

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
JANUARY 20, 2022**

A regular meeting of the Board of Directors of the Eagle Bend Metropolitan District (“District”) was held on January 20, 2022 at 10:00 a.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 and Margret Henderson; CliftonLarsonAllen LLP
 (“CLA”)
Heather Hartung; White Bear Ankele Tanaka and Waldron
 (“WBA”)
Jorge Estevez; Creekside
Dave Barnett; Heritage Eagle Bend

ADMINISTRATIVE
MATTERS

Call to Order, Quorum, Agenda: The meeting was called to order at 10:02 a.m.

Upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board approved the agenda, as amended to add website discussion under manager items, and calling of a special meeting under legal matters.

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.

PUBLIC COMMENT

None.

CONSENT ITEMS

Approval of Minutes for November 18, 2021

Claims

Cash position and Property Tax Schedule

The Board decided to remove Claims off of the Consent agenda for discussion. Following review, upon a motion duly made by Director Schippers, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the Minutes for November 18, 2021 and the Cash Position and Property Tax Schedule.

Other:

Creekside Update: Mr. Estevez presented an update on the Creekside fencing project at this point in the meeting. He reported that the schedule of the project was delayed due to supply chain issues, but that the final materials were received on January 9, 2022. Discussion followed regarding the process to release payment to the contractor. Following discussion, upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board approved the release of funds upon confirmation from Jorge and Director Arellano that the invoice represents the work completed. It was noted that retainage will be held for the column replacement work, and will be released upon confirmation of invoice and work completed.

FINANCIAL MATTERS

Claims: Ms. Henderson provided information to the Board on the duplicate payment to the City of Aurora. She explained that the District makes payments to the City through a portal, and that at the time the payment was due, BBVA Bank was transitioning accounts to PCN due to their merger. Ms. Henderson noted it was unknown which account the City would pull from. Both payments were processed, which puts the District in a credit position with the City for one month's payment.

Other: None.

WATER OPERATIONS

2021 Final Monthly Operations Reports October- December: Ms. Denslow distributed the reports to the Board and provided an update on the Buchanan Tap key. Director Schippers noted items in the report that need to be revised. Discussion followed regarding the pond.

Update on North Well Pump Repair: Ms. Denslow reported that the repairs are scheduled to be complete in February.

Other- Water Rates, Meeting Date for Review and Consider for Adoption 2022 Water Rates and 30-Day Notice of Intent to Fix or Increase Water Fees: Attorney Hartung briefed the Board on the noticing requirements and informed the Board that a special meeting will be called in March to consider a resolution to adopt the 2022 water rates. Discussion followed regarding the City of Aurora rate changes, which is from \$.44 to \$.46 for the wells and from \$2.19 to \$2.26 for the raw water line. Attorney Hartung also informed the Board that the 2022 resolution, as drafted, removes and reference to the calendar year so if future years' rates stay static, no notice would be required.

LANDSCAPE
MAINTENANCE

Monthly Report: Director Arellano presented a proposal form Keesen Landscaping for winter watering of the trees in the amount of \$1,840. Following review, upon a motion duly made by Director Schippers, seconded by Director Neves and, upon vote, unanimously carried, the Board approved the winter watering proposal in the amount of \$1,840.

Other: None.

BUSINESS
DEVELOPMENT

Other: Discussion regarding the private recreation center that will open this summer in the former Safeway space, and the Kings Point development Mr. Barnette offered to the Board a copy of the traffic study report that was released in the relation to the Kings Point Project. Ms. Denslow will distribute upon receipt.

MANAGER MATTERS

Update on Creekside Cost Sharing: This item was discussed during the consent agenda.

Other- Website Discussion: Ms. Denslow informed the Board that the current website provider is retiring and presented proposals for service for consideration. Director's Neves and Malone volunteered to work as a committee with CLA to review and rebuild the website.

LEGAL MATTERS

24-Hour Posting Location Resolution: Attorney Hartung briefed the Board on the content of the Resolution. Following review, upon a motion duly made by Director Malone, seconded by Director Schippers and, upon vote, unanimously carried, the Board approved of the 24-Hour Posting Location Resolution.

May 3, 3033 Election and Call for Nominations: Attorney Hartung informed the Board that the Call for Nominations will be published on February 3, 2022 and Self-Nomination forms are due

by 5pm on Friday, February 25, 2022. Write ins are permitted until February 28, 2022.

Other: The Board discussed the need for a special meeting in March. The Board determined that the special meeting will be held on March 3, 2022 at 10:00 a.m.

OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the meeting was adjourned at 11:45 a.m.

Respectfully submitted,


Secretary for the Meeting