

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
MAY 10, 2024**

A special meeting of the Board of Directors of the Eagle Bend Metropolitan District (“District”) was held on May 10, 2024 at 9:00 a.m. at the Heritage Eagle Bend Clubhouse. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Will Schippers, President
Ed Malone, Vice President
Doug Neves, Treasurer
Debra Mascis, Secretary
Steve Hungerford, Assistant Secretary

Also, In attendance Were:

Denise Denslow, Margaret Henderson (for a portion of the meeting);
CliftonLarsonAllen LLP (“CLA”)
Heather Hartung, Esq.; White Bear Ankele Tanaka & Waldron, P.C.
 (“WBA”)

ADMINISTRATIVE
MATTERS

Call to Order: The meeting was called to order at 9:00 a.m.

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 Hartung 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.

Quorum, Location of Meeting and Meeting Notices: A quorum of the Board was confirmed. It was noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the District’s boundaries have been received.

Agenda: Following review, upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board approved the agenda, as presented.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Consent Agenda:

The Board considered the following items under the Consent Agenda:

- Minutes from the March 21, 2024 Regular Board Meeting

Upon a motion duly made by Director Malone, seconded by Director Hungerford and, upon vote, unanimously carried, the Board ratified, approved and/or accepted, as appropriate, the Consent Agenda.

ITEMS REMOVED
FROM CONSENT
AGENDA

Discussion and/or Move to Pertinent Agenda Area: No action taken.

Approval of Remaining Removed Items: No action taken.

FINANCIAL
MATTERS

Potential Investment Options: Director Schippers distributed an information sheet regarding investment pool alternatives within Colorado Trust Investment Pools. He noted that the three options including the Plus Pool, the Prime Pool, and the Edge Pool. Director Schippers then reviewed the information for each investment option, including the asset allocation, yields, and then the yields for US Treasuries. The District's funds are currently located in the Plus Pool, which has the highest yield, as well as a history that is either better or at the benchmark numbers. Ms. Henderson noted that she has done research for other districts who desired the potential use of CDs. She stated that the CDs are not as strong as pools with limited liquidity. She also informed the Board that CSAFE has been running lower than Colorado Trust. Discussion followed. Director Hungerford inquired about actions other districts take on this matter; Ms. Henderson responded that most districts decide to keep their funds in either Colorado Trust or CSAFE. Director Schippers also noted that Colorado Trust funds are solely funds based from Colorado municipal entities. Following review and discussion, upon a motion duly made by Director Malone, seconded by Director Hungerford and, upon vote, unanimously carried, the Board approved to continue to use Colorado Trust for the District's funds.

WATER MATTERS

EBMD Coordination with HEB and COA Regarding HEB's Planned New Irrigation System: Director Schippers provided information regarding discussions to date. One specific topic of discussion has been a secondary irrigation pond that currently is not being used. Director Schippers distributed a variety of maps showing the current route of the raw water pipeline, the District pipeline route, the current HEB irrigation system, and concept for a

pipeline extension. It was noted the preliminary discussions with the City have been positive. The pipeline extension would provide significant savings for HEB and help achieve the desired irrigation optimization for the golf course. Director Schippers informed the Board that the purpose of this agenda item was to provide an update and get consensus to continue discussions. No action was taken.

LANDSCAPING

Director Malone reported there is dead tree that will need to be removed. Ms. Denslow will follow up on this matter.

BUSINESS
DEVELOPMENT

None.

MANAGER MATTERS

None.

LEGAL MATTERS

License Agreement Between E-470 Public Highway Authority and the District from February 2011: Attorney Hartung provided an update. No action was taken.

Governor's Office of Information Technology Adoption of Permanent Rules, 8 CCR 1501-11, Rule Establishing Technology Accessibility Standards: Attorney Hartung briefed the Board on the memorandum that had been previously distributed to the Board. She outlined the requirements of the technology accessibility standards, noting that due to the date the District was formed, the Board could elect to discontinue the use of a website. She described the ways that the District currently uses the website for items such as meeting notices and election results. Discussion followed regarding practices related to historical documents and what items to retain on the website.

Continuation of District Maintaining a Website and Documents to be Included on the Website: The consensus of the Board was to continue the use of the District's website.

Website/Accessibility Vendor and Document Remediation Provider Options: Attorney Hartung stated that the resolution establishes CLA as the website accessibility vendor and the compliance officer.

Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer: Attorney Hartung recommended that the Board continue the use of the website and adopt the resolution. Following review, upon a motion duly made by Director Malone, seconded by Director Mascis and, upon vote, unanimously carried, the Board adopted the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer, appointed CLA as the Designated Compliance Officer and the Website

Accessibility Vendor and directed CLA to complete the compliance plan by the current required date of July 1, 2024.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made the Board adjourned the meeting at 10:30 a.m.

Respectfully submitted,

DocuSigned by:

Debra Mascis

Secretary for the Meeting

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Subject: Eagle Bend MD - Minutes 05-10-2024 (EBMD) - Execution Copy.pdf	
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Client Number: EB MD	
Source Envelope:	
Document Pages: 4	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Marlena Brzeska-Cloyd
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
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Debra Mascis
 dsmascis@gmail.com
 Security Level: Email, Account Authentication (None)

Signature

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 Viewed: 6/25/2024 7:31:51 AM
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 ID: 8c839b86-0096-4379-8fca-8fbafc0590e0

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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/24/2024 1:43:18 PM
Certified Delivered	Security Checked	6/25/2024 7:31:51 AM
Signing Complete	Security Checked	6/25/2024 7:36:07 AM
Completed	Security Checked	6/25/2024 7:36:07 AM

Payment Events	Status	Timestamps
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