

**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*  
3F960763B41B4E8...  
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**

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:**

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

Sent: 12/6/2023 2:38:06 PM  
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 Signed: 12/6/2023 2:45:03 PM

**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:  
  
 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:**

Accepted: 7/17/2022 9:42:35 AM  
 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<br>sdrecordsretention@claconnect.com<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Accepted: 10/5/2023 9:27:44 AM<br>ID: 2eeab7cf-9041-488d-bed0-8baedf289723 | <div style="border: 2px solid blue; padding: 5px; display: inline-block;"><b>COPIED</b></div> | Sent: 12/6/2023 2:38:07 PM<br>Viewed: 12/12/2023 10:54:32 AM |
|---|---|--|

| 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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