

---

# RECORD OF PROCEEDINGS

---

## **Minutes of the Special Meeting Of the Board of Directors of Cordillera Valley Club Metropolitan District July 2, 2009**

The Meeting of the Board of Directors of the Cordillera Valley Club Metropolitan District, Eagle County, Colorado, was held July 2, 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
- Brian Judge
- John O'Brien

The following Directors were absent and excused:

- Emilie Egan

Also in attendance were:

- Cordillera Valley Club Property Owners Association  
Wally Carey & Henry Frigon
- Robertson & Marchetti, P.C.  
Ken Marchetti (by conference phone), Brienne Olsen &  
Cheri Curtis
- Patrick Wilhelm, Cordillera Golf Club, LLC
- Operations & Security Personnel  
Dan Carlson & Rick Adams
- Pam Dickerson, Property Owner
- Randy Mueller, Cordillera Property Owner

### **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.

### **Potential Conflicts Of Interest**

Director Judge reported that he is the owner of VAg. Inc., an architectural and land planning firm, and other related entities, and

---

# RECORD OF PROCEEDINGS

---

---

## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT July 2, 2009 Meeting Minutes

---

these entities provide services to the District such as landscape and berm architecture, 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.

### Changes to Agenda

The Board reviewed the agenda and added Patrick Wilhelm to join at 9:30 a.m. to discuss the acquisition of the Club at Cordillera by Cordillera Golf Club, LLC.

### Minutes

The Board reviewed the Meeting Minutes of June 11, 2009. Director Egan has submitted a written statement to the District regarding the discussion as reflected in the minutes on the letter of intent to be sent to the new owners of the Club. Director Egan stated that she does not agree with the letter of intent and does not support sending it out. The Board noted Director Egan's objection to the letter of intent. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Meeting Minutes of June 11, 2009 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
01/08/09	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	2	0
08/13/09		

---

# RECORD OF PROCEEDINGS

---

---

## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT July 2, 2009 Meeting Minutes

---

09/10/09

10/08/09

11/12/09

12/10/09

### Upcoming Meetings

The Board discussed the need to change the meeting location. With the CVC golf club being closed on Tuesdays, it was noted the Chaparral would be available for meetings on Tuesdays but not on Thursdays. By motion duly made and seconded it was unanimously

**RESOLVED** to change the regular meeting date to the third Tuesday of each month at 8:30 a.m.

### Financial Report

Mr. Marchetti presented the May 31, 2009 financial statements which 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.

### Operations Report

Mr. Carlson reported the staining will be completed this summer and mosquito spraying was completed last night.

There is a path failure on a portion of the path on the south side of the road on Legends Drive. Mr. Carlson is obtaining an engineering report from Marcin Engineering to determine if a retaining wall or curb and gutter are necessary. Mr. Judge suggested the District partner with the Club at Cordillera to complete all the repairs necessary since a separate cart path would help at that location.

### Cordillera Golf Club, LLC

Patrick Wilhelm with Wilhelm Partnership reported they were recently successful in obtaining the Club at Cordillera. A vision statement has been distributed by mail to Club at Cordillera Members. The plan is to improve advertising, marketing, and public relations.

Mr. Judge discussed walking the area with Mr. Carlson to look for a storage area. Mr. Carlson would like to discuss with Mr. Wilhelm a list of

---

# RECORD OF PROCEEDINGS

---

---

## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT July 2, 2009 Meeting Minutes

---

projects that need to be completed. Mr. Pirog suggested forming a committee between the POA and the Club to facilitate making CVC a prestigious private community.

### **Water Tank**

Matt Dalton, the District's attorney, has been working with the Upper Eagle Regional Water Authority's (UERWA) attorney to formulate an IGA between the District and UERWA regarding construction of the new water tank.

Ms. Egan was unable to attend the meeting in person but submitted the following statement for the record:

Ms. Egan stated she is opposed to any construction traffic related to construction of the proposed new water tank going thru Cordillera Valley Club. She believes all construction traffic should go over the power line road.

Ms. Egan stated CVC is a private community with a private road and accordingly she believes CVC does not have to allow the water district thru our property or over our roads for the purposes of building a new water tank. Over 100 huge construction vehicles travelling thru our community for over a year is outrageously intrusive and destructive of the right of the CVC homeowners to the quiet enjoyment of their homes and property. The benefits of the new water tank to CVC homeowners are minimal if existent at all. The burden of constructing this new tank, which does not particularly benefit this community but may benefit other areas in the Eagle Valley, falls disproportionately on the 128 homeowners here. The water district has an alternative route it may use. While this route may be longer and more expensive, it is not the duty of the 128 homeowners of CVC to mitigate the expenses incurred by the water district. Therefore, the water district should be precluded from using CVC's private road, paid for and maintained by the 128 homeowners of CVC, for its own construction convenience.

The Board discussed use of the power line road for construction traffic but was concerned that this may not be a viable alternative.

A meeting is scheduled with representatives of the District and UERWA to discuss the District's issues.

### **Public Safety**

---

# RECORD OF PROCEEDINGS

---

---

## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT July 2, 2009 Meeting Minutes

---

### **Report**

Mr. Adams worked on computer issues with gates this morning. Gun shots were reported on property outside District on Beard Creek Road. It was duly noted that dirt bikes are only allowed to ride on District roads to access BLM land adjacent to the District boundaries and the rule will be enforced.

Mr. Adams presented bids for new gate transponders and gate readers, since the existing ones will no longer be maintained by the manufacturer. The new transponders contain RFI chips that will last longer. The transponder readers will be relocated to perform better.

By replacing gate security system, it could impact Cordillera. The Board directed Mr. Adams to obtain an agreement with Cordillera to move to the new system. The District budget \$12,000 in 2009 to improve security gates. Mr. Adams stated there is a lease option available to acquire the new security system. Director Judge suggested installing DVRs and cameras at the back gate, making the readers at the front gate work, and tying computers to both gates. The Board agreed to budget over the next several years for a total system update and implement phase I after seeing the proposal for the security system updates.

Mr. Carey suggested the need to construct a fence adjacent to the gates to prevent outsiders from entering the District. Discussion followed on bike and pedestrian traffic. Mr. Carlson suggested installing pedestrian gates with key pads or call boxes. Director O'Brien requested that Messer's Carlson and Adams present a recommendation to the Board at a future meeting with input from Director Judge. It was noted the need to determine land ownership on the property adjacent to the security gates prior to making any improvement. The Board agreed that Directors Judge, O'Brien and Pirog be on the gate committee. Director Pirog noted there is an existing barb wire fence on District property and he will confirm with the DOW that it will be removed when the wildlife fence on the south of CVC is installed.

### **Bear Proof Containers**

Several Property Owners do not have bear-proof trash containers as required by Eagle County regulations. The Board agreed to include articles on carbon monoxide, bear proof containers, spring cleanup and flower planting in an upcoming newsletter. Mr. Adams was directed to contact BFI and Honeywagon to obtain bear-proof containers.

---

# RECORD OF PROCEEDINGS

---

---

## CORDILLERA VALLEY CLUB METROPOLITAN DISTRICT July 2, 2009 Meeting Minutes

---

### **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 2<sup>nd</sup> day of July, 2009.

Respectfully submitted,

Cheri Curtis  
Secretary for the meeting