

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
March 21, 2019**

A special meeting of the Board of Directors of the Eagle Bend Metropolitan District was held on March 21, 2019 at 10:00 a.m. at Fire Station 14, 22298 E. Aurora Parkway, Aurora, Colorado 80016. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Larry Moore
George Arellano
Will Schippers
Mark Rumlow
Ed Malone

Also in attendance were:

Denise Denslow & Jerel Sangster; CliftonLarsonAllen LLP (“CLA”)
Kristin Bear; White Bear Ankele Tanaka & Waldron (“WBA”)
Mark Chambers; Simmons & Wheeler
Tom Dea & Britt Abney; TZA Water Engineers, a Lamp Rynearson Company (“TZA”)

John McCracken; Resident
Charlie Summers; Resident
Red Miller; Resident
Rick Mathisen, Heritage Eagle Bend Master Association

Call to Order

Director Moore called the meeting to order at 10:00 a.m.

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.

Carollo Design Update

Mr. Jim Kriss was absent but Ms. Denslow provided an update on the design for the Raw Water Pipeline to the Board from Mr. Kriss via email. She presented an updated schedule, noting that plans will be submitted to the building department April 1st, as the plans are anticipated to be at 90% by this time. Carollo performed supplemental geotechnical drilling on March 20th. The purpose of this endeavor (\$3900) was to provide accurate soil condition information for the bidders to use when pricing the boring component of the bid. The City of Aurora will not allow open trenching on Gartrell due the age of the asphalt. The project is anticipated to be advertised by May 2nd.

Approval of Consent Items

- A. Agenda for March 21, 2019 Special Board Meeting
- B. Minutes for February 21, 2019 Regular Board Meeting
- C. Approval of February 2019 Claims

Upon a motion duly made by Director Malone, seconded by Director Schippers and, upon vote, unanimously carried, the Board approved the Consent Agenda, subject to tabling the February 21, 2019 Regular Board Meeting Minutes, which require modification in the language regarding the bond redemption.

Financial Items

- A. Review and Consider Approval of Unaudited Financial Statements Through February 28, 2019

Mr. Chambers reviewed the February 28, 2019 unaudited financial statements with the Board and attendees, noting that the 2018 Audit is expected to be completed within the next 6 weeks. Mr. Chambers has been working with Ms. Crada (auditor) to ensure the Board's request of a more timely process this year.

Upon a motion duly made by Director Schippers, seconded by Director Arellano and, upon vote, unanimously carried, the Board approved the February 28, 2019 unaudited financial statements, as presented.

- B. Other

None.

Water Operations

- A. Monthly Reports

Mr. Dea gave the update on monthly water reports. He noted that the wells are not currently engaged, and that he has been in contact with the City of Aurora to confirm extended use of the Buchanan tap. He has received verbal consent but will be following up to get a written confirmation. Mr. Dea stated that they anticipate firing up the system at the beginning of April. Mr. Dea informed the Board that there is approximately \$4000 left in the budget for the alternative well costing project, and that they have begun gathering information to prepare for the reserve study.

B. Other

None.

Landscaping

A. Monthly Report

Director Arellano gave updates regarding the Creekside cost-sharing project. The bid from Keesen came in at \$352 less than originally estimated; CLA will confirm that this addendum is addressed in Keesen's 2019 contract.

Business
Development

A. Other

None.

Managers Items

A. Review and Consider Approval of Reserve Study Proposal

Ms. Denslow reviewed the updated Reserve Study Proposal from TZA Water Engineers with the Board.

Upon a motion duly made by Director Malone, seconded by Director Schippers and, upon vote, unanimously carried, the Board approved the Reserve Study Proposal with TZA Water Engineers, a Lamp Rynearson Company, in an amount not-to-exceed \$25,000 and subject to final legal revisions and incorporation in the standard independent contractor agreement form.

B. Other

None.

Legal Items

A. Discuss Sidewalk Maintenance Responsibility

Ms. Bear informed the Board that her office had confirmed ownership of the property that was the subject of the claim filed with the Marketplace in December for a slip and fall. The District has no confirmed ownership of the property nor has legal found any agreements or documentation that would require operation or maintenance of the same by the District. Discussion followed regarding the clearing of the crusher fine walks in the park; the Board determined that the crusher fine trails within the park need not be cleared, as there is a concrete sidewalk that provides alternative access.

B. Executive Session to Receive Attorney Advise and Discuss Contract Negotiations with the City of Aurora Concerning Water Issues Pursuant to C.R.S. Sections 24-6-402(4)(b) € and/or (f), if needed.

Executive Session was not needed at this time.

C. Other

None.

Public Comment

Mr. McCracken thanked the Board for changing the public comment format.

Mr. McCracken also noted that Mission Viejo will no longer be a part of Ward 6 and the District should expect more meetings on their side of town; the City is modifying the council member district boundaries to accommodate the population growth.

Mr. Miller noted that where the Piney Creek trail ends is going south, it will connect with another trail connecting the District to Inspiration.

Mr. Summers requested that the Board keep a 3rd well as a viable future water resource. Director Moore responded that it will be incorporated into the reserve study.

Director Moore gave an update on the town meeting from the previous night, including information on Red Tail Park construction and Xcel Energy's plans to place a transmission line adjacent to the existing one.

Next Regular Meeting

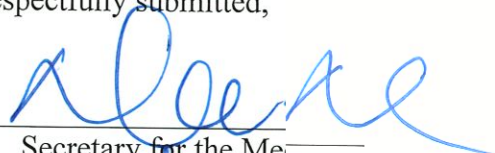
Confirm Quorum for the Next Special Board Meeting to be held Thursday, April 18th, 2019 at 10:00 a.m. at Fire Station 14, 22298 E. Aurora Parkway, Aurora CO 80016

The Board confirmed quorum for the April 18, 2019 Special Board meeting; noting that it is considered a "special" meeting simply due to the change in location from what was adopted in the annual administrative matters resolution.

Adjournment

Upon a motion duly made by Director Malone, seconded by Director Moore, the Board adjourned the meeting at 11:08 p.m.

Respectfully submitted,


Secretary for the Meeting