
MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
DECEMBER 1, 2016

A regular meeting of the Board of Directors of the Eagle Bend Metropolitan District was held on December 1, 2016 at 10:00 a.m. at the Heritage Eagle Bend Clubhouse, 23155 East Heritage Parkway, Aurora, Colorado 80016. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Rex Rexroat
George Arellano
Ed Malone
Larry Moore
David Gruber

Also in attendance were:

Kim Herman; CliftonLarsonAllen LLP ("CLA")
Kristen Bear; White Bear Ankele Tanaka & Waldron
John Simmons; Simmons and Wheeler
Steve Hungerford 7899 S. Zante Court
Dennis Lumley 8086 S. Shawnee Street
John McCracken 8214 S. Catawba Court
Bob Harston 7976 S. Shawnee Street
Johnny Watson 7871 S. Duquesne Way
Roe Sherbert Heritage Eagle Bend

Call to Order

Director Moore called the meeting to order at 10:02 a.m.

Declaration of
Quorum/Director
Qualifications/
Disclosures of
Conflicts

Ms. Herman declared that there was a quorum and that all Board members were qualified to serve. The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors and to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the

Board members prior to this meeting in accordance with Statute. It was noted by the Board that disclosures of potential conflicts of interest statements for all directors have been filed with the Secretary of State's office prior to this meeting and that no additional conflicts were disclosed at the meeting.

Approval of
Consent Items

- A. Agenda for December 1, 2016
- B. Minutes for October 20, 2016 Board Meeting
- C. Review and Approval of Invoices and Checks

Following discussion, upon a motion duly made by Director Gruber, seconded by Director Malone and, upon vote unanimously carried, the Board approved the Agenda for the December 1, 2016 Meeting, Minutes from the October 20, 2016 Board meeting and the Invoices and Checks as presented.

Public
Comments

None.

Financial Items

- A. Conduct Public Hearing to Consider Amending the 2016 Budget; Consider Adoption of Resolution No. 2016-12-01 to Amend the 2016 Budget

Mr. Simmons reported the 2016 Budget did not need to be amended.

- B. Conduct Public Hearing to Consider Adoption of 2017 Budget, Appropriate Expenditures and Certify Mill Levies; Consider Adoption of Resolution No. 2016-12-02 to Adopt the 2017 Budget, Appropriate Expenditures and Certify Mill Levies

Upon a motion duly made by Director Gruber, seconded by Director Malone and, upon vote unanimously carried, the Board opened the Public Hearing at 10:04 a.m.

There was no public comment; upon a motion duly made by Director Gruber, seconded by Director Malone and, upon vote unanimously carried, the Board closed the Public Hearing at 10:05 a.m.

Mr. Simmons reviewed the 2017 Budget. Following discussion, upon a motion duly made by Director Gruber, seconded by Director Malone and, upon a vote unanimously carried, the Board approved Resolution No. 2016-

12-02 Adopting the 2017 Budget, Appropriating Expenditures and Certifying Mill Levies.

C. Review and Consider Approval of the Engagement Letter with Crady, Puca & Associates for 2016 Audit Services

Upon a motion duly made by Director Rexroat, seconded by Director Malone and, upon a vote unanimously carried, the Board approved the Engagement Letter with Crady, Puca & Associates for 2016 Audit Services.

D. Other

There were no other financial matters to discuss.

Water
Operations

A. Monthly Report

Director Rexroat reported the VFD replacement and upgrades to the monitoring system are complete. He stated he is working with Mr. Sherbert on utilizing the new operating options available to the District and Golf Course. He noted the fence was damaged during the replacement of the VFD; however he is working with the crane company for the repairs to be made.

Director Rexroat stated he is working with GeoLens and the Golf Course to update the GIS mapping system to include the course and all open space to justify to the City of Aurora the Districts need for 440 acre feet of water. He reported the mapping should be completed at the end of December.

B. ECCV Pipeline Relocation Update

Director Rexroat stated there was no update on this item and he did not expect one until the City Council approves the plans for the KB Homes development.

C. Discuss Potential Reserve Study

Director Rexroat stated TZA Engineering is working on the reserve study and should have a draft report for review at the January Board meeting.

D. Discuss VFD Replacement

Director Rexroat stated the VFD has been replaced and this project is complete.

E. Water Sustainability

Director Moore reported he and Director Rexroat, as well as Ms. Denslow, Ms. Herman, Mr. Lekahal and Mr. Weaver, attended a meeting with the City of Aurora to review a draft Intergovernmental Agreement for a potential raw water line to the District. He stated discussions were still in the early stages and all parties are still unclear as to whether or not the Blackstone Golf Course will be participating. He noted that if Blackstone did not participate in the project, many details could change and that needed to be known before the project could move forward.

Landscape

Maintenance

A. Monthly Report

Director Arellano reported the District irrigation system has been winterized. He noted there had been an accident involving a police vehicle and an island off of Aurora Parkway and he is working with Ms. Herman to file a claim with the City of Aurora.

Traffic

Safety

A. Traffic Update

Director Gruber reported he is schedule to meet with the City of Aurora to discuss the initial evaluation of traffic concerns within the District. He stated he will provide an update at the January Board Meeting.

Business

Development

A. Update

Director Gruber stated the City is considering a letter writing campaign to Safeway to attempt to have the lease released and allow the City and District to fill the space with another vendor. He noted the City cannot force Safeway to do anything; however they do believe sending letters may help.

Manager Issues

A. Review and Approve Resolution no. 2016-12-04, Resolution Imposing Water Rate Schedule for 2017

Following discussion, upon a motion duly made by Director Gruber, seconded by Director Malone and, upon a vote unanimously carried, the Board approved Resolution No. 2016-12-04, Resolution Imposing Water Rate Schedule for 2017, subject to changes discussed and final review and authorization of Directors Rexroat and Moore.

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- B. Discuss 2017 Regular Meeting Schedule – Third Thursday of each month at 10:00 a.m.

The Board approved continuing to hold monthly Board meeting on the third Thursday of each month, January through November, at 10:00 a.m.

- C. Review and Discuss 2017 Insurance Policy Limits

Ms. Herman reviewed the 2017 Insurance Policy with the Board. Director Rexroat requested Ms. Herman providing pricing for the Board to review to add Earthquake and Flood insurance for the District, as well as confirm all pipelines owned by the District are included in the coverage.

Legal Items

- A. Review and Approve Resolution No. 2016-12-03, 2017 Annual Administrative Matters Resolution

Upon a motion duly made by Director Gruber, seconded by Director Malone and, upon a vote unanimously carried, the Board approved Resolution No. 2016-12-03, 2017 Annual Administrative Matters Resolution.

- B. Executive Session to Receive Attorney Advise and Discuss Contract negotiations Pursuant to C.R.S. Sections 24-6-402(4)(b) and (e)

Upon a motion duly made by Director Malone, seconded by Director Gruber and, upon a vote unanimously carried, the Board entered into Executive Session at 11:40 a.m.

Upon a motion duly made by Director Malone, seconded by Director Gruber and, upon a vote unanimously carried, the Board exited Executive Session at 12:28 p.m.

Upon a motion duly made by Director Malone, seconded by Director Rexroat and, upon a vote unanimously, the Board authorized the District participation in the cost to perform the engineering work needed to determine the actual costs for the raw pipeline project, at a cost not to exceed one third of the total cost.

Next Meeting

- Confirm Quorum for the Next Regular Board Meeting to be Held Thursday, January 19, 2017 at 10:00 a.m. at the Heritage Eagle Bend Clubhouse

The Board confirmed the intent of a quorum for the next Board meeting, to be held Thursday, January 19, 2017 at 10:00 a.m. at the Heritage Eagle Bend Clubhouse.

Adjournment Upon a motion duly made by Director Moore the Board adjourned at 12:29 p.m.

Respectfully submitted,


Secretary for the Meeting