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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**

**June 11, 2009**

The Meeting of the Board of Directors of the Cordillera Valley Club Metropolitan District, Eagle County, Colorado, was held June 11, 2009 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
- Jay Morten
- John O'Brien
- Brian Judge
- Emilie Egan – by conference phone

Also in attendance were:

- Robertson & Marchetti, P.C.  
Ken Marchetti & Brienne Olsen
- Cordillera Valley Club Property Owners Association  
Wally Carey, Tom Marcin, & John Bowen (by conference phone)
- 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. The meeting was held in joint session with members of the Executive Board of 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.

### **Changes to Agenda**

The Board reviewed the agenda and added discussions on the Eagle River Water and Sanitation District water tank project, letter of intent under legal matters, landscape issue under operations and Mr. Judge's personal house under DRB.

### **Minutes**

The Board reviewed the Meeting Minutes of May 14, 2009. Mr. Marcin clarified that he was asked to prepare an analysis on the water tank project

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# RECORD OF PROCEEDINGS

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## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT

### June 11, 2009 Meeting Minutes

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and not a letter of support. The Board discussed this change and upon motion duly made and seconded, it was unanimously (with Mr. Judge abstaining)

**RESOLVED** to approve the Meeting Minutes of May 14, 2009 with the change discussed.

**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
01/08/09	0	0
02/12/09	0	0
03/12/09	2	0
04/09/09	0	0
05/14/09	0	0
06/11/09	0	0
07/09/09		
08/13/09		
09/10/09		
10/08/09		
11/12/09		
12/10/09		

#### **Upcoming Meetings**

The Board reviewed the calendar for future meeting dates and no changes were made. Mr. Marcin reported that he would be unable to attend the July 2<sup>nd</sup> board meeting.

#### **Financial Report**

Mr. Marchetti presented the April 30, 2009 financial statements and reported that expenses are tracking well against the budget. He stated that the focus is on keeping expenses under budget and he will reassess the need to borrow funds later in the year. Mr. Marchetti and Ms. Egan discussed the Finance Committee proposal to implement a temporary mill levy credit to mitigate the impact of property value increases. The Board discussed the concept and noted that while the mill levy rate will be not be formally set until November, at this time several Board members believe

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# RECORD OF PROCEEDINGS

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## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT

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June 11, 2009 Meeting Minutes

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additional capital projects are necessary and those projects should be considered prior to lowering tax rates. Additionally, they felt if a reduction is to be given it would be better to lower the POA assessments than the property taxes.

### Accounts Payable

The Board reviewed the accounts payable listing. Mr. Marcin explained the Marcin Engineering invoice to the Board and Mr. Judge explained the VAg, Inc invoice regarding the berm. Upon motion duly made and seconded, it was unanimously

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

### Operations Report

Mr. Carlson reported that the access hole was filled in on the south side of the west gate. He also stated that he would schedule the mosquito spraying for the last week of June and that all the flowers have been delivered and will be planted. He asked if the berm poles could be taken down yet and the Board asked that they stay up for one more month.

Mr. Marcin brought up the landscaping issue at the corner of Pinnacle Point and Beard Creek Trail. He explained that landscaping was excluded when the drainage was fixed but now it needs to be taken care of. He reported they could topsoil and natural seed it which would be inexpensive and easy. Mr. Carlson reported that he would put up posts around the area so homeowners won't drive over it and that he would get a quote from Garden Creations to do this work. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to proceed with this project with costs not to exceed \$1,500 and for Mr. Carlson to contact the homeowner of the adjacent lot to see if we can tie into his irrigation system.

### Legal Matters

Mr. Pirog provided an update on the letter of intent drafted for the new Club owners. He explained that he believes it is not in the Board's best interest to stand in the way of the sale. He reported that the new owners have agreed to provide water and maintenance for the berm. He stated he has been negotiating in good faith with the new owners for the berm easement. Mr. Marchetti expressed concern on item #4 of the letter and reported that this item needs to be conditioned upon approval of the CVC voters. The Board agreed that change should be made and the letter will be sent out.

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## RECORD OF PROCEEDINGS

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### CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT

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June 11, 2009 Meeting Minutes

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Director Egan reported subsequent to the meeting that the letter was not in the Board packets and that she did not receive the letter prior to the meeting and accordingly she did not agree with the letter and did not support sending it.

#### **Public Safety Report**

Mr. Adams explained the suspicious activity reported on the incident summary report. He explained that security had seen someone "piggyback in" at the back gate and when they investigated it they found it was a private investigator hired by a homeowner. Mr. Adams also updated the Board on the damaged back gate which was charged to Sarah Baker. Mr. Pirog stated that unless we have proof he did it then we can't charge it back to the homeowner. Mr. Adams reported that the cameras did not catch it and that is one of the reasons a new camera system is needed.

#### **Water Tank**

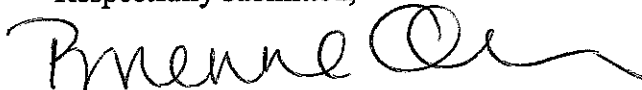
Mr. Marcin reported on the issues he found regarding the water tank and provided a hand out with his comments. Mr. Carey stated that the Board can't issue a letter of support for the tank project until these issues are addressed. The Board authorized Mr. Marcin to communicate CVC's issues to Eagle River Water and Sanitation District.

#### **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 11<sup>th</sup> day of June, 2009.

Respectfully submitted,



Brienne Olsen  
Secretary for the meeting