

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
AUGUST 17, 2023**

A regular meeting of the Board of Directors of the Eagle Bend Metropolitan District (“District”) was held on August 17, 2023 at 10:00 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, Ashley Heidt, and Margaret Henderson;
CliftonLarsonAllen LLP (“CLA”)
Heather Hartung, Esq.; White Bear Ankele Tanaka & Waldron, P.C.
 (“WBA”)
Justin Korkus; LRE Water

ADMINISTRATIVE
MATTERS

Call to Order: Director Schippers called the meeting to order at 10:01 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: A quorum of the Board was confirmed.

Meeting Notice and Location of Meeting: 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 Neves, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the agenda, as presented.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

Removal of Consent Agenda Items: Following discussion, the Board requested the removal of the minutes from the May 2023, 2023 special Board meeting from the Consent Agenda.

Claims

**First Addendum to Independent Contractor Agreement for Dead Tree Removal:
Temporary Construction Easement and Permanent Public Use and Access Easement Agreement for Aurora Parkway and Irrigation Projects**

Following review, upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board approved, accepted and ratified the items on the Consent Agenda, as amended.

ITEMS REMOVED
FROM CONSENT
AGENDA

Minutes from the May 23, 2023 Special Board Meeting: Following discussion, the Board requested revisions to these minutes. Following review, upon a motion duly made by Director Neves, seconded by Director Malone and, upon vote, unanimously carried, the Board approved the minutes from the May 23, 2023 special Board meeting, as amended.

FINANCIAL
MATTERS

June 30, 2023 Unaudited Financial Statements: Ms. Henderson reviewed the June 30, 2023 Unaudited Financial Statements with the Board, noting that the City of Aurora is charging a higher rate for well water than what was agreed upon. Following discussion, upon a motion duly made by Director Malone, seconded by Director Hungerford and, upon vote, unanimously carried, the Board accepted the June 30, 2023 Unaudited Financial Statements.

WATER MATTERS

2023 Final Monthly Summary Reports for May and June: Mr. Korkus reviewed the final monthly summary report with the Board, noting that May and June were very wet months, so irrigation demand was very low. Mr. Korkus reported the well is emitting a chattering sound. Discussion ensued regarding the water levels in the well.

Ms. Denslow and Mr. Korkus will follow up with the City of Aurora regarding the excess charges for water usage.

Discussion ensued regarding water conservation grants. Director Schippers directed Mr. Korkus to provide a summary of potential grants at the next Board meeting.

District Coordination with Heritage Eagle Bend and City of Aurora regarding Heritage Eagle Bend's Planned New Irrigation System: Director Hungerford noted there has not been another in-person meeting with the City of Aurora since the drought plan was reversed. The raw water pipeline is now the primary source of water. Discussion ensued regarding potable and non-potable water usage. No action was taken.

LANDSCAPE
MAINTENANCE

Modifications to Park: Ms. Denslow noted that the mulch in the park could be replaced with the turf and that the crusher fines need to be replenished on the trail.

Director Schippers noted the sail posts are rusted and are an eye sore. Following discussion, upon a motion duly made by Director Malone, seconded by Director Mascis and, upon vote, unanimously carried, the Board directed staff to get bids to remove the posts.

The Board discussed replacing 16 benches with a composite material bench. Following discussion, upon a motion duly made by Director Malone, seconded by Director Neves and, upon vote, unanimously carried, the Board directed staff to get bids to replace the boards and bids for a complete replacement in an amount not to exceed \$25,000.00.

Director Malone noted he met with Kyle Gorman with Keesen Landscape Management, Inc. to look at the trees that need to be removed. He noted that Mr. Gorman stated the trees will be removed this fall.

BUSINESS
DEVELOPMENT

None.

MANAGER MATTERS

None.

LEGAL MATTERS

24-Hour Posting Resolution: Attorney Hartung reviewed the resolution with the Board, noting that this is reviewed at the first regular meeting of the year. Following discussion, upon a motion duly made by Director Mascis, seconded by Director Malone and, upon vote, unanimously carried, the Board adopted the 24-Hour Posting Resolution.

Quinquennial Report Filing: Attorney Hartung reported the Quinquennial Report was previously filed with the City and a response was not received. No action was taken.

Notification to Residents of Metropolitan District Homeowners' Rights Task Force: Attorney Hartung reported this notice will be added to the District's website until the end of the year or until the first meeting of the Metropolitan District Homeowners' Rights Task Force occurs. No action was taken.

Town Hall/Annual Meeting: Attorney Hartung reviewed the Town Hall / Annual Meeting for special districts with the Board, noting that the District is not required to hold such a meeting as they were established prior to 2000. She inquired if the Board would like to hold the meeting, even though they are not required. Following discussion, upon a motion duly made by Director Hungerford, seconded by Director Malone and, upon vote, unanimously carried, the Board determined not to hold a Town Hall / Annual Meeting.

ADJOURNMENT

There being no further business to come before the Board at this time and, upon a motion duly made by Director Hungerford, seconded by Director Malone and, upon vote, unanimously carried, the Board adjourned the meeting at 11:21 a.m.

Respectfully submitted,

DocuSigned by:
Debra Mascis
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Secretary for the Meeting

Certificate Of Completion

Envelope Id: 185FE65DC7D34AC39B57443255A59D47	Status: Completed
Subject: Complete with DocuSign: EBMD - Minutes & 2024 Admin Reso	
Client Name: Eagle Bend MD	
Client Number: A344614	
Source Envelope:	
Document Pages: 13	Signatures: 6
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Natalie Herschberg
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Natalie.Herschberg@claconnect.com
	IP Address: 73.153.120.72

Record Tracking

Status: Original	Holder: Natalie Herschberg	Location: DocuSign
12/6/2023 2:35:07 PM	Natalie.Herschberg@claconnect.com	

Signer Events

Debra Mascis
 ds mascis@gmail.com
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:


 3F960703B41B4E8...
 Signature Adoption: Pre-selected Style
 Using IP Address: 71.205.189.142
 Signed using mobile

Timestamp

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 Viewed: 12/6/2023 7:18:52 PM
 Signed: 12/6/2023 7:19:50 PM

Electronic Record and Signature Disclosure:
 Accepted: 9/8/2022 8:56:29 AM
 ID: 8c839b86-0096-4379-8fca-8fbafc0590e0


Heather Hartung
 hhartung@wbapc.com
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 111D3C811DB24A7...
 Signature Adoption: Pre-selected Style
 Using IP Address: 184.96.156.11

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 Signed: 12/6/2023 2:45:03 PM

Electronic Record and Signature Disclosure:
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 ID: 2d6173ab-a802-4ea1-b272-38467d2a43b8

Will Schippers
 will_wslc@msn.com
 President
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 BB5D3FF168D547D...
 Signature Adoption: Pre-selected Style
 Using IP Address: 108.147.176.83

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 Viewed: 12/6/2023 3:02:54 PM
 Signed: 12/6/2023 3:05:25 PM

Electronic Record and Signature Disclosure:
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 ID: 1c592db4-cae3-43c7-83aa-fe5afcbd6b61

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Records Team sdrecordsretention@claconnect.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 10/5/2023 9:27:44 AM ID: 2eeab7cf-9041-488d-bed0-8baedf289723	<div style="border: 2px solid blue; padding: 5px; display: inline-block;">COPIED</div>	Sent: 12/6/2023 2:38:07 PM Viewed: 12/12/2023 10:54:32 AM
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	12/6/2023 2:38:07 PM
Certified Delivered	Security Checked	12/6/2023 3:02:54 PM
Signing Complete	Security Checked	12/6/2023 3:05:25 PM
Completed	Security Checked	12/6/2023 7:19:50 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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