

CORDILLERA METROPOLITAN DISTRICT
REGULAR BOARD MEETING MINUTES
FRIDAY, MAY 18, 2018
408 CARTERVILLE ROAD, CORDILLERA, COLORADO

The Regular Meeting of the Board of Directors of the Cordillera Metropolitan District (CMD) was called and held Friday, May 18, 2018 in accordance with the applicable statutes of the State of Colorado.

ATTENDANCE

Present: David Bentley, President
Cheryl Foley, Treasurer
Kitty George, Secretary
Via Phone: Gene McGuire, Vice President
John Van Deusen, Assistant Treasurer/Assistant Secretary

ALSO PRESENT

CPOA Board Members: Ed Shriner, Michael Grier, Rick Smith, Larry Brooks and Jerri More (via phone).

OTHERS PRESENT

Rachel Oys, general manager; Alan Pogue, legal counsel (via phone); Jaime Walker, communications manager; Tracy Stowell, office manager; Kirk Pliske, public safety director; Aubrey Lewis, assistant recreation manager; Erin McCuskey, human resource manager; Clint Forstrom, assistant project manager; Dominique Jones, equestrian center manager; Heather Mathews, finance manager; members of the public: Harry Jasper, Jane Roberts, Bob Egan, Linda Egan, Tim Trautman, Steve Hauk, Cassie Gray, Julie Jones, William Thompson, Harvey McLain and Melissa Murphy.

OATH OF OFFICE

Cheryl Foley and David Bentley took the oath of office. Gene McGuire previously took the oath of office and will send in the requisite, notarized paperwork.

CALL TO ORDER

Director George called to order the Regular Meeting of the Cordillera Metropolitan District at 9:08 a.m.

DECLARATION OF QUORUM/DIRECTOR QUALIFICATIONS

All board members acknowledged of receiving notice of the regular meeting at least 72 hours in advance. No conflicts of interest were noted.

APPROVAL OF AGENDA

May 18, 2018 Regular Meeting Agenda

Director Foley moved to approve the May 18, 2018 Regular Meeting Agenda. Seconded by Director McGuire.

Upon motion duly made and seconded, the Board voted unanimously. **Approved** the May 18, 2018 Regular Meeting Agenda.

DIRECTOR APPOINTMENT FOR VACANCY

General Manager Oys provided options for appointing the seat vacated by Director David Davies before the election.

Director George suggested that the Board appoint John Van Deusen since he was the candidate who received the fourth most votes. She thought would be unprecedented if the Board was to appoint someone who had not run in the election.

Director George moved to appoint John Van Deusen to a two-year term to fill the vacant position. Seconded by Director Bentley.

Director Foley pointed out there was no self-nomination for a two-year term. If it were known in time, someone could have self-nominated to run for a two-year term. She asked if John Van Deusen was interested and if the community should be asked for volunteers.

General Manager Oys shared that John Van Deusen expressed interest in being appointed for two years.

Director McGuire pointed out there was not enough time between the resignation and the nomination deadline to be on the same ballot.

Legal Counsel Pogue agreed. He explained there were three days between David Davies resigning and the deadline for nominations. Election law is precise; there needs to be 67 days between the call for nomination and the deadline. If the timeframe was not met, the election could be challenged.

Director Bentley requests that the Board be mindful of election timing if the need to resign arises again. He also questioned how to proceed if John Van Deusen was not nominated. He shared that it would be difficult to justify to the community if John was not appointed.

Director George maintained that it would be unprecedented to appoint someone else in the community. Seven owners ran, John Van Deusen came in fourth and should be the one appointed. Director Foley noted that there was no requirement for the Board to choose the person with the next highest votes, and that no precedent shall be established for the future if the Board appointed Mr. Van Deusen to the currently vacant seat.

Upon motion duly made and seconded, the Board voted unanimously to appoint John Van Deusen to fill the Board vacancy until the term expires in 2020.

John Van Deusen took the oath of office and will send in the requisite paperwork.

CMD ITEMS

Director Appointment for Vacancy

Director George moved to have Director Bentley serve as president, Director McGuire serve as vice president, Director Foley serve as treasurer, Director Van Deusen as assistant treasurer and assistant secretary and herself as secretary. Seconded by Director Bentley.

Upon motion duly made and seconded, the Board voted unanimously.

APPROVAL OF CONSENT AGENDA ITEMS

Director Bentley moved to approve the March 16, April 12 and April 16, 2018 Meeting Minutes. Seconded by Director McGuire.

Upon motion duly made and seconded, the Board voted unanimously. **Approved** the March 16, April 12 and April 16, 2018 Meeting Minutes.

EXECUTIVE SESSION

9:28 a.m. Director George and Director Bentley moved to enter into Executive Session. Pursuant to Section 24-6-402(4)(b) for the purpose of receiving legal advice regarding the litigation filed by CSMN.

10:48 a.m. Directors Bentley and Foley moved to conclude the Executive Session.

Present: Directors George, Bentley and Foley; present via phone: Directors Van Deusen and McGuire.

Also present: Rachel Oys, Counselors Alan Pogue and Lisa Mickely.

No action was taken in executive session.

PUBLIC INPUT

Public comment began with the CPOA Board while the CMD Board was in executive session.

Steve Hauk commented on the good condition of the Short Course. He wanted to confirm who pays a fee at the course this year. It was his understanding that property owners are free, but the extended family pays a small fee. He pointed out that if this is the case, then homeowners have less free access than Club members. He suggested that homeowners and family could be allowed to use the course for free, or that each household has four free uses per day, or family members pay a very reduced rate of \$5 to \$10.

General Manager Oys outlined the fee structure: Property owners/Club members are free; \$15 cart fee; family guests \$20; accompanied guests \$25, Troon Prive \$25, Public \$35, Replay \$15, Junior \$15.

Bill Thompson shared pictures and described an accident that happened on Fenno Drive this winter. Now that summer is here, bicyclists are traveling too fast around the corner and he fears that someone will get hurt. He suggested putting in speed bumps to slow both drivers and cyclists.

Julie Jones and Public Safety Director Kirk Pliske shared information on an accident where a

Land Rover went off Fenno Drive the previous weekend at the same corner. Pliske shared that the driver reported being distracted while reaching for his sunglasses. Jones shared that drivers routinely go 30 to 40 miles per hour around this corner.

General Manager Oys shared that administration had identified and contacted a bike group that is organizing rides through Cordillera requesting that they provide advance notice and abide by traffic laws, respect other vehicles and ride single-file; if not, the Sherriff's office will be contacted. The communication with the bike group thus far was positive. Public Safety Director Pliske added that bikes need to abide by State bike laws. The gates will stop any groups and remind them of road rules and to remain single file.

It was mentioned that bicyclist used to be stopped at the gates. CPOA Director Smith clarified that when the rules of the road are flaunted, then something can be done. The stated that the District cannot deny entry to the community, because the roads are public. He also noted that it is in the community's interest to be welcoming and not exacerbate bad publicity as an exclusive, elitist community.

General Manager Oys will work with staff to improve communication and the access process. Like car transponders, mechanisms to control bike access can be explored. Protocols and limitations can be communicated to the bike groups.

Ron Askew submitted written minutes which he requested be entered into the minutes.

CMD ITEMS

Recognition of Service for Bob Egan, David Davies and Judith McBride

Bob Egan was acknowledged for his years of service and was presented a gift in gratitude for his dedication to the Board and to the Cordillera community. David Davies and Judy McBride, although not present, were also acknowledged for their years of service.

CMD AND CPOA JOINT ITEMS

Management Team Report

General Manager Oys noted the Strategic Planning Committee wants to have the CMD/CPOA issue an RFP/Q for a strategic planning consultant; however, a strategic planning consultant is not in the 2018 budget. When the proposals are submitted, a financial request will be presented to the Board. At the last Board meeting, Board members volunteered to review marketing proposals. Staff will revisit the marketing proposals after receipt of the strategic planning proposals.

The Eagle Valley Community Fund Rummage Sale is a historical event that began in 1964. After many years in Maloit Park near Minturn, the Rummage Sale is looking for a new venue. Following the last Board meeting, staff met with Rummage Sale volunteers to discuss options to host the event in Cordillera without significant impact to Cordillera. Historically 3000 shoppers attended the sale which raised \$120,000 for nonprofits in Eagle County. The volunteer committee is open to postponing the sale from its historical date of Labor Day. They would like to host the sale in the fleet building at community operations from September 9-16 with the sale being September 14-16. Collections for the sale will be off-site in late July and August.

CPOA Director More asked how this would not be in breach of policy to not support a specific charity. She noted that there is inherent value for the Rummage Sale to use the facilities, but the cost is harder to define.

Director Bentley explained that Cordillera would not be spending the community's money nor would the Boards be making a determination on how to spend money. The District would be providing the facility with the benefit to the Cordillera reputation. CPOA Director Shriner agreed and suggested considering it as a marketing expenditure rather than a donation.

CPOA Director Grier reminded the Boards that the last time this topic was discussed the concerns over logistics were shared. There was nothing shared during the meeting that alleviated his concerns.

General Manger Oys explained that the proposal has changed significantly. They are no longer proposing to host it at the equestrian center; parking would be at the administration, post office and dog park lots and along one side of Carterville Road. Public safety will monitor and cone off areas to make sure emergency access remains. The sale will be at the fleet storage building, so the impact to homeowners would mostly be at the post office.

CPOA Director Grier asked if there would be staff overtime. General Manager Oys explained that the Rummage Sale brings in volunteers to manage all the sections. They will be implementing the collections and organization. Community operations crews are not onsite Friday, Saturday and Sunday.

CPOA Director Brooks noted that this is an easy way to get a lot of good, free publicity with little cost for the exposure. There are wealthy people who both contribute and shop at the sale and the volunteers are upstanding members of the community.

Director George moved to approve permitting the rummage sale to be held on Metro District property. Seconded by Director Bentley. Directors Foley and McGuire voted against the motion.

Director George then asked that the vote be held open until Director Van Deusen could be reconnected via phone.

CPOA Director Shriner asked about the canvass board and if vote totals changed for the CMD election. General Manager Oys shared that the vote totals did not change from the preliminary results. An announcement will be sent with the official election results including the appointment of John Van Deusen.

CPOA Director Shriner asked if there was benefit to having the community attend the Hardscrabble management plan meeting. General Manager Oys explained that all Eagle County residents are encouraged to provide feedback on the plan; there is an online link to provide feedback.

CPOA Director Shriner also asked about the lock/box changes at the post office. Office Manager Stowell shared that staff started notifying owners of the shift in box location. There are

eight property owners who do not have a post office box because the address at the post office does not correspond to the street location of their driveways. Boxes will be shifted, usually only one up or down, to accommodate these owners. Because of postal regulations, addresses need to be in alpha/numerical order. Cordillera is the only community in the valley with its own post office for residents.

CPOA Director Shriner shared that the postal service threatened to close the post office until staff became involved several months ago. Staff worked with the Edwards and Denver post masters to find a solution. The post office is not CPOA's asset, so the government's regulations need to be followed. As people built their homes and changed their address, DRB did not realize that there would be repercussions. General Manager Oys explained that audits of the post office will need to occur on a frequent and regular basis henceforth in order to stay in compliance as properties are built.

CPOA Director Shriner praised the effort made to address the delinquent accounts and collect the past-due assessments. After following a precise process, for those who have not paid the assessment, a lien will be placed on the property.

He also congratulated staff on not having any Workman's Compensation claims since last year. General Manager Oys shared that previously the District had 14-plus claims for years.

CPOA Director Shriner also shared that several hiking trails are currently closed to allow for elk calving. This is part of the agreement with the Department of Parks and Wildlife.

2018 Community Survey Preliminary Results

General Manager Oys introduced Andrej Birjulin of Confluence Research and Training. The survey was available by link to Survey Monkey beginning March 12 through April 20. She recognized the work of Communications Manager Jaime Walker in calling over 400 property owners asking them to participate in the survey. Many people were positive and thankful for the calls.

Andrej Birjulin shared that the survey had an amazing response rate. It was a long survey averaging 35 minutes to take. Despite the length, overall, people were engaged. For most community surveys, a 50 percent response rate would be considered positive; this survey had a 66 percent response rate which meets the standard to be included in journals. The preliminary results focus on quantitative results with the qualitative results forthcoming after an analysis of the comments.

Two surveys per property were accepted. Property owners who own multiple properties were counted once; thus, a denominator of 717 was reached with 475 unique properties responding. There were duplicate responses that were removed. Given this work, Birjulin is confident that the data is clean.

A revised scope of work will account for extended time on the survey design and the theme analysis.

Management Team Report: Continued Discussion of Rummage Sale

General Manager Oys shared information on the Rummage Sale with John Van Deusen including a brief history of the topic. Conversation ensued about the negatives and positives of hosting the sale.

Director George shared that she was initially against the idea of hosting the sale because of the impacts to the community during the high season. Since the Board gave staff direction to see if the Rummage Sale committee was willing to change the date to lessen the impacts, and the committee made accommodations, she expressed that it would be unseemly not to offer the community operations facility for use.

Director Van Deusen had questions about the availability of parking as well as asking what the benefit to Cordillera would be. He also wondered why September is preferred over October.

Director George explained that Cordillera would receive free, positive publicity. It shows the wider community that Cordillera is willing to do something for the whole valley. Cordillera is reaching out and is a friendly, accessible and welcoming community. She also noted that it would be an exploratory year.

Both Director George and General Manager Oys expressed that October would be too late in the season because of the possibility of inclement weather and even less attendance than the committee is expecting. September allows for enough people in the wider community to attend the sale and Cordillera Community Operations experiences a drop off in activity after Labor Day.

Director Foley observed that many Cordillera residents are going to complain that this will bring a lot of people to Cordillera and traveling on Carterville Road. She did not think that the Rummage Sale will help with reputation.

General Manager Oys shared that this idea was presented to staff with the direction to do research on its feasibility. Staff considered the available facilities that would minimize impacts on services and to property owners as well as considered dates that would be less impactful. Staff participated in numerous conversations, but Cordillera has not committed to hosting the sale. The logistics will not be worked out until a location is finalized.

Director Van Deusen asked if the District would be paid for any expenses. General Manager Oys shared that the District would not charge for staff time or facility usage.

Director George moved to offer the community operations fleet building to be the location of the Rummage Sale for the dates of September 8 through September 16. Seconded by Director Van Deusen. Upon motion duly made and seconded, the Board voted to **approve** the motion.

Director Foley abstained and Director Bentley had left the meeting.

ADJOURNMENT

Director Foley moved to adjourn the Regular Meeting of the Cordillera Metro District. Seconded by Director Van Deusen. Upon motion duly made and seconded, the Board unanimously agreed

to **Adjourn** the Regular Meeting of the Cordillera Metro District at 1:08 p.m. Friday, May 18, 2018.

Respectfully submitted

Jaime Walker

Jaime Walker
Communications Manager

CORDILLERA PROPERTY OWNERS ASSOCIATION
REGULAR BOARD MEETING MINUTES
FRIDAY, MAY 18, 2018
408 CARTERVILLE ROAD, CORDILLERA, COLORADO

The Regular Meeting of the Board of Directors of the Cordillera Property Owners Association (CPOA) was called and held Friday, May 18, 2018 in accordance with the applicable statutes of the State of Colorado.

ATTENDANCE

Present: Ed Shriner, President
Mike Grier, Vice President
Rick Smith, Treasurer
Larry Brooks, Secretary
Via phone: Jerri More, Assistant Treasurer/Assistant Secretary

ALSO PRESENT

CMD Board Members: David Bentley, Cheryl Foley, Kitty George, Gene McGuire and John Van Deusen.

OTHERS PRESENT

Rachel Oys, general manager; Alan Pogue, legal counsel (via phone); Jaime Walker, communications manager; Tracy Stowell, office manager; Kirk Pliske, public safety director; Aubrey Lewis, assistant recreation manager; Erin McCuskey, human resource manager; Clint Forstrom, assistant project manager; Dominique Jones, equestrian center manager; Heather Mathews, finance manager; members of the public: Harry Jasper, Jane Roberts, Bob Egan, Linda Egan, Tim Trautman, Steve Hauk, Cassie Gray, Julie Jones, William Thompson, Harvey McLain and Melissa Murphy.

CALL TO ORDER

Director Shriner called to order the Regular Meeting of the Cordillera Property Owners Association at 10:32 a.m.

DECLARATION OF QUORUM/DIRECTOR QUALIFICATIONS

All board members acknowledged receiving notice of the regular meeting at least 72 hours in advance. No conflicts of interest were noted.

APPROVAL OF AGENDA

May 18, 2018 Regular Meeting Agenda

Director Brooks moved to approve the May 18, 2018 Regular Meeting Agenda. Seconded by Director Smith.

Upon motion duly made and seconded, the Board voted unanimously. **Approved** the May 18, 2018 Regular Meeting Agenda.

APPROVAL OF CONSENT AGENDA ITEMS

Director Smith moved to approve the March 16, Meeting Minutes. Seconded by Director Brooks.

Director Grier requested that the minutes be corrected to reflect that he was asking about capital expenses being amortized, so it is easier to know the true costs of the assets. Director Shriner noted that he withdrew his motion regarding the Rummage Sale after CMD Director Egan pointed out that the CMD had turned down the proposal.

Upon motion duly made and seconded, the Board voted unanimously. **Approved** the March 16, Meeting Minutes with the above noted changes.

Director Grier moved to approve the April 12, 2018, Meeting Minutes. Seconded by Director Smith. Upon motion duly made and seconded, the Board voted unanimously. **Approved** the April 12, 2018, Meeting Minutes.

CPOA AGENDA ITEMS FOR BOARD DISCUSSION AND DIRECTION

Director More brought forth the idea of a chili cookoff for the dual purpose of positive promotion and a community event. There are a variety of models and scales that could be copied. She noted that someone from the community would need to chair and spearhead the event.

Director More also brought forth the idea of supporting philanthropies through sponsorship, donating time or community resources, such as the river parcel perhaps in conjunction with a fishing outfitter donating the guide services. She suggested that an organization like the Vail Valley Foundation could be the beneficiary.

Director Shriner shared that prior to 2015 various groups would solicit the Boards for charitable causes. A policy was made not to donate to charities, because the CPOA assessments is homeowner money. It is the place of the homeowner, not the Board, to decide what causes or organizations to support.

PUBLIC INPUT

Public comment began with only the CPOA board present; the CMD Board was in executive session.

Steve Hauk commented on the good condition of the Short Course. He wanted to confirm who pays a fee at the course this year. It was his understanding that property owners are free, but the extended family pays a small fee. He pointed out that if this is the case, then homeowners have less free access than Club members. He suggested that homeowners and family could be allowed to use the course for free, or that each household has four free uses per day, or family members pay a very reduced rate of \$5 to \$10.

General Manager Oys outlined the fee structure: Property owners/Club members are free; \$15 cart fee; family guests \$20; accompanied guests \$25, Troon Prive \$25, Public \$35, Replay \$15, Junior \$15.

Bill Thompson shared pictures and described an accident that happened on Fenno Drive this winter. Now that summer is here, bicyclists are traveling too fast around the corner and he fears that someone will get hurt. He suggested putting in speed bumps to slow both drivers and cyclists.

Julie Jones and Public Safety Director Kirk Pliske shared information on an accident where a Land Rover went off Fenno Drive the previous weekend at the same corner. Pliske shared that the driver reported being distracted while reaching for his sunglasses. Jones shared that motorists routinely go 30 to 40 miles per hour around this corner.

General Manager Oys shared that administration had identified and contacted a bike group that is organizing rides through Cordillera requesting that they provide advance notice and abide by traffic laws, respect other vehicles and ride single-file; if not, the Sheriff's office will be contacted. The communication with the bike group thus far was positive. Public Safety Director Pliske added that bikes need to abide by State bike laws. The gates will stop any groups and remind them of road rules and to remain single file.

It was mentioned that bicyclist used to be stopped at the gates. Director Smith clarified that when the rules of the road are flaunted, then something can be done. He stated that the District cannot deny entry to the community, because the roads are public. He also noted that it is in the community's interest to be welcoming and not exacerbate bad publicity as an exclusive, elitist community.

General Manager Oys will work with staff to improve communication and the access process. Like car transponders, mechanisms to control bike access can be explored. Protocols and limitations can be communicated to the bike groups.

Ron Askew submitted written minutes which he requested be entered into the minutes.

CMD AND CPOA JOINT ITEMS

Management Team Report

General Manager Oys shared that the Strategic Planning Committee wants to have the CMD/CPOA issue an RFP/Q for a strategic planning consultant; however, a strategic planning consultant is not in the 2018 budget. When the proposals are submitted, a financial request will be presented to the Board. At the last Board meeting, Board members volunteered to review marketing proposals. Staff will revisit the marketing proposals after receipt of the strategic planning proposals.

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Director Grier reminded the Boards that the last time this topic was discussed, concerns over logistics were shared. There was nothing shared during the meeting that alleviated his concerns.

General Manger Oys explained that the proposal has changed significantly. They are no longer proposing to host it at the equestrian center; parking would be at the administration, post office and dog park lots and along one side of Carterville Road. Public safety will monitor and cone off areas to make sure emergency access remains. The sale will be at the fleet storage building, so the impact to homeowners would mostly be at the post office.

Director Grier asked if there would be staff overtime. General Manager Oys explained that the Rummage Sale brings in volunteers to manage all the sections. They will be implementing the collections and organization. Community operations crews are not onsite Friday, Saturday and Sunday.

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Director Shriner also asked about the lock/box changes at the post office. Office Manager Stowell shared that staff started notifying owners of the shift in box location. There are eight property owners who do not have a post office box because the address at the post office does not correspond to the street location of their driveways. Boxes will be shifted, usually only one up or down, to accommodate these owners. Because of postal regulations, addresses need to be

in alpha/numerical order. Cordillera is the only community in the valley with its own post office for residents.

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He also congratulated staff on not having any Workman's Compensation claims since last year. General Manager Oys shared that previously the District had 14-plus claims for years.

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2018 Community Survey Preliminary Results

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Andrej Birjulin shared that the survey had an amazing response rate. It was a long survey averaging 35 minutes to take. Despite the length, overall, people were engaged. For most community surveys, a 50 percent response rate would be considered positive; this survey had a 66 percent response rate which meets the standard to be included in journals. The preliminary results focus on quantitative results with the qualitative results forthcoming after an analysis of the comments.

Two surveys per property were accepted. Property owners who own multiple properties were counted once; thus, a denominator of 717 was reached with 475 unique properties responding. There were duplicate responses that were removed. Given this work, Birjulin is confident that the data is clean.

A revised scope of work will account for extended time on the survey design and the theme analysis.

EXECUTIVE SESSION

12:46 a.m. Director Smith and Director Grier moved to enter into Executive Session. Pursuant to Section 38-33.3-308(4)(b) C.R.S. for the purpose of receiving legal advice from general counsel

and special litigation counsel with respect to pending litigation filed by CSMN and CCRs as applied to short term rentals.

Present: Directors Ed Shriner, Mike Grier, Rick Smith and Larry Brooks; also present via phone Director Jerri More, Legal Counselors Alan Pogue and Miles Buckingham

1:37 Directors Smith and Grier moved to end the Executive Session.

No action was taken in executive session.

ADJOURNMENT

Director Smith moved to adjourn the Regular Meeting of the Cordillera Property Owners Association. Seconded by Director Grier. Upon motion duly made and seconded, the Board unanimously agreed to **Adjourn** the Regular Meeting of the Cordillera Property Owners Association at 1:38 p.m. Friday, May 18, 2018.

Respectfully submitted

Jaime Walker

Jaime Walker
Communications Manager