

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
OCTOBER 5, 2023**

A special meeting of the Board of Directors of the Eagle Bend Metropolitan District (“District”) was held on October 5, 2023 at 4:00 p.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”)
Larry Moore; Resident

ADMINISTRATIVE
MATTERS

Call to Order: The meeting was called to order at 4:01 p.m.

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.

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.

Agenda: Following review, upon a motion duly made by Director Hungerford, seconded by Director Mascis and, upon vote,

unanimously carried, the Board approved the agenda, as amended, by adding a discussion on proposals received relating to removal of trees, metal posts and trash cans as well as restoring benches.

PUBLIC COMMENT

There were no comments from the public.

2024 DRAFT BUDGET

Ms. Henderson presented the draft 2024 budget to the Board. She noted the enclosed budget is based on if Proposition HH does not pass. Discussion ensued regarding Proposition HH and the mill levy.

Ms. Henderson reported to the Board that it is anticipated that the City of Aurora will increase water rates for 2024. Following discussion, the Board directed Ms. Henderson to increase the District's water fees by 5% for 2024 on the draft budget. It was noted that the 30-days' notice of intent to fix fees was posted on the District's website and the Board will consider approving the 2024 fees at the November 16, 2023 meeting.

OTHER BUSINESS

Keesen Landscape Management, Inc. Proposal for Tree Removal in Medians in the amount of \$9,625.00: Ms. Denslow and Director Schippers reviewed the proposal with the Board. The Board deferred action.

Monroy Concrete and Masonry, LLC Proposal for the Removal of Metal Posts, Restoration of 11 Benches, Removal of Trash Cans and Removal of Trees in the amount of \$23,230.00: Ms. Denslow and Director Schippers reviewed. Discussion ensued.

Following review and discussion, upon a motion duly made by Director Mascis, seconded by Director Hungerford and, upon vote, unanimously carried, the Board approved the Monroy Concrete and Masonry, LLC Proposal for the Removal of Metal Posts, Restoration of 11 Benches (option A), Removal of Trash Cans and Removal of Trees in the amount of \$23,230.00.

EXECUTIVE SESSION

Upon a motion duly made by Director Malone, seconded by Director Neves, the Board entered into executive session at 5:41 p.m. for the purpose of receiving legal advice pursuant to Section 24-6-402(4)(b), Colorado Revised Statutes as it relates to the District's 2024 Budget.

Upon a motion duly made by Director Hungerford, seconded by Director Malone, the Board exited from executive session at 6:16 p.m.

No action was taken.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Mascis adjourned the meeting at 6:17 p.m.

Respectfully submitted,

DocuSigned by:
Debra Mascis
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Secretary for the Meeting

ATTORNEY STATEMENT

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Eagle Bend Metropolitan District, I attended the executive session meeting Eagle Bend Metropolitan District convened at 5:41pm on October 5, 2023 for the purpose of receiving legal advice relating to the 2024 Budget as authorized by §24-6-402(4)(b) and (e), C.R.S. . I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

DocuSigned by:
Heather Hartung
111D3C811DB24A7...

Heather L. Hartung, Esq.

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:
Enveloped 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 12/6/2023 2:35:07 PM	Holder: Natalie Herschberg Natalie.Herschberg@claconnect.com	Location: DocuSign
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Signer Events

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

Signature

DocuSigned by:
Debra Mascis
3F960703B41B4E8...

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

Timestamp

Sent: 12/6/2023 2:38:06 PM
Viewed: 12/6/2023 7:18:52 PM
Signed: 12/6/2023 7:19:50 PM

Electronic Record and Signature Disclosure:

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ID: 8c839b86-0096-4379-8fca-8fbafc0590e0

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

DocuSigned by:
Heather Hartung
111D3C811DB24A7...

Signature Adoption: Pre-selected Style
Using IP Address: 184.96.156.11

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Electronic Record and Signature Disclosure:

Accepted: 12/6/2023 2:44:44 PM
ID: 2d6173ab-a802-4ea1-b272-38467d2a43b8

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

DocuSigned by:
Will Schippers
BB5D3FF168D547D...

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

Sent: 12/6/2023 2:38:07 PM
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
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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	COPIED	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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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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