

**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
EAGLE BEND METROPOLITAN DISTRICT  
HELD  
August 15, 2019**

A regular meeting of the Board of Directors of the Eagle Bend Metropolitan District was held on August 15, 2019 at 10:00 a.m. at Heritage Eagle Bend Golf Club, 23155 E Heritage Pkwy, Aurora, Colorado 80016. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Larry Moore  
George Arellano  
Ed Malone  
Will Schippers

Director Rumlow was absent

Also in attendance were:

Denise Denslow & Jerel Sangster; CliftonLarsonAllen LLP (“CLA”)  
George Rowley; White Bear Ankele Tanaka & Waldron (“WBA”)  
Justin Korkus; Lamp Rynearson  
Roe Sherbert; Heritage Eagle Bend Master Association  
Charlie Summers; Resident  
John McCracken; Resident

Call to Order

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

Declaration of  
Quorum / Director  
Qualifications /  
Disclosures of  
Conflicts

Mr. Rowley 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 August 15, 2019 Regular Board Meeting

Director Schippers requested that Accounting Services be added under Financial Items as item A.

Upon a motion duly made by Director Schippers, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the Consent Agenda as amended.

Financial Items

A. Accounting Services

Director Moore stated that he had reached out to Sue Blair with CRS in regards to providing accounting services for the District. Ms. Denslow also expressed that CLA would like to be considered for accounting services and would do so at the same price the District was previously paying to Simmons & Wheeler, which was noted approximately \$18,000 annually.

Director Schippers made a motion to approve CLA to take over accounting services in place of Simmons & Wheeler, Director Malone seconded.

Director Moore opened the floor for discussion. Director Arellano expressed the need to have checks and balances in place for quality control and transparency purposes.

Upon a motion duly made by Director Schippers, seconded by Director Malone and, upon vote, the Board approved CLA for accounting services in an amount not to exceed \$18,000 per year. Director Arellano voted nay.

Director Schippers inquired as to when a draft budget can be expected from CLA and noted the need to have the budget prepared at least one meeting before the public budget hearing. The Board deferred the setting of dates to later in the agenda.

B. Other

None.

Water Operations

A. Monthly Reports

Mr. Korkus gave a report on water operations to the Board, noting that in July the wells pumped 13.5 million gallons with 9.07 delivered from the south well and 4.43 from the north well. The ECCV line was not used to supply water the past month due to a valve change out. AmWest reprogrammed the communication software for the valve on August 1, 2019. Approximately 2.38 million gallons were delivered from the Buchanan Tap which ran for about 10 days up to July 19<sup>th</sup>. The backflow prevention device at the Buchanan Tap is scheduled to be fixed and tested for annual certification in August.

B. Other

None

Landscaping

A. Monthly Report

Mr. Rowley reported that legal has not heard back from the city regarding the relocation of the water line on Gartrell Rd. or Aurora Pkwy.

Business  
Development

A. Other

None

Managers Items

A. Discussion Regarding Reserve Study

This item was deferred to the next meeting.

B. Other

None.

Carollo Design  
Update

Director Moore summarized that the District received three bids ranging from \$3.3 million to \$3.8 million with the lowest bid coming from T. Lowell. Director Moore noted that these numbers were higher than the original estimates provided by the engineer due to electrical costs being higher than anticipated. After an executive session held by the Heritage Eagle Bend Master Association, the Association Board unanimously decided to move forward with the project at the special meeting Monday, August 11, 2019. The estimated completion date for the project is slated for March 31, 2020.

Director Arellano inquired if there was a penalty for not completing by March 31<sup>st</sup>. Ms. Denslow stated that she would look into the specifics with the city. Director Moore also noted that there is a contingency amount of \$250,000 in the existing bid.

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 needed at this time.

B. Review and Consider Consent to Bid Numbers for Water Line Construction

This item was discussed during the Carollo Design Update.

C. Other

None.

Public Comment

Mr. Summers asked if a public meeting has been set with HEB homeowner. Director Moore answered that there will be an open meeting for all residents within the District on August 29<sup>th</sup> in the Antero room. Mr. Summers also inquired to why the pump at Gun Club is being replaced. Mr. Sherbert explained that the pump had previously only been pumping water to Saddle Rock but is being replaced to accommodate Saddle Rock and Eagle Bend.

Mr. McCracken asked if there had been any updates on installing a left turn arrow eastbound on Gartrell Rd. & Aurora Pkwy, there were none.

Mr. Sherbert noted that all four of the lights above the signals at Heritage Pkwy & Gartrell Rd. are out.

Next Regular Meeting

Confirm Quorum for the Next Regular Board Meeting to be held Thursday, September 19<sup>th</sup>, 2019 at 10:00 a.m. at Heritage Eagle Bend Country Club, 23155 E. Heritage Pkwy, Aurora, CO 80016

The Board cancelled the regular September, October, November and December Board meetings.

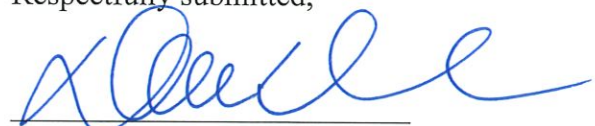
The Board scheduled a special meeting for a budget work session on Thursday, September 5<sup>th</sup>, 2019 at 10:00 a.m.

The Board also scheduled a special meeting for the budget hearing on Thursday, October 31<sup>st</sup>, 2019 at 10:00 a.m.

Adjournment

Upon a motion duly made by Director Malone, seconded by Director Moore, the Board adjourned at 11:15 a.m.

Respectfully submitted,



Secretary for the Meeting