

**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
EAGLE BEND METROPOLITAN DISTRICT  
HELD  
April 18, 2019**

A special meeting of the Board of Directors of the Eagle Bend Metropolitan District was held on April 18, 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

The absence of Director Malone was excused.

Also in attendance were:

Denise Denslow & Jerel Sangster; CliftonLarsonAllen LLP (“CLA”)  
Casey Lekahal; White Bear Ankele Tanaka & Waldron (“WBA”)  
Mark Chambers; Simmons & Wheeler  
Tom Dea; Colorado Water Well  
Justin Korkus; LampRynearson

Roe Sherbert; Heritage Eagle Bend Master Association  
Steve Hungerford, Heritage Eagle Bend Master Association  
Rick Matteson, Heritage Eagle Bend Master Association  
Mike Coffman; Mayoral Candidate, City of Aurora

Call to Order

Director Moore called the meeting to order at 10:01 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.

Approval of  
Consent Items

- A. Agenda for April 18, 2019 Special Board Meeting
- B. Minutes from February 21, 2019 Special Board Meeting, March 15, 2019 Special Board Meeting, and March 21, 2019 Special Board Meeting
- C. Approval of March 2019 Claims

Upon a motion duly made by Director Rumlow, seconded by Director Arellano and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

Financial Items

- A. Review and Consider Approval of Unaudited Financial Statements Through March 31, 2019

Mr. Chambers reviewed the March 31, 2019 unaudited financial statements with the Board and attendees, noting that the 50/50 split between the General Fund and Water Fund has been converted to 60/40 per previous requests. Mr. Chambers added that a 2019 budget amendment will be necessary if the Rampart Water Line project moves forward. Mr. Chambers noted that water consumption charges have not been incurred to date.

Upon a motion duly made by Director Schippers, seconded by Director Rumlow and, upon vote, unanimously carried, the Board approved the March 31, 2019 unaudited financial statements, as presented.

- B. Other

None.

Water Operations

- A. Monthly Reports

Mr. Dea provided an update on monthly water reports to the Board, noting the south well has been activated, and that the Buchanan tap will be tested and primed for use next week. Director Arellano requested that Mr. Sherbert provide an update on pump station operations. Mr. Sherbert reported that the annual maintenance has been completed and emergency pumps and motors have been purchased.

- B. Other

The Board received the 90% design project estimation, which reflect an anticipated increase in the costs due mainly to electrical modifications. The 90% estimate is now projected to be \$2.4 million, from the 60% design cost of \$1.9 million. Directors Schippers and Moore met with the City of Aurora to discuss the potential of the City carrying a portion of the project costs; the meeting identified approximately \$200,000 of project costs potentially affiliated with City of Aurora

needs. Discussion followed regarding the process of bidding the project. The City would like to bid the project prior to the District determining if the project is to proceed. Mr. Lekahal stated that any modifications to the underlying IGA must be approved by the parties in writing.

Discussion followed regarding the timing of the bidding process and the potential amendment to the IGA. Director Schippers noted that the cost sharing aspect of the IGA, should a third party desire access to the water line in the future, does not address the soft costs associated with the project. Mr. Lekahal was directed to include this modification in the ensuing documentation with the City.

Attorney Lekahal noted that WBA will prepare an amendment to the agreement to reflect the changes to the cost sharing of soft costs, the contribution from the City of Aurora, and the change to the bidding/project kick off timing.

Director Arellano expressed that all updates and communications be shared with all Board members the same day they are received. Ms. Denslow confirmed that all updates will be reviewed for accuracy and clarification and then circulated to all Board members.

Director Schippers acknowledged candidate for Mayor, Mike Coffman who was in attendance.

Landscaping

A. Monthly Report

Director Arellano provided a landscaping update, noting that the grass has been cut and fertilized. The water is scheduled to be turned on April 19<sup>th</sup>.

Business  
Development

A. Other

Mr. Malone is out of town for the month of April, but Ms. Denslow reported that he did not have any updates for the Board.

Managers Items

A. Other

Ms. Denslow informed the Board that additional SDA safety grant funds have been received, in the amount of \$309.22, which will be allocated towards reimbursement for signal light installation.

Legal Items

- A. 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 need at this time.

- B. Other

None.

Public Comment

Mr. Coffman expressed that he is impressed with the expertise of the Board members and their contributions to their community.

Next Regular Meeting

Confirm Quorum for the Next Special Board Meeting to be held Thursday, May 16<sup>th</sup>, 2019 at 10:00 a.m. at Fire Station 14, 22298 E. Aurora Parkway, Aurora CO 80016

Director Moore requested that the Board consider changing the date of the next meeting. Following discussion, the Board agreed to meet Tuesday, May 14, 2019 at 5:00 p.m. at Fire Station 14.

The Board confirmed quorum for Tuesday, May 14, 2019 Special Board meeting; noting that it is considered a “special” meeting due to a change in date and the change in location from what was adopted in the annual administrative matters resolution.

Adjournment

Upon a motion duly made by Director Schippers, seconded by Director Moore, the Board adjourned the meeting at 11:14 a.m.

Respectfully submitted,

  
Secretary for the Meeting