

EAGLE BEND METROPOLITAN DISTRICT # 2

<http://www.eaglebendmetro.com>

Monthly Meeting

Heritage Eagle Bend Clubhouse

23155 E. Heritage Parkway, Aurora, Colorado 80016

Date: June 28, 2012

10:00 am

MINUTES

I. Call to Order

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

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 June 28, 2012
- B.** Minutes for May 17, 2012
- C.** Check Register for June 2012

Director Rexroat made a motion to approve the following consent items: June 28, 2012 agenda, May 17, 2012 minutes and the June payables with check register #1805-1815 and checks #1801-1804 to be ratified. Director Simner seconded the motion. The motion was approved by three Directors with Director Meyer abstaining from the vote.

IV. Public Input, self-introduction by guests

Question from Public: Does all landscaping have to be performed by TerraCare? **Answer:** TerraCare is currently under contract with the Board. It was agreed that TerraCare needs to follow through on all previously established agreements as well as ensure the demonstration garden is always being maintained to a high standard.

Question from Public: What type of tree will be selected to replace the dead evergreens on Gartrell? **Answer:** Most likely deciduous.

Comment from the Public: The Board was commended for their excellent work which included current and past members.

V. New Business and Special Orders

- A.** No new business at this time.

VI. Reports of Officers, Committees and Professional Consultants

A. Water

1. Update on Water

a. Scott Lehman, Board Water Consultant, Monthly Report

Mr. Lehman's report was reviewed by Director Rexroat who reported HEB HOA is currently using 1.1 million gallons of water/day; therefore the East Cherry Creek Valley (ECCV) pipeline has been accessed. Annual maintenance includes calibrating the flow meters. The North well passed the assessment however; the insulation within the South well's meter needs to be replaced at a cost of approximately \$3500.

a. Scott Lehman, Board Water Consultant, Monthly Report continued

Director Rexroat is conducting a study of other neighboring HOA water rates and will report his findings upon completion. The City of Aurora (COA) has recommended the Metro increase their water price which is currently at \$4/1000 gallons of water.

B. Landscaping

1. Eagle Bend Marketplace/Northwest Project – “Demonstration Garden”

Director Simner’s summary landscape document was distributed in all packets. See document for detail. Director Simner stated that he and past Board member George Arellano conducted a walk-through of the demo garden. Both commented the garden has not been maintained as well as it should be. The front entrance needs to be reseeded, walk-ways are washed out, and plants need to be replaced. Last year, TerraCare documented and agreed to replace these plants at no cost. It was recommended that payment to TerraCare be withheld until all work is completed. Director Geiger made a motion to ratify and hold two checks to TerraCare until the work has been performed and approved. All Directors voted in favor with Director Rexroat abstaining.

2. South Aurora Parkway

Director Simner agreed that he along with TerraCare needs to oversee: **1.)** a walk- through of the 3rd center median from the Buchanan gate to Creekside; **2.)** delivery of a TerraCare maintenance work schedule; **3.)** replacement of trees; and **4.)** replacement of a water meter (See Item #9 Simner Landscape report). Director Simner stated his agreement to hold all non-maintenance payments to TerraCare until the original contract has been fulfilled.

Directors Simner and Geiger met with representatives of the Ridgeview HOA which requested a cost sharing project involving address directional signage. The amount to the District was preliminary to be approximately \$25,000 but final plans were not completed at the time of the meeting. Safety and general identification issues will be resolved with the proposed new signage which will allow addresses to be read from the street. Director Geiger made a motion to enter into a cost sharing project with Ridgeview to include illuminated signage of their choice with matching cost to the District to not exceed the budgeted 2012 amount of \$50,000 because it is a public safety concern. Director Simner seconded the motion. The motion was unanimously approved. It was noted the signage must be approved by the COA and Ridgeview has already been in contact with the City concerning such matters.

C. Communications

1. Newsletter & Website

Director Geiger is currently working on the summer newsletter. The website has been updated.

D. Operations & Services

No new information at this time.

E. Legal

Director Geiger received a letter from the Brownstein legal firm stating they possess District documents starting with the year 2000. Brownstein archives documents for 12 years, so the question is what does the Board want them to do with the documents? John Simmons, Board Accountant, was consulted regarding this matter and recommended discarding the documents.

F. Treasurer’s Report

Director Geiger reported per Colorado law Special Districts are allowed to pay directors \$100 per meeting but not to exceed \$1600/year with no other compensation given for meeting attendance. However, the IRS has designated Board members “employees” therefore, beginning October 1, 2012 each Board member will file a W-4 and taxes will be withheld. As a result of the IRS ruling, four Special Districts including the Metro District entered into a lawsuit to counter the ruling. Director Geiger stated it is not cost effective to continue with the lawsuit and made the motion to approve check #1815 to the United States Treasury to execute the documents necessary to settle the lawsuit. Director Rexroat seconded the motion. The motion was unanimously approved.

VII. Unfinished Business

A. Discussion of District’s Mail Box

Director Meyer will give the mail box key to Audrey Davie. After a short discussion it was agreed that Director

A. Discussion of District's Mail Box continued

Geiger will contact John Simmons to pursue the idea of all correspondence be mailed to the office of Simmons & Wheeler versus the current PO Box at Smokey Hill and Tower.

VII. Unfinished Business continued

Director Geiger presented two agenda items for the July 12th meeting: **1.)** how the District should operate (volunteer board or contract for operations) and **2.)** areas of responsibilities.

VIII. Adjournment

The meeting ended at 11:33 am.

The next regular meeting will be held July 26, 2012