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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**

**September 13, 2007**

The Regular Meeting of the Board of Directors of the Cordillera Valley Club Metropolitan District, Eagle County, Colorado, was held September 13, 2007 at 8:30 a.m., at the Chaparral Restaurant 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 Executive Board of the Cordillera Valley Club Property Owners Association.

### **Attendance**

The following Directors were present and acting:

- Rick Pirog
- Brian Judge
- Emilie Egan
- John O'Brien
- Kent Myers

Also in attendance were:

- Robertson & Marchetti, P.C.  
Debbie Braucht & Brienne Olsen
- Cordillera Valley Club Property Owners Association  
Wally Carey, Tom Marcin, David White, Henry Frigon, and  
John Bowen (by conference phone)
- Operations & Security Personnel  
Dan Carlson & Rick Adams
- VAg, Inc.  
Pedro Campos  
Stephanie Lord-Johnson
- Vail Honeywagon  
Matt Donovan
- Property Owners  
Bart Barnett

### **Call to Order**

The Meeting of the Board of Directors of Cordillera Valley Club Metropolitan District was called to order by Director Pirog, noting a quorum was present. The meeting was held in joint session with members of the Board of Directors of the Cordillera Valley Club Property Owners Association.

A speaker phone conference call was established to permit participation in the meeting by property owners wishing to participate by phone.

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### Changes to Agenda

The Board reviewed the agenda and the DRB Report and Legal Matters were moved to 9:30 a.m.

### Minutes

The Board reviewed the Regular Meeting Minutes of August 9, 2007. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Regular Meeting Minutes of August 9, 2007 as presented.

### 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
01/11/07	2	0
02/08/07	2	0
03/08/07	1	0
04/12/07	3	1
05/10/07	2	0
06/14/07	6	0
07/12/07	Meeting	Cancelled
08/09/07	0	0
09/13/07	1	0
10/11/07		
11/08/07		
12/13/07		

### Future Meetings

The Board reviewed the calendar for future meetings. Director Pirog proposed scheduling a special meeting before the next regular meeting to discuss the Berm. He informed the Board that he, along with Directors Carey and Marcin had met with Pedro Campos on the Berm. He explained that Mr. Campos has completed the redesign and it has been submitted to ACC for pricing. A couple of dates were suggested for the meeting and it was decided that the special meeting would be scheduled for Tuesday, October 2, 2007 at 3:00 p.m. at the Chaparral. The purpose of the meeting will be to discuss the pricing and financing of the Berm.

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#### **Financial Report**

The Board reviewed the financial reports included in the packet. The 2008 budget timeline was discussed. Director O'Brien mentioned that he would like to see Berm items separated out in payables. Director Bowen seconded that idea. He then raised the issue on alternative means of financing the Berm. He questioned the fairness to the homeowners and which ones it would benefit more. Director Pirog explained that the Berm would have an immediate impact on Legacy Trail and Seven Eagles. He noted that the Berm is expected to lead to price appreciation for all homes. Director Judge recommended setting up hypothetical situations so they can reflect upon options before the special meeting on October 2<sup>nd</sup>. Director Egan volunteered to be on the committee to structure the financing. It was decided that Directors Pirog, White, Egan and Carey would also be on the committee and they would meet before October 2<sup>nd</sup> to discuss the financing options of the Berm.

#### **Accounts Payable**

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

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

#### **Encroachment Into Open Space**

Ms. Lord-Johnson brought up the issue of the White Residence encroachment onto open space and noted the DRB would like to handle it as a non compliance issue. Mr. Perkins noted that the open space property continues to be owned by the Developer at this time. Director White explained that he called the Developer prior to building on the open space and never got a return phone call so he proceeded with the clean-up and building of a patio setting. He believes he added a benefit to the open space and it is open and available for anyone to use. Mr. Perkins explained that it can't be offered as a public amenity because it is not their property. He also explained that once turnover is completed the property will go to the POA and it will be a future issue for the POA. Director Pirog recommended taking no action at this point in time. Director Judge wanted it noted for the record that he is 100% against everything that was just decided. Mr. Perkins advised that the POA and DRB do not have a legal basis to object to the encroachment because the POA and DRB do not own the property and do not have authority over open space at this time. Mr. Perkins also advised that he does not believe the PUD covers

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this issue but if it does, that would be an issue with the County rather than with CVCPOA or CVC Metro District.

#### **Operations Report**

Mr. Carlson discussed the painting of the transformers. He had painted one of them on the corner of Juniper Ridge and Beard Creek Road. He said he can do the painting himself or the work can be bid out. He noted that if he is going to do it, he would rather do it now instead of in the spring. If the painting is bid out, it would be approximately \$250 per box and \$400 for the bigger ones. The District has 32 small boxes and 7 large boxes so this would cost the District \$10,800 in total. Mr. Carlson said if he painted the boxes the cost would be \$7,000 for all boxes. The Board members indicated they would look at the box that has been painted and let Mr. Carlson know their decision.

Mr. Carlson also discussed the speed bumps and handed out two estimates, one from A-Peak and one from B&B. He noted that the square footage and tonnage do not match on these estimates and said that someone is not measuring correctly. He will confirm the measurements with B&B one more time for the correct dimensions. Director Pirog noted that the B&B bid does not include stamping and the stamp is a nice look.

Mr. Carlson also brought up the issue of holiday lights. Since there were many new trees planted the question was whether to put lights on a lot more of the smaller trees instead of doing just a few big trees. He suggested putting the lights on timers so they would go off at 1 or 2 a.m. The Board agreed that the more lights the better and to put them on timers. Mr. Carlson said the budget is currently at \$4,000 for holiday lights. The Board agreed to increase this amount to approximately \$6,000 to do more trees this year.

#### **Public Safety Report**

Mr. Adams provided a summary report of the incidents that have taken place during the past month. He noted that the intrusion alarms were wind related and that the medical call at the golf course had to do with a rolled golf cart.

#### **Sound Mitigation & Landscape Project**

Mr. Campos from VAg, Inc. gave an update on the berm schedule. The redesign has been completed and is in the process of being re-priced with the contractor, ACC. A summary of all the plant material was handed out.

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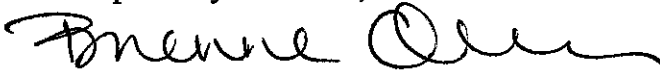
Director Pirog addressed the issue of the easement and water and maintenance agreements. He stated that the drafts are done for the easement and maintenance agreement. A water assessment is being done and Director Carey stated that there are a lot of senior water rights but they are limited in where they can use that water.

#### **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 Regular meeting of the Cordillera Valley Club Metropolitan District Board of Directors this 13<sup>th</sup> day of September 2007.

Respectfully submitted,



Brienne Olsen

Secretary for the meeting