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MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
EAGLE BEND METROPOLITAN DISTRICT  
HELD  
June 15, 2017

A regular meeting of the Board of Directors of the Eagle Bend Metropolitan District was held on June 15, 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  
Ed Malone

Also in attendance were:

Kim Herman and Rachel Heap; CliftonLarsonAllen LLP ("CLA")  
Kristen Bear; White Bear Ankele Tanaka & Waldron  
Mark Chambers; Simmons & Wheeler, P.C.  
Bill Goetz; TST  
Matt Small; GeoLens  
Steve Gardner; City of Aurora  
Gene Blum and Roe Sherbert; Heritage Eagle Bend  
Bev Church and Johnny Watson; Creekside HOA  
Bob Harston; 7976 S. Shawnee

Call to Order

Director Moore called the meeting to order at 10:00 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

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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 June 15, 2017
- B. Minutes for April 20, 2017 Board Meeting
- C. Ratify Approval of May 2017 Claims and Approve June 2017 Claims

The Board discussed changes needed to the April meeting minutes.

Following discussion, upon a motion duly made by Director Gruber, seconded by Director Malone and, upon vote unanimously carried, the Board ratified the May 2017 claims and approved the June 2017 claims as presented.

Following discussion, upon a motion duly made by Director Gruber, seconded by Director Rexroat and, upon vote unanimously carried, the Board approved the minutes of the April 20, 2017 meeting as amended and the June 15, 2017 agenda with the addition of "Review and Consider Approval of the Service Agreement with Layne Christensen to repair the south well".

Public  
Comments

None.

Financial Items

- A. Review and Consider Acceptance of the May 31, 2017 Financial Statements

Mr. Chambers reviewed the May 31, 2017 Financial Statements.

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

- B. Other

None.

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Traffic  
Safety

A. Presentation from the City of Aurora Regarding Traffic Light

Director Gruber introduced Mr. Steve Gardner, Principal Engineer. Mr. Gardner reported the traffic light has been 60% designed and should be at 90% design by August or September, at which time it will be presented to City Council for formal review and final design. He stated there have not been any concerning findings to date, however the soil bores have just been completed and the analysis is not back. He will update the Board if there are any findings of concern. Mr. Blum noted there have been two accidents recently involving vehicles turning left out of Heritage Eagle Bend.

Director Gruber asked if any additional information was available regarding adding a left turn signal on Gartrell for drivers going south on Gartrell Road and turning left onto Aurora Parkway. Mr. Gardner stated he will discuss the issue with Ms. Cindy Colip. Director Gruber requested a letter be drafted and sent to the City of Aurora noting the safety concerns of the District for this intersection. Ms. Herman will draft the letter for Board review.

B. Update on Sight Line Modifications

Director Arellano reported the Line of Sight inspection was completed on May 25<sup>th</sup> and all items found during the inspections have been addressed. He stated the total cost for the work was \$1,800 and an invoice would be forwarded to Ms. Herman.

C. Other

Director Arellano requested an update regarding the median on Aurora Parkway that will be affected by the Apartment Complex that has been approved by the City. Mr. Gardner stated the Land Development Department within the City would need to be contacted. Ms. Herman will draft a letter for Board review, noting the Board's concern for existing plant material and irrigation within the median and request the Developer of the Complex be held responsible for repairing any damage.

Business  
Development

A. Xcel Power Lines

Director Gruber reported the installation of the new Xcel power lines were moving forward and he had met onsite with Councilwoman Bergen to review the Creekside HOA requests.

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Ms. Church reviewed the Creekside HOA requests with the District Board and requested the District submit a letter of support to the City of Aurora regarding the Associations requests. Following discussion, upon a motion duly made by Director Gruber, seconded by Director Arellano and, upon vote unanimously carried, the Board approved Ms. Bear drafting and sending a letter of support and request for action to the City of Aurora and Xcel Energy regarding the Creekside HOA requests.

B. Other

Director Gruber reported the City continues to work on filling the Safeway space, however there is no other news to report.

Water  
Operations

A. Monthly Report

Director Rexroat reviewed the May Water Report from TZA, noting both the north and south wells had gone down approximately one week ago. He stated the north well had been repaired and was running, however the south well was still not functioning but should be repaired and active again by the end of the following week.

B. GeoLens Presentation – Matt Small

Mr. Small reviewed the GeoLens website and records with the Board.

C. Water Rates

Director Rexroat requested the Board review the 2018 Water Rates as soon as possible to allow time for Heritage Eagle Bend Homeowners Association to budget appropriately. The Board agreed to review the 2018 Water Rates at the July or August District meeting.

D. Water Sustainability

This item will be discussed during executive session.

E. Review and Consider Approval of Service Agreement with Layne Christensen to Repair the South Well - \$81,705

Following discussion and upon a motion duly made by Director Malone, seconded by Director Gruber and, upon vote unanimously carried, the Board accepted the service agreement with Layne Christensen to repair the south well at a cost of \$81,705.

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Landscape

Maintenance

A. Monthly Report

Director Arellano stated the sails in the garden have been installed and the garden is looking good. He reported the work in Creekside HOA is completed and Mr. Watson presented a check for the Creekside HOA portion of the work.

Manager Issues

A. Meeting Cancellations

Ms. Herman reported receiving requests to discuss the process for cancelling meetings. The Board requested any future meetings that are cancelled are posted on the District website as well as the Board Presidents of the Associations within the Districts be contacted. Ms. Herman stated she would be sure to update the procedures for meeting cancellations.

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 Malone and, upon a vote unanimously carried, the Board entered into Executive Session at 12:00 p.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 12:52 p.m.

Upon a motion duly made by Director Gruber, seconded by Director Malone and, upon vote unanimously carried, the Board authorized the engagement with Lytle Water Solutions with a not-to-exceed amount of \$10,000 and for Ms. Bear and Director Moore to engage a Water Attorney for the District at a cost not-to-exceed \$10,000.

Ms. Herman and Ms. Bear will coordinate the agreements as well as reach out to Ms. Stephanie Nietzel regarding the status of Blackstone Metropolitan Districts involvement in the potential water pipeline. Mr. Goetz will review the potential water needs if Red Tailed Hawk Park was to utilize water from the potential pipeline and if the water line was connected to the north well. Director Arellano and Mr. Chambers will review the Districts financials and available funds.

Next Meeting

Confirm Quorum for the Next Regular Board Meeting to be Held Thursday, July 20, 2017 at 10:00 a.m. at the Heritage Eagle Bend Clubhouse

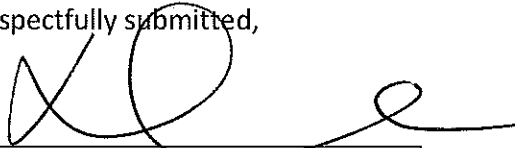
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The Board confirmed the intent of a quorum for the next Board meeting, to be held Thursday, July 20, 2017 at 10:00 a.m. at the Heritage Eagle Bend Clubhouse. Director Moore reported he is unable to attend. Director Gruber will be the Chair for the meeting.

Adjournment

Upon a motion duly made by Director Moore, the Board adjourned the meeting at 12:55 p.m.

Respectfully submitted,



Secretary for the Meeting