

Cordillera Valley Club Property Owners Association
Board Meeting Minutes
Thursday, February 19, 2015, at 3:30PM MT
408 Carterville Road, Edwards
And Via Conference Call

MEMBERS PRESENT: Art Greenfeder, Bob Engleby, Kent Myers and Tom Marcin

MEMBERS PRESENT VIA CONFERENCE CALL: Steve Smith

ALSO PRESENT: John O'Brien (1665 Beard Creek Trail), Tom Jaffe (1914 Beard Creek Trail), Sharon Dennis (1372 Beard Creek Trail), Dan McNeill, Managing Agent, Marsha Bjornson, Bookkeeper, Dominic Mauriello, Allison Kent with Mauriello Planning Group, Ric Fields of Fieldscapes, Patrick Wilhelm, Pat Peeples and Sara Thurston McNeill, Secretary to the Meeting

- I. Call to Order. With all five Board members present in person or via conference call, a quorum was established. Bob called meeting to order at approximately 3:30PM.

- II. Consideration of Changes to the Agenda. There were no changes to the agenda.

- III. Review and Approval of CVC POA Board Meeting Minutes from October 7, 2014. These minutes were drafted and previously distributed to the POA Board members for review. Several changes were suggested and incorporated into the revised draft of the Minutes and then redistributed prior to today's meeting. There being no further suggested changes, there was a MOTION: TO APPROVE THE MINUTES OF THE OCTOBER 7, 2014, MEETING OF THE CORDILLERA VALLEY CLUB PROPERTY OWNERS ASSOCIATION BOARD OF DIRECTORS. The motion was duly seconded and carried unanimously.

- IV. Marketing Group Presentation. Alison Perry of Cordillera Metro District had planned to attend the meeting to update the Board on the activities of the joint marketing group's efforts, but she could not attend due to illness. She forwarded several handouts to management for distribution at the meeting. Sara McNeill

touched on some of the main points of Alison's planned presentation, noting that the group is citing increased RETA income the cornerstone of its success.

The Board had some questions beyond the scope of the information provided to management, specifically how the group is quantifying the effect of the various marketing activities. Alison will be invited to the next regular Board Meeting to give a more comprehensive presentation, including a more detailed budget.

IV. Financial Matters. Marsha Bjornson prepared and presented the 2014 year-end (as of December 31, 2014) financial reports to the Board. According to the Balance Sheet, the association ended last year with \$768,378.03 in assets. A current list of accounts receivable shows that there are 40 owners who still owe their 2015 annual assessment of \$1250. Marsha was directed to send reminder letters to those owners by both mail and email (with a read and/or delivery receipt attached to the email).

Equity totals \$476,136.94 and includes \$63,352.50 in working capital reserves, \$372,590 in reserve savings and net income of \$40,194.67.

The Profit and Loss Statement reveals that the association collected \$359,214.50 in income in 2014, including \$158,750 in regular dues, \$46,875 in Design Review Income, \$20,015 in Club Impact Fees, \$931 in interest, \$893.67 in late fees and \$131,750 in Real Estate Transfer Assessments. Operating expenses totaled \$252,473.94 based upon budgeted expenses of \$193,365. Cost overruns were experienced in the line items of office supplies, marketing, turf area maintenance and flower maintenance.

A new account was established to distribute the capital improvement funds to ensure that they are fully insured by the FDIC.

V. Manager's Report. The first quarter CVC Newsletter went out to all owners the first week of February and it is posted on the website: www.cvcpoa.org.

With the warm and dry weather experienced during the first six weeks of the year, management has stepped up trash pick-ups in common areas and is sweeping cinders at intersections.

One Board member asked for more clean up in the natural landscaped areas this spring, and to focus some efforts on camouflaging some of the infrastructure, such as utility boxes and drainage pipes. Dan noted that this could be incorporated into the Long Term Landscaping Plan, being headed up by the Landscaping Committee (Art Greenfeder, Tim Benedickt) and Ric Fields.

- VI. Landscape Committee Report. Ric Fields reported that the preliminary work is now complete at the West Gate. The sign still needs to be moved to a location outside of the gate, and some exploratory digging will be needed to determine the condition of its foundation. A crane will be required to move the sign. The cost of moving the sign is not included in the original budget for this project (\$48,900).

Initial work is complete at the intersection test case of Wilmore Drive and Beard Creek Trail. Planting will not be completed until weather permits in the spring. Feedback from the Board included a request to enlarge the landscaped area along Beard Creek Trail. The re-working of the intersections at Legacy Trail, Juniper Lane and Spring Creek Lane are also planned for 2015. The POA is budgeting about \$50,000 per intersection (on average) and there are a total of eight intersections. Ric has garnered two proposals for the planting elements at the first four intersections (one from Rocky Mountain Custom Landscapes and one from Premier Landscaping), but he has not yet had a chance to review the proposals in great detail. Once he has completed his review, the Landscape Committee will make its recommendation to the Board.

It was suggested that the Landscape Committee, the POA Board and the MD Board schedule a meeting in early spring to discuss the next steps. There may be some tax advantages to working through the Metro District.

- VII. Design Review Board Considerations. Dominic Mauriello prepared and distributed the January Design Review Board Report to the Board prior to the meeting. Four new applications are currently going through the review process and have received sketch plan approval. With the six homes that have already been approved for construction, Dominic estimates that there will be 10 new homes under construction this summer. The Board asked Dominic to communicate with the security gate people regarding the increased construction traffic that is anticipated. Dominic regularly emails all owners (who have not opted out of such communications) on new applications and approvals in order to keep the membership apprised of new construction.

The Board reviewed the proposed revised DRB Fee Schedule and after Dominic addressed some questions and comments, there was a MOTION: TO APPROVE THE REVISED FEE SCHEDULE WITH SOME MINOR MODIFICATIONS hereby attached to and incorporated into these minutes. The motion was seconded and carried unanimously.

The Board directed Dominic to come up with some possible changes to the Design Review Guidelines, especially as they relate to the use of recreational equipment and landscaping planting materials. Dominic and his staff will regularly inspect the entire community for compliance with design review codes and create a spreadsheet to track enforcement activities. Further, Dominic will draft a proposed Code of Conduct to be followed by Design Review Board

members and submit this document to the POA Board for review. Once approved, the Code of Conduct will be added to the Design Review Guidelines. Dominic's intention is to address the fair and equitable treatment of all parties who submit applications. Any communication between DRB members and applicants must take place within meetings that are open and transparent.

Dominic, Allison Kent, the Board and various other attendees discussed some recent issues regarding a submittal that was reviewed by the DRB, with a staff recommendation that the owner do a complete, engineered drainage study for the site. Dominic explained that the current Guidelines do not require drainage reports, but allow for the staff to make decisions to require these types of studies when conditions warrant them.

Bob Engleby read an email from David Adkins, a DRB member who recently resigned. David could not be present at the meeting.

"As you know I sent in my resignation last week from being on the Design Review Board. I am not able to attend the meeting tonight, but want you to either read aloud or address my concerns.

I have been a member of the CVC DRB for the past year. For many of the applications there have not been any issues or problems that I am aware of. Unfortunately, the past five applications have involved much drama and contention. I have been contacted by several of the applicants and neighbors to vent complaints, ask questions about the process and hear complaints about Dominic and Allison and their power versus the DRB process. For the record, I have never been approached in a "lobbying" manor, but rather in pure frustration or to clarify specific requirements. Upon each conversation, I have either called Allison or sent an email to the DRB to notify them of the incident. I have not responded to any of the applicants or the DRB in a lobbying manor. I certainly do not believe I have ever acted in any way that would create liability for the DRB, the CVCPOA or myself. I have always been about solving problems not making them worse. The reason for my resignation was due to the inappropriate accusations by Dominic and the way in which the Young and Masler applications have been handled by Dominic and Allison. They have created more problems than they solve by taking decisions into their own hands. They have inappropriately copied neighbors on email chains with "recommendations" to the DRB that we were blindsided by and had no way to respond other than reply. They have created an overall "defensive" position for the DRB versus acting in a helpful and accommodating manner to applicants. Any person that chooses to invest several million dollars in the building process should not have a negative experience if they follow the rules. My recommendation is that Allison and Dominic be replaced. It is their duty to receive and process the applications and make recommendations to the DRB, not to be the judge and jury prior to the opportunity for applicants to be heard by the DRB. They have made "requests or recommendations" by the DRB into requirements by acting against applicants versus helping them.

Please feel free to contact me for further clarification or questions.”

Tom Jaffe spoke briefly, noting that it is a good idea to incorporate a Code of Conduct into the Design Review Guidelines, giving members of the Board clear reasons for the instances in which they should recuse themselves from voting on a submission. He explained that he understands the vested interests of developers and brokers in the process, and that he has received good reviews from the Seven Eagles homeowners about Mauriello Planning Group.

Tom Marcin addressed the Board saying that the POA is lucky to have MPG providing oversight for the Design Review process. The remaining vacant lots are the most difficult to build on and most, if not all should require drainage reports. In the same manner that a licensed surveyor is required to produce a survey for each lot, a licensed civil engineer should be required to produce an engineered site plan for these lots.

Sharon Dennis then addressed the Board, noting that when she submitted a landscape plan to the DRB, she was treated fairly and equitably. She has concerns with a neighboring, proposed home and the drainage of the site. There is a large arroyo between the proposed home and her existing home, and she requested that a drainage study be required prior to approval.

Other comments from those present included:

Kent Myers spoke of process and his experience at Beaver Creek with builders trying to bend rules, and the DRB needing the authority to perform effectively.

Art Greenfeder spoke highly of Dominic.

Ric Fields was asked for his comments and gave high reviews to Dominic.

Jim Comerford submitted the following comments via email:

“Dear Bob,

Hope you are well and thanks for all your time handling various matters for us homeowners. I want to give the review team a “thumbs up.” They have done a nice job keeping me informed on new developments...particularly the residence proposed next to my home. Dominic and Allison's approach has been very professional and responsive to the guidelines. As a former member I think they are doing a terrific job representing existing homeowners and preserving property values.”

Kim Foos submitted the following comments regarding Dominic via email:

“Again I would like to express my satisfaction and how impressed I am with the timeliness of your email showing concern about what is happening in our community. This is precisely the reason that I have owned three different homes within the Cordillera gates.”

Bob Engleby thanked all the attendees who contributed to the discussion, along with the owners who submitted emails. He explained that whenever there is a complaint returned to the POA Board, the Board likes to analyze the situation prior to making any decision on the matter. Taking all of the prior communication under consideration, there was a MOTION: THE CVC POA BOARD SUPPORTS THE DESIGN REVIEW PROCESS THAT HAS BEEN PUT INTO PLACE, APPROVES OF THE JOB THAT MAURIELLO PLANNING GROUP IS DOING AND ENCOURAGES MPG TO PROPOSE CHANGES TO THE CURRENT DESIGN REVIEW GUIDELINES TO INCLUDE A CODE OF CONDUCT. The motion was seconded and approved unanimously.

Tom Marcin then excused himself from the meeting.

- VIII. Other Business. Patrick Wilhelm addressed the Board of Directors briefly to discuss the potential development of what he considers to be remaining density at Cordillera Valley Club. His objective is to enhance property values and the Club experience by unlocking economic values. He asked the POA Board for some feedback on the process for amending the Declaration and plat map.

There was a MOTION: TO TAKE THE LETTER FROM WILHELM’S ATTORNEY AND A REQUEST FOR A MEETING UNDER ADVISEMENT UNTIL THE CVC POA LEGAL COUNSEL CAN MAKE A RECOMMENDATION TO THE BOARD. The motion was seconded and approved unanimously.

The Board thanked Patrick for his presentation, and he and Pat Peoples excused themselves from the meeting.

- IX. Executive Session. At 5:51PM, the Board adjourned to Executive Session at to discuss Patrick Wilhelm’s correspondence. The Board emerged from Executive Session at 6:20PM.
- X. Adjournment. There being no further business to come before the Board, the meeting adjourned at approximately 6:20PM.

Respectfully submitted,

Secretary to the Meeting