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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 November 17, 2009**

The Meeting of the Board of Directors of the Cordillera Valley Club Metropolitan District, Eagle County, Colorado, was held November 17, 2009 at 8:30 a.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:

- Jay Morten
- Emilie Egan
- Brian Judge

The following Directors were absent and excused:

- Rick Pirog
- John O'Brien

Also in attendance were:

- Cordillera Valley Club POA
  - Wally Carey
  - Tom Marcin
- Dell Ann Claypool, Cordillera Marketing
- Joe Wilson, CMD & CPOA
- VAg, Inc.
  - Stephanie Lord-Johnson & Pedro Campos
- Robertson & Marchetti, P.C.
  - Ken Marchetti & Cheri Curtis
- 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. Carey, noting a quorum was present.

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**

Mr. Judge reported that he is the owner of VAg. Inc., an architectural and land planning firm, and other related entities, and these entities provide services to the District such as landscape and berm

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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.

**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
08/18/09	1	0
09/15/09	1	0
10/20/09	0	0
11/17/09	0	0
12/15/09		

**Upcoming Meetings**      The next meeting is scheduled for December 15, 2009. A schedule of meetings was included in the distributed information for review by the Board.

**Gate Damage**      The back gate was damaged by a truck driver who was working on the lot being restored on Beard Creek Road. Ms. Lord-Johnson asked if there was going to be a fine for the damage at the back gate. It was decided that the lot owner will be responsible for the cost of the damages and repairs to the gate and that would be enough of a penalty.

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Mr. Adams explained that security would not leave gate open, or provide responders to the truck drivers but would open gate upon receiving a phone call. Mr. Carey wants the back gate closed until it is repaired. Mr. Judge believes the Board should operate with the proper procedures and does not want to be party to decision without the proper vote. Mr. Adams will not know when the gate will be operational until he meets with Vail Manufacturing. Mr. Judge wants it determined which Board should make the decision and then a decision be made on whether to close the gate until it is repaired. Mr. Judge believes the Lone Star Security should be able to provide monitoring of the back gate from 7 a.m. – 7 p.m. Mr. Adams agreed to have the entry gate operating within the next 24 hours.

#### **2010 Budget**

Mr. Marchetti reported he has included \$20,000 in the POA budget to meet the County's requirements for a path pursuant to the PUD amendment for the berm and \$5,000 has been included in the District budget for Mr. Campos' time for berm planning in 2010. The Boards reviewed the separate POA and MD financial reports as a part of the budget review. One risk in the Metro District's 2010 budget is that the POA has not yet adopted its budget and the District is dependent on the POA's funding. Mr. Judge indicated he is willing to approve the 2010 budget on the condition that if the POA does not approve their budgeted commitments to the District then the District will be forced to cut its level of services. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the 2010 budget, set the mill levy rate at 25 mills, and appropriate funds as documented in the formal budget resolutions, a copy of which is incorporated herein by this reference.

#### **Berm Update**

Mr. Campos provided information to the Board on the Berm PUD status and suggested the Board move forward on completing the PUD process. Agreements will still need to be executed between the District and the Club prior to construction of the berm. Once the PUD has been approved, the District will have the ability to complete the berm within its own timeframe. The Association is required to contribute \$20,000 to the design of a bike path as a condition of getting the PUD approved.

#### **Operations**

Mr. Carlson updated the Board on recent improvements. The rock wall on Legends Drive has been completed. The Board reviewed the maintenance contracts. Mr. Judge requested that the flowers contract contain a

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provision that the perennial flowers be halved and replanted. The Board approved the contracts with the changes to the Garden Creations bid.

### Minutes

The Board reviewed the Meeting Minutes of October 20, 2009. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Meeting Minutes of October 20, 2009 as presented.

### Financial Report

The financial report was included in the Board packet for the Board to review.

### 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.

### 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 17th day of November, 2009.

Respectfully submitted,



Cheri Curtis  
Secretary for the meeting