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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 Property Owners Association  
April 19, 2011**

A Meeting of the Board of Directors of the Cordillera Valley Club Property Owners Association, Eagle County, Colorado, was held April 19, 2011 at 5:30 p.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.

**Attendance**

The following Directors were present and acting:

- Tim Benedickt
- Tom Marcin
- Bob Engleby
- Kent Myers

The following Director was absent and excused:

- Art Greenfeder

Also in attendance were:

- Cordillera Valley Club Metropolitan District  
Rick Pirog
- Operations  
Todd DeJong & Ron Delp
- Cordillera Metropolitan District  
Joe Wilson
- Mauriello Planning Group  
Allison Kent
- Robertson & Marchetti, P.C.  
Ken Marchetti & Cheri Curtis
- Others  
Chris Hynes  
Bart Barnett  
Jay Morten  
Ted Leach  
Steve McKeever  
Heather Hutto  
Sarah Baker  
John Messervey  
Frank Navarro (By Telephone)

**Call to Order**

The Meeting of the Board of Directors of Cordillera Valley Club Property Owners Association was called to order by Mr. Benedickt, noting a quorum was present.

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### **Potential Conflicts Of Interest**

Mr. Marcin reported that he is the principal owner of Marcin Engineering, LLC which provides engineering services to Cordillera Valley Club Metropolitan District and/or Cordillera Valley Club Property Owners Association. The Board noted that Mr. Marcin may participate in discussions related to services his firm may provides to CVC and may vote in such matters, in compliance with his duties to the Association.

Mr. Myers reported that he is the owner of Airplanners, LLC, a consulting firm that provides services to Eagle Air Alliance. Cordillera Metropolitan District and Cordillera Property Owners Association have provided funding to Eagle Air Alliance and Mr. Myers works directly with Joe Wilson. The Board noted that Mr. Myers may participate in discussions related to services his firm may provide to CVC and may vote in such matters, in compliance with his duties to the Association.

The Board noted, for the record, that these disclosures are being made at this time with the intent of fully complying with laws pertaining to potential conflicts of interest.

### **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
01/18/11	7	3
02/15/11	4	1
03/15/11	10	1
04/19/11	8	1

### **Agenda**

Joe Wilson was added to the agenda to update the Board on upcoming social functions. The DRB report was also moved up on the agenda

### **Public Input**

Mr. Pirog suggested scheduling a function at the pool for a community get together on Memorial Day weekend. Mr. Barnett recommending the Board discuss the function with the Club at Cordillera owners. Mr.

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Benedickt suggested the POA budget for community functions in the future.

### **Minutes**

The Board reviewed the meeting minutes of the March 15, 2011 meeting. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the meeting minutes of the March 15, 2011 Meeting with revisions.

### **DRB**

Ms. Kent reviewed the DRB report with the Board. Ms. Kent presented proposals from Rocky Mountain Reprographics and Marcin Engineering to convert hard copies of project files to electronic files. Ms. Kent requested the Board approve up to \$2,700 for the project. It was noted the Board had budgeted \$1,200 for storage and the remaining budget could be used for the file conversion project. Upon motion duly made and seconded it was

**RESOLVED** to increase the budget by \$1,500 for the storage/converting the documents to electronic version. The Board further

**RESOLVED** to engage Rocky Mtn Reprographics to convert the DRB files to electronic files. Mr. Marcin abstained from voting.

### **Marketing / Social Events**

Mr. Wilson provided the first quarter marketing report to the Board. A community-wide open house is scheduled for July 9, 2011

During the middle of May, a work session will be scheduled to review survey information with the CVCMD and POA Board of Directors.

In an attempt to “rehabilitate” the Community, Cordillera Metropolitan District is scheduling several social events. Cordillera Valley Club residents are invited to attend all functions. A meeting to discuss business items followed by a social hour is scheduled for June 28, 2011.

### **Agenda Comments**

Mr. Leach reported with separating the meetings the public has listened to the same reports twice and he preferred the joint meetings.

### **Accounts Payable**

Mr. Marchetti reviewed the list of accounts payable included in the Board packet. Upon motion duly made and seconded it was

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**RESOLVED** to approve the items on the accounts payable list with the exception of the VAg invoices to be discussed separately.

It was noted the Board terminated the services provided by VAg, Inc. in November, 2010. After discussion and upon motion duly made and seconded it was further

**RESOLVED** to pay VAg, Inc invoices through Nov 15, 2010 plus storage of documents through January, 2011. One check will be presented with a legal waiver indicating the account is paid in full upon acceptance of the payment.

### **Written Reports**

Mr. Marchetti presented a concept to require committees or contractors requesting time on the meeting agenda to provide a written report to be distributed in advance with the packets and which specifies the board action that is being requested. Upon motion duly made and seconded it was unanimously

**RESOLVED** to adopt a policy requiring that anyone requesting time on the Board meeting agenda submit a written report on the topic they would like to present to be distributed in advance with the Board packet. The report should specify the action, if any, the Board is being requested to take.

### **Public Safety**

Mr. DeJong met with the DRB to discuss covenant enforcement items. Mauriello Planning Group is updating the DRB Guidelines. After the DRB Guidelines are defined, the Community Rules and Regulations will be updated. LoneStar personnel will be attending DRB meetings to obtain information on the items being addressed by the DRB.

Mr. DeJong reported the CVCMD Board of Directors approved \$1,800 for the purchase of RFID cards. The POA Board was asked to determine whether property owners should pay for RFID cards. It was agreed the decision to charge for RFID cards should be addressed at the committee level.

Mr. DeJong discussed working with DRB to clean up covenant enforcement procedures.

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### **Amendment To Covenants**

Mr. Hynes questioned the status of the proxy that was mailed to all property owners. Ms. Curtis reported eighteen proxies have been received to date from the second mailing. Mr. Hynes questioned the process to call a meeting and Ms. Baker explained the anticipated process.

### **Legal Representation**

Mr. Benedickt had approached Greg Perkins for clarification on the Amendment to the Covenants and what rights the POA has if the Club owner challenges the Amendment. Mr. Marchetti noted the Association has worked with Greg Perkins as legal counsel for many years and Mr. Perkins had been employed by Sherman & Howard but he is now on his own. A new engagement letter is required since Mr. Perkins is no longer with Sherman and Howard. The engagement letter that has been submitted permits cancellation of the engagement at any time. Upon motion duly made and seconded it was

**RESOLVED** to engage the services of Greg Perkins to provide legal representation. All directors voted aye except Mr. Marcin who abstained.

### **PUD Amendment**

Mauriello Planning Group is working on a PUD amendment to clarify the original PUD submitted by the Developer. They will provide a report defining the amendment. No Board action is required at this time.

### **Club Update**

Mr. Engleby reported the Club Board of Governors met today and the Club has trimmed the 2011 budget.

### **Berm Update**

Mr. Engleby and Mr. Marcin have met with the Club owners regarding the berm. Wilhelm Family Partnership has indicated they are interested in building the berm on their property using available dirt from area construction projects like the medical center and the Avon bus facility. Mr. Engleby suggested passing a motion to authorize up to \$10,000 to engage Marcin Engineering to oversee the project on behalf of CVC POA. The \$10,000 would cover engineering fees for the application for grading permit, applications for utility locates, preliminary road access design and project coordination including preparation of a budget and recommendations regarding funding sources.

Mr. Myers clarified the POA Board has no obligation to the Wilhelms in exchange for construction of the berm.

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Mr. Pirog stated if the berm is to be constructed with borrowed funds then the District has a requirement to go back to constituents for approval. Mr. Engleby clarified his proposal at this time is that the funding would be paid directly out of available funds in the POA. Numerous questions were presented and it was indicated the planning is in the preliminary process and answers will be provided before further expenditure commitments are made.

Upon motion duly made and seconded it was

**RESOLVED** to authorize an amount not to exceed \$10,000 to engage Marcin Engineering per the proposal presented to get the grading permit approved at County for construction of the berm and to prepare a project plan and budget for further consideration by the Board. The votes were as follows:

Mr. Engelby - Yes  
Mr. Myers - Yes (with concerns)  
Mr. Benedickt - Yes (with concerns)  
Mr. Marcin – Abstained from voting

### **Financial Report**

Mr. Marchetti presented the March 31, 2011 financial report. It was noted there have been no RETA funds received to date.


### **Real Estate Report**

Mr. Pirog reported that while there have been no real estate sales yet this year in Cordillera, the primary selling season is during the summer. He also reported that one CVC lot is under contract.

### **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 Property Owners Association Board of Directors this 19th day of April, 2011.

Respectfully submitted,  
  
Cheri Curtis  
Secretary for the meeting