

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
April 20, 2017

A regular meeting of the Board of Directors of the Eagle Bend Metropolitan District was held on April 20, 2017 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:

George Arellano
Rex Rexroat
Larry Moore
David Gruber

Also in attendance were:

Denise Denslow and Kim Herman; CliftonLarsonAllen LLP ("CLA")
Kristen Bear; White Bear Ankele Tanaka & Waldron
John Simmons and Mark Chambers; Simmons & Wheeler, P.C.
Tom Dea; TZA Water
Irv Reinke 22852 E. David Place
Steve Hungerford 7899 S. Zante Court
John McCracken 8214 S. Catawba Court
Bob Harston 7976 Shawnee
Robert Steckley 7800 S. Buchanan Way
Johnny Watson 7871 S. Duquesne Way
Connie Smith 8127 S. Catawba Court
Jonathan Carson Peregrine Landing

Call to Order

Director Moore called the meeting to order at 10:00 a.m. and the Board excused Director Malone's absence.

Declaration of
Quorum/Director
Qualifications/
Disclosures of
Conflicts

Ms. Denslow 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 April 20, 2017
- B. Minutes for March 16, 2017 Board Meeting
- C. Approval of April 2017 Claims

The Board discussed changes needed to the March meeting minutes.

Following discussion, upon a motion duly made by Director Gruber, seconded by Director Rexroat and, upon vote unanimously carried, the Board approved the Agenda for the April 20, 2017 meeting and the April claims as presented.

Following discussion, upon a motion duly made by Director Gruber, seconded by Director Arellano and, upon vote unanimously carried, the Board approved the minutes of the March 16, 2017 meeting as amended.

Public
Comments

Mr. Hungerford made an offer to Creekside and Ridgeway allowing residents to book golf reservations of 8 days in advance instead of 7 days in advance. Director Moore appreciated this offer and noted he is anxious to work out the details. Director Gruber told Mr. Hungerford that the offer was very generous and thanked him.

Ms. Smith inquired about a pipeline being installed at Aurora Parkway. Director Gruber asked if she was referring to the Tallyn's Reach area, to which she responded yes. Director Rexroat noted it appears to be a gas line.

Financial Items

- A. Review and Consider Acceptance of the Current Cash Position Report

Mr. Simmons introduced Mark Chambers, who is taking over the Eagle Bend work that Kim Stark has been performing. He noted there is no Cash Position Report and asked that this item not be included on future agendas. Mr. Simmons distributed the March 31, 2017 Financial Statements and

reviewed with the Board. Director Gruber asked if there were any concerns regarding the current statewide discussion regarding the Gallagher Amendment. Mr. Simmons stated he didn't think it would impact the District. Cities, counties and school districts will be affected due to limitations in modifying mill levies.

After discussion, upon a motion duly made by Director Arellano, seconded by Director Gruber and, upon vote unanimously carried, the Board accepted the March 31, 2017 Financial Statements as presented.

B. Other

Director Arellano discussed his job as treasurer, and noted the costs of having monthly Board meetings is approximately \$3,800 per month, as well as approximately \$2,400 for the meeting regarding water at the City.

Water
Operations

A. Monthly Report

Director Rexroat noted that Tom Dea from TZA was present to review the well report with the Board. Mr. Dea presented a power point on this subject. He stated the ECCV water is potable and the District's well water has been tested and is considered potable. Director Rexroat reported the process to get ECCV water has been simplified, but still requires giving 24 hours notice. The Buchanan tap is used infrequently and generally only for emergencies due to cost.

B. ECCV Pipeline Relocation

Mr. Dea noted the new water line has been installed and tested and is ready for use.

C. Discuss Reserve Study

Mr. Dea noted that the well report will be provided annually. He reviewed the well reserve study findings with the Board. Director Rexroat believed the well service has been stable for some time. Director Gruber asked if there was a risk to the District from interference of other nearby wells. Mr. Dea does not believe the District will be impacted.

D. Water Sustainability

This item will be discussed during executive session.

Landscape

Maintenance

A. Monthly Report

Director Arellano stated the spring clean up is complete and he is working with Keesen regarding any issues that have been found. He noted all plantings should start in mid May. Director Arellano reported Mr. Johnny Watson and Mr. Dan Dickson will be meeting to select the trees to be installed in Creekside. The Board agreed to permit the City of Aurora to use the demonstration garden for resident informational workshop.

Mr. John McCracken asked whether the medians were on a drip system. Director Arellano stated that approximately 90% were on a drip system.

Traffic

Safety

A. Traffic Update

Director Moore stated he and Ms. Denslow met with the City, Kimley Horn and Dave Burnett to review the official report regarding all intersections, speed limits and current or potential plant issues in the medians. A walk is set for April 25th at 11:00 a.m. to identify trimming and removal needs. Director Arellano reported meeting with Keesen regarding pine tree branch trimming. Director Gruber stated he is working with Ms. Bear, Ms. Cindy Colip and Steve Gardner regarding the Intergovernmental Agreement for the traffic signal installation. He noted comments are due back from the City next week and as well as clarification regarding funds and transfer/expenses.

Business

Development

Director Gruber introduced Mr. Jonathan Carson from the Peregrine Landing Memory Center on Shawnee & Gartrell. Mr. Carson briefed the Board on the Center, noting there are 40 rooms. This is a memory care center, not a long term or assisted living center. He stated it is also pet friendly to help the residents with their care. Director Gruber noted this is not located in the District, but is on the border.

Director Gruber stated there is no movement regarding Safeway, however the City of Aurora recommended looking at the Stanley Market in Stapleton for other possible ideas for the space.

Director Gruber reported there is a public meeting coming up regarding the Xcel powerlines east of Creekside.

Manager Issues

A. Other

None.

Legal Items

A. Executive Session to Receive Attorney Advice and Discuss Contract Negotiations Pursuant to C.R.S. Sections 24-6-402(4)(b) and (e)

Upon a motion duly made by Director Gruber, seconded by Director Rexroat and, upon a vote unanimously carried, the Board entered into Executive Session at 11:53 a.m.

Upon a motion duly made by Director Rexroat, seconded by Director Gruber and, upon a vote unanimously carried, the Board exited Executive Session at 12:16 a.m.

Upon a motion duly made by Director Gruber, seconded by Director Arellano and, upon vote unanimously carried, the Board authorized the engagement with TST with a not-to-exceed amount of \$10,000. Ms. Denslow and Ms. Bear will coordinate the kick off meeting.

Next Meeting

Confirm Quorum for the Next Regular Board Meeting to be Held Thursday, May 18, 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, May 18, 2017 at 10:00 a.m. at the Heritage Eagle Bend Clubhouse. Director Moore reported he is unable to attend. Director Gruber will be the Chair for the meeting.

Adjournment

Upon a motion duly made by Director Moore, the Board adjourned the meeting at 12:23 a.m.

Respectfully submitted,



Secretary for the Meeting