

**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
EAGLE BEND METROPOLITAN DISTRICT  
HELD  
JUNE 29, 2021**

A special meeting of the Board of Directors of the Eagle Bend Metropolitan District (“District”) was held on June 29, 2021 at 1:00 p.m. at the Heritage Eagle Bend Clubhouse. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Larry Moore, President  
Will Schippers, Vice-President  
George Arellano, Treasurer  
Ed Malone, Secretary  
Doug Neves, Assistant Secretary

Also, In attendance Were:

Denise Denslow & Margret Henderson; CliftonLarsonAllen LLP  
 (“CLA”)  
George Rowley; White Bear Ankele Tanaka & Waldron (“WBA”)  
Justin Korkus; Lamp Rynearson  
Dave Burnett; Heritage Eagle Bend  
Jorge Estevez, Jean Porter, David Gnerich & Kevin Vogel;  
Creekside Eagle Bend

ADMINISTRATIVE  
MATTERS

**Call to Order, Quorum, Agenda:** Director Moore called the meeting to order at 1:00 p.m.

Upon a motion duly made by Director Schippers, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the agenda as amended to add Creekside Cost Sharing discussion after the Consent Agenda and to amend the amount on item VI B to \$13,501.22

**Disclosures of Potential Conflicts of Interest:** 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. Attorney Rowley stated that disclosures of potential conflicts of interest statements for all directors, which were provided to WBA, have been filed with the Secretary of State’s office prior to this meeting and that no additional conflicts were disclosed at the meeting.

**Introduction of Anthony Benes, Director of Agronomy, Heritage Eagle Bend:** Mr. Benes was not in attendance.

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

**Minutes for March 26, 2021 Special Meeting:**

**Claims:**

**Independent Contractor Agreement with Leonard Rice Water Engineers, Inc.:**

Following discussion and review, upon a motion duly made by Director Malone, seconded by Director Arellano and, upon vote, unanimously carried, the Board approved the Consent Agenda.

**CREEKSIDE COST SHARING**

**Discussion:** Mr. Estevez presented the detail of the project to the Board of Directors. He informed the group that the community engaged in a vote to determine the details of the project materials, with the majority confirming the use of a composite material. Mr. Estevez noted that the project entails nearly 2000 feet of fence replacement and the installation of a stone column that has always been missing.

Mr. Estevez also introduced the new Creekside Board President, Jean Porter, and indicated a letter of support for the project from the Board will be submitted with the final paperwork.

Ms. Denslow reported that the project had been advertised as a public bid and the contract will be finalized by Legal Counsel.

Director Moore reminded the Board that this Cost Sharing Project represents amounts for both 2020 and 2021.

**FINANCIAL MATTERS**

**Unaudited Financial Statements as of March 31, 2021:** Ms. Henderson reviewed the financial statements with the Board. She mentioned that the Capital Projects Fund has been zeroed out for 2021. Upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board accepted the unaudited financial statements as of March 31, 2021.

**2020 Audit:** Ms. Henderson reviewed the 2020 Audit with the Board noting that the field work has been completed and the auditor is issuing an unqualified opinion. One adjustment was made related to the timing of a water invoice. Following review, upon a motion duly made by Director Malone, seconded by Director Schippers and, upon vote, unanimously carried, the Board approved the 2020 Audit and directed CLA to file it.

**Other:** Director Schippers shared with the Board that he believes it is worth looking into the potential of refinancing the debt in 2022. Following discussion, it was determined that in April of 2022, the debt is callable. This item is to be further reviewed.

WATER OPERATIONS

**2021 Final Monthly Operations Reports March- April:** Director Moore acknowledged Mr. Korkus' employment with Leonard Rice Engineering, Inc. Mr. Korkus provided an overview of the reports provided to the Board in the meeting packet. Discussion followed regarding operational items. Mr. Korkus noted that he has been in communication with Mr. Benes and that the filters are checked every other week.

**North Well Pump Repair:** Mr. Korkus provided an update to the Board, noting that during the start-up of the north well, several maintenance items were revealed. Mr. Korkus has coordinated with Tom Dea with Colorado Water Well to get these items scheduled. He stated the repairs, including the repair/replacement hatch and the repair of the sump transducer will cost between \$5,000 and \$6,000. Following discussion, upon a motion duly made by Director Malone, seconded by Director Schippers and, upon vote, unanimously carried, the Board authorized the District Manager to engage Colorado Water Well through an Independent Contractor Agreement and make the noted repairs.

**Other:** Director Schippers informed the Board that the City of Aurora reduced the interest rate on the water line from 3.5% to 3%, resulting in a savings of approximately \$2,600 annually.

Mr. Burnett commented that Heritage Eagle Bend is happy with the irrigation water service provided by the District.

LANDSCAPE  
MAINTENANCE

**Monthly Report:** Director Arellano reported to the Board that the sails are up in the demonstration park and the median tree replacements have been completed. He noted that by working directly with the nursery, he was able to select healthier, larger trees.

**Tree Replacement on Aurora Parkway Totaling \$12,903.56:** Following review, upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board ratified the proposal with the adjusted price of \$13,501.22.

**Other:** None.

BUSINESS  
DEVELOPMENT

**Other:** Director Schippers distributed an article on the King's Point development to the Board.

The Board discussed a potential volleyball training facility in the vacated grocery building.

MANAGER MATTERS

**Other:** None.

LEGAL MATTERS

**Cost Sharing Resolution with Creekside Eagle Bend HOA:**

Attorney Rowley provided an overview of the Cost Sharing Resolution with the Board. Discussion followed regarding the project as presented by Mr. Estevez. It was determined that the resolution would need to be modified to include language about the timing of Creekside Eagle Bend's contribution to be made prior to project implementation, indemnification of Eagle Bend Metropolitan District, and Eagle Bend Metropolitan District's contribution not to exceed \$100,000 in total for the two years represented. Following discussion, upon a motion duly made by Director Schippers, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the resolution as modified and authorized the Board President to execute the Cost Sharing Resolution with Creekside Eagle Bend HOA.

Attorney Rowley noted he will have the documents completed in the following week. Mr. Estevez stated that construction would take place in September.

**Other:** Attorney Rowley provided an update on recent legislative matters.

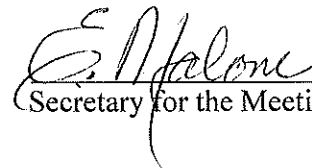
OTHER BUSINESS

**Other:** None.

ADJOURNMENT

Upon a motion duly made by Director Schippers, seconded by Director Malone and, upon vote, unanimously carried, the Board adjourned the meeting at 2:40 p.m.

Respectfully submitted,

  
Secretary for the Meeting