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# RECORD OF PROCEEDINGS

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**Minutes of the Regular Meeting  
Of the Board of Directors of  
Cordillera Valley Club Metropolitan District  
April 20, 2010**

The Meeting of the Board of Directors of the Cordillera Valley Club Metropolitan District, Eagle County, Colorado, was held April 20, 2010 at 8:30 a.m., at the 9 Iron Grill at 0101 Legends Drive, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado. The Board met in joint session with the members of the Board of the Cordillera Valley Club Property Owners Association.

**Attendance**            The following Directors were present and acting:

- Brian Judge
- Rick Pirog
- Emilie Egan
- Jay Morten
- John O'Brien

Also in attendance were:

- Cordillera Valley Club POA  
Wally Carey  
Tom Marcin (By Telephone)  
Carolyn McDevitt (By Telephone)
- Robertson & Marchetti, P.C.  
Ken Marchetti & Cheri Curtis
- Operations & Security Personnel  
Dan Carlson & Rick Adams

**Call to Order**            The Meeting of the Board of Directors of Cordillera Valley Club Metropolitan District was called to order by Mr. Pirog, noting a quorum was present.

**Potential Conflicts  
Of Interest**            Mr. Judge reported that he is the owner of VAg, Inc., an architectural and land planning firm, and other related entities, and these entities provide services to the District such as landscape and berm design, master planning, project oversight, construction management and the management of the POA governed Design Review Board. VAg's provision of these services to the District and to the Cordillera Valley Club Property Owners Association could constitute a potential conflict of interest. The Board noted, for the record, that this disclosure is restated at this time with the intent of fully complying with laws pertaining to potential conflicts.

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**Conference Call**      The log of public participation in the meeting for those participating in person and by phone is as follows:

### Public Participation Log

Meeting Date	In Person	By Phone
01/14/10	0	0
02/18/10	0	0
03/16/10	2	0
04/20/10	0	0

**Agenda**                      Mr. Carey added community sales to the agenda and Mr. O'Brien added the Social Committee.

**Minutes**                      The Board reviewed the Meeting Minutes of March 16, 2010. Mr. O'Brien questioned the added account payable expense for Henry Brothers and Mr. Adams stated it was for the security system upgrade as per the proposal. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Meeting Minutes of March 16, 2010 as presented.

The Board also reviewed the Meeting Minutes of the March 30, 2010 Special Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Meeting Minutes of March 30, 2010 as presented.

**Upcoming Meetings**                      The Board reviewed the schedule for the upcoming 2010 meetings. The May meeting was moved to May 11, 2010 at 8:30 a.m.

**Public Input**                      There was no public present.

**ERWSD**                              The Board questioned the status of the request from ERWSD to amend the PUD for the construction of sewer facilities. Mr. Judge stated the property in question currently has buildings which are being used as Eagle County

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facilities. The Board discussed the need to protect CVC by monitoring the process for the PUD Amendment and ensuring that ERWSD completes the plan as they presented it to the Board. Mr. O'Brien stated CVC has legal rights and the Board needs to determine what those rights are and protect them. Mr. O'Brien also suggested developing a budget for the process by obtaining bids for services. Mr. Judge suggested that the engineering costs incurred to date related to the ERWSD parcel should be charged to ERWSD. Mr. Marcin estimates the cost to complete the PUD mapping will be an additional \$2,000. Prior to additional services being rendered for the PUD Amendment process over and above this amount, the Board will obtain legal, engineering, and architectural bids to develop a budget for the process.

### **Water Tank Project**

The Boards discussed the status of negotiations with UERWA for access to CVC's roads to be used for construction of the water tank. The Board has not received a response from UERWA responding to the letter that was sent by Greg Perkins on behalf of CVCPOA. Mr. Pirog suggested sending a follow-up letter explaining CVC's process to determine the road impact costs. Mr. O'Brien stated the Boards should use the same process with ERWSD for the PUD Amendment.

The Board discussed having Mr. Dalton contact Mr. Collins to get information on UERWA's process including the discussions with the Forest Service. If the event UERWA proceeds with litigation, the Board discussed possible litigation attorneys.

The Board called Mr. Greg Perkins at 9: 45 a.m. Mr. Perkins reported Teryl Gorrell has been hired by UERWA to litigate the case if the issues cannot be resolved. A response from UERWA is expected later this week.

Mr. Perkins has met with the Club's attorney to complete the Turn-Over agreement with Cordillera Valley Club Investor's Partnership. Mr. Judge suggested the map being developed by Marcin Engineering be included in the agreement between the Association and Cordillera Valley Club Investor's Partnership. The front gate property will be conveyed to CVC in the agreement. The road at the west entrance will also be conveyed to CVC but may require additional platting since it is currently an easement and not a separately platted tract.

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### **Proposed Capital Budget**

Mr. O'Brien distributed an updated Capital Budget. The lack of security on the west gate is a priority and will be addressed. The Board reviewed the list and recommendations.

Ms. McDevitt left the meeting at 10:30 a.m.

The Board discussed the sound mitigation wall and the ability to build the project using a new, less expensive construction technique which will also permit the use of less expensive materials. The landscaping can also be rebid. The ability to spend bond money in an easement versus on land owned in fee interest remains a question. By motion duly made and seconded it was, with Directors Pirog, Egan, O'Brien and Morten in favor and with Director Judge abstaining,

**RESOLVED** to authorized up to \$10,000 for VAg, Inc to update the berm plans to reflect the new concept for the sound mitigation wall and the fence. A presentation of the plans will be made to the Board with preliminary bids for earthwork, the sound mitigation wall, and landscaping. VAg will obtain an opinion from a structural engineer on the new sound mitigation wall.

The Board approved allowing Mr. Carlson to contract for the construction of the rock walls on Fall Creek and the West Gate Terrace. The Board directed Mr. Carlson to work with Ms. Lord-Johnson and Mr. Benedickt to get the proposed streetlights installed.

The Board directed Mr. Marchetti to look into issuing up to \$800,000 in bonds to cover the cost of the projects presented. The Board agreed that securing the west end gate to prevent unauthorized entrance was a high priority. The Board authorized a committee consisting of Messers. Judge, O'Brien, Adams and Carlson to develop a plan to secure the west gate with the plan including fencing, installation of a dual gate system, extending the median, and adding call boxes for an installation cost not to exceed \$60,000. Implementation of the plan is contingent on issuance of bonds to obtain funding for the project.

The committee will provide financial information to the Board within the next two weeks to allow the Board to decide on the best option.

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**Financial Report**      The March 31, 2010 financial reports were included in the Board packets.

**Accounts  
Payable**

The Board reviewed the accounts payable listing. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the accounts payable list as presented.

Mr. O'Brien questioned why the decision to receive bids before authorizing work was not being followed and why costs were coming in higher than authorized by the Board.

**Operations**

Mr. Carlson had the Christmas lights removed. The roads have been swept and crack sealing completed. Garden Creations will start with the landscaping in early May.

Ms. Egan questioned why the cracks on Sanctuary Lane were not sealed and Mr. Carlson agreed to look into it. Mr. Judge requested the shrubbery near the gate house be trimmed. Mr. Carlson is obtaining a bid from Mountain Maintenance for seal coating and painting warning line on the speed bumps. The Board requested a reduction in the bid price from last year. Mr. Carlson has been staining the signage and cleaning up road trash.

**Security**

Mr. Adams explained the call for excessive noise on Sanctuary Lane that was reported on the incident report. Additionally he reported that there are more coyotes, lions, and bobcats in the area this year because of the deer and elk which are attracted to the golf course.

The Board discussed the gatehouse attendant getting a tee time sheet from the Club to know who will be entering CVC. The Board also discussed getting a list of projects from DRB to the gate personnel so there is no unauthorized entrance into CVC. Mr. Adams will send the Gatehouse Post Orders for the Board to review.

**Security  
Agreement**

The 2010 agreement that was originally drafted by Matt Dalton is included in the Board packet. The Exhibit A is updated to reflect the 2010 budgeted amount. Mr. Judge requested that "in whole and part to terminate the contract" be added. By motion duly made and seconded it was unanimously

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**RESOLVED** to approve the 2010 Security Agreement as revised.

The Board will provide Lonestar Security with a standing gate order on who should be authorized to enter the District. Anyone not on the list will have to contact Stephanie Lord-Johnson.

**Ballot Issues**

The Board reviewed information on the Ballot Issues for the November election. It was agreed to post the information on the website and include it on the agenda for the member meeting in July.

**Adjournment**

There being no further business to come before the Board at this time, upon motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the meeting of the Cordillera Valley Club Metropolitan District Board of Directors this 20th day of April 2010.

Respectfully submitted,



Cheri Curtis  
Secretary for the Meeting