

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

EAST BEND METROPOLITAN DISTRICT

Held: December 9, 2023 at 2:30 p.m.
Meeting held via videoconference.

Attendance

The special meeting of the Board of Directors of the East Bend Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Jeffrey Kutzer
Nicole Manning
Michelle Hart

Absent: None.

Also in attendance were Jeffrey E. Erb, Esq. Erb Law, LLC; Brittany Barnett and Traci McDonald, Timberline District Consulting, LLC; Nancy Bach, CliftonLarsonAllen, LLP; Taylor Forsyth and members of the public.

Call to Order/Declaration of Quorum

A quorum of the Board was present and the Directors confirmed their continuing qualification to serve. The meeting was called to order at 2:43 p.m.

Disclosure Matters

Conflict of interest disclosures were filed at least 72-hours prior to the meeting. No additional conflicts of interest were disclosed.

Confirm Posting of Notice and Approval of the Agenda

The meeting notice and agenda was posted no less than 24-hours prior to the meeting on the District's website.

Upon motion made, seconded and unanimously carried, the agenda was approved as presented.

Public Comment

There was no public comment.

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Administrative Matters

Mr. Erb updated the Board on the appointment process that was completed by the County of Aurora.

Mr. Erb presented the Board with the 2025 Annual Administrative resolution for approval. The Board discussed the regular meeting schedule for 2025 and agreed on the second Monday of March, June, September, and November at 2:30 p.m. The Board then discussed officer positions and determined to have Director Hart as the President, Director Manning as the Treasurer and Director Kutzer as an assistant secretary.

Upon motion made, seconded and unanimously carried, the 2025 Annual Administrative Resolution was approved as revised.

Consent Agenda

The Board reviewed the consent agenda, which included approval of the minutes of the May 15, 2024 meeting and ratification of actions taken in 2024 by the Board. Upon motion made, seconded and unanimously carried, the consent agenda items were approved.

Financial Matters

The Board reviewed the claims payable through December 2024. Upon motion made, seconded and unanimously carried, the claims payable presented were approved and ratified.

The Board reviewed the financial report through September 2024. Upon motion made, seconded and unanimously carried, the financial report was accepted as presented.

The Board reviewed the 2024 amended budget and budget amendment resolution.

The public hearing on the 2024 Amended Budget was opened at 3:12 p.m. There being no public comment, the 2024 Amended Budget hearing was closed at 3:13 p.m.

Upon motion made, seconded and unanimously carried, the Board approved the Resolution re Adoption of 2024 Amended Budget.

The Board reviewed the proposed 2025 budget, including final assessed valuations, the general fund, debt service fund, and the payments to the Aurora Regional Transportation Authority. The

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Board also discussed the need to fund the district's website, pest control, and covenant control.

The public hearing on the 2025 Budget was opened at 3:28 p.m. Public comment was made regarding the method to contact street sweepers. There being no further public comment, the 2025 Budget hearing was closed at 3:30 p.m.

Upon motion made, seconded and unanimously carried, the Board approved the Resolution re Adoption of 2025 Budget, Appropriation of Funds and Certification of the Mill Levy.

The Board reviewed the statutory requirements for the District's audit and considered the engagement of Haynie & Co. as the District's auditor. Upon motion made, seconded and unanimously carried, the Board approved the engagement of Haynie & Co. as the District's auditor.

The Board then considered the approval of CliftonLarsonAllen's Statement of Work. Upon motion made, seconded and unanimously carried, the Board approved CliftonLarsonAllen's Statement of Work.

Legal Matters

Mr. Erb presented the 2025 Election resolution to the Board and informed the Board of the need for the 2025 Director Election. Upon motion made, seconded and unanimously carried, the Board approved the 2025 Election resolution.

The Board discussed the withdrawal of letter of interest from Melanie Foster. The Board then considered the appointment of Taylor Forsyth to the Board. Upon motion made, seconded and unanimously carried, the Board appointed Taylor Forsyth to the Board.

Community Management /Covenant Violations

The Board reviewed the Manager's Report regarding covenant violations, including delinquent accounts. The Board then discussed District Landscaping and the payment from Richmond Homes for sod damage due to drain issues. The Board discussed future landscape improvements, including native grasses, erosion control, and additional mulch. There was discussion regarding IDES needing additional information from Richmond Homes for tract acceptances.

Other Business

There was no other business.

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Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 4:07 p.m.

Secretary for the Meeting

DRAFT