

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
EAGLE BEND METROPOLITAN DISTRICT
HELD
MARCH 3, 2023**

A special meeting of the Board of Directors of the Eagle Bend Metropolitan District (“District”) was held on March 3, 2023 at 11:00 a.m. at the Heritage Eagle Bend Clubhouse. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Will Schippers, President
Doug Neves, Treasurer
Debra Mascis, Secretary
Steve Hungerford, Assistant Secretary (via Teams)

Director Malone was absent and excused.

Also, In attendance Were:

Denise Denslow, Ashley Heidt, and Margaret Henderson;
CliftonLarsonAllen LLP (“CLA”)
Heather Hartung; White Bear Ankele Tanaka and Waldron
 (“WBA”)
Jorge Estevez; Creekside
Justin Korkus; LRE Water
There were several members of the public in attendance.

ADMINISTRATIVE
MATTERS

Call to Order: Director Schippers called the meeting to order at 11:05 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.

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

Upon a motion duly made by Director Mascis, seconded by Director Neves and, upon vote, unanimously carried, the Board excused Director Malone's absence.

PUBLIC COMMENT

There were no comments from the public.

ECHELON
DISCUSSION

Echelon at Eagle Bend Project and City of Aurora Planning Commission Meeting: Homeowner, Harry Brust, introduced himself and spoke on his opposition of the Echelon project and addressed his two main concerns of the height and style of the project.

Director Schippers gave a presentation on the District's boundaries and the taxation history of the District. He also reviewed the District's letter to the city regarding the project. Director Neves noted that the intent of the letter was to support the residents and the District, as a whole, while still being cautious that the District did not overstep. Director Hungerford noted that he is in full support of opposition of the project.

Following discussion and review, upon a motion duly made by Director Hungerford, seconded by Director Neves and, upon vote, unanimously carried, the Board ratified approval of the letter submitted to the City of Aurora.

Director Schippers noted that the Board has an opportunity to speak at the City of Aurora Planning Commission meeting on March 8th. Following discussion, upon a motion duly made by Director Mascis, seconded by Director Neves and, upon vote, unanimously carried, the Board authorized Director Schippers to speak on behalf of the District at the Planning Commission meeting.

Homeowner James Folk asked if the Board does decide to speak at the Planning Commission meeting, that he also has 9 speakers lined up to speak at the meeting. He asked if it would be okay to reference the Board's decision and Letter to the City during their presentation.

CONSENT AGENDA

Claims
December 31, 2022 Financial Statements, Cash Position, and Property Tax Schedule
Minutes from the November 17, 2022 Regular Board Meeting
2022 Annual Report
Quinquennial Report

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

FINANCIAL
MATTERS

Status of 2022 Audit and Audit Engagement Letter: Ms. Henderson reviewed and noted there was a decrease in fees this year. She noted that the work will start in April and the Audit is on track to be filed the end of July.

Other: Director Schippers noted that the District has historically been a part of the Chamber of Commerce of Aurora and asked if the Board wanted to continue to be a member. Following discussion, the Board decided to not make a payment to be a member of the Chamber of Commerce of Aurora for 2023.

WATER OPERATIONS

Summary Reports: Mr. Korkus reviewed the October and November reports with the Board. He noted they had the highest water usage during these months than the District has had in the past 5 years. Mr. Korkus also noted that the wells are continuing to recover.

2023 Operation and Maintenance Updates: Mr. Korkus provided an update noting that they will be using a lower ET rate this year. He also touched on the stage 1 water reduction issued by the City of Aurora.

Cooperation with Heritage Eagle Bend HOA for New Irrigation System: Director Schippers reviewed the District's use of water. Homeowner Harry Burst asked about the water usage in the tree medians and if that could be reduced. Following discussion, upon a motion duly made by Director Mascis, seconded by Director Neves and, upon vote, unanimously carried, the Board authorized Director Schippers and Director Hungerford to begin discussions with Heritage Eagle Bend HOA.

Mr. Korkus also noted there are grants for water use and water conservations.

LANDSCAPE
MAINTENANCE

Keesen Proposal to Remove Pine Trees in the Amount of \$1,325: Ms. Denslow reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director Neves, seconded by Director Mascis and, upon vote, unanimously carried, the Board approved the removal of Pine Trees in the amount of \$1,325.00.

BUSINESS
DEVELOPMENT

Other: None.

MANAGER MATTERS

Other: None.

LEGAL MATTERS

Keesen Landscape Management Construction Agreement- Creekside HOA Project No. 1: Attorney Hartung reviewed the Agreement with the Board. Following review, upon a motion duly made by Director Mascis, seconded by Director Neves and, upon vote, unanimously carried, the Board approved the Keesen Landscape Management Construction Agreement- Creekside HOA Project No. 1, as presented.

Keesen Landscape Management Construction Agreement- Creekside HOA Project No. 2: Attorney Hartung reviewed the Agreement with the Board. Following review, upon a motion duly made by Director Mascis, seconded by Director Neves and, upon vote, unanimously carried, the Board approved the Keesen Landscape Management Construction Agreement- Creekside HOA Project No. 2, as presented.

Temporary Easement Agreement with Creekside HOA: Attorney Hartung reviewed the agreement with the Board. Following review, upon a motion duly made by Director Neves, seconded by Director Mascis and, upon vote, unanimously carried, the Board approved the Temporary Easement Agreement with Creekside HOA, subject to final legal review.

May 2, 2023 Election: Attorney Hartung informed the Board that the May 2, 2023 Regular Election has been canceled because the District did not receive more self-nominations than seats available. Directors Hungerford and Neves will be re-appointed with terms commencing following the May 2, 2023 election date.

OTHER BUSINESS

October 12, 2023 Budget Workshop: It was noted that October 12, 2023 no longer worked for a couple of Board members. Following discussion, upon a motion duly made by Director Mascis, seconded by Director Neves and, upon vote, unanimously carried, the Board approved moving the Budget Workshop to October 5th at 10:00 a.m.

Other: Mr. Estevez from the Creekside HOA thanked the Board for their assistance with Projects one and two. He noted there are two more projects, three and four, that still need approval prior to planting season. Following discussion, upon a motion duly made by Director Neves, seconded by Director Mascis and, upon vote, unanimously carried, the Board appointed Directors Neves and Mascis to work with Creekside HOA on Project three and four.

ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Director Schippers, seconded by Director Neves and, upon vote, unanimously carried, the meeting was adjourned at 12:20 p.m.

Respectfully submitted,

DocuSigned by:
Debra Mascis
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Secretary for the Meeting