which was included in each Director's packet.

**B. Landscaping**

**1. Eagle Bend Marketplace/Northwest Project – "Demonstration Garden"**

**2. South Aurora Parkway**

Director Arellano reviewed the maintenance being performed at the demonstration garden and also the center medians along South Aurora Parkway (SAP). Director Geiger asked Director Arellano to work with Director Coker and Peggy Purcell, Simmons & Wheeler, to establish a separate line item for costs associated with the demonstration garden.

**C. Communications**

**1. Newsletter & Website Protocol and Process**

Director Geiger stated Mr. McClanahan's letter would be published in the May newsletter.

**D. Operations & Services**

**1 Presidential Coordination**

No information at this time.

**E. Legal**

No information at this time.

**F. Treasurer's Report**

No information at this time.

**VI. Unfinished Business**

**A. HEB/HOA Informational Fair**

The HEB/HOA Energy Fair will be held May 12<sup>th</sup> from 8:30 am-1:00 pm at the HEB Clubhouse. A variety of vendors will be present to answer residents' questions regarding energy.

**VII. New Business and Special Orders**

No New Business and/or Special Orders at this time.

**VIII. Adjournment**

The meeting ended at 11:50 am.

**The next meeting will be held April 26, 2012**