



# MEETING MINUTES

DATE: Friday, January 20, 2023

TIME: 8:30 a.m.

LOCATION: 0408 Carterville Road  
State of Colorado, County of Eagle.

## SPECIAL BOARD MEETING

### ATTENDANCE

Board Members Present: Cheryl Foley, President; Richard Saxby, Treasurer; Rob Meyers, Assistant Secretary/Assistant Treasurer; Harry Jasper, Secretary.

CMD Staff Present: Trevor Broersma, General Manager; Paula Kurtz, HR, and Finance Administrator

Panelists via Zoom: Alan Pogue, CMD Legal Counsel

Members of public present in person: None

Members of the public present via Zoom: Crystal Wilson, Jane Tudor, Chuck Jackson, Matt Weingast, Mike Autera, Gregory Murphy, Jerri Moore, Hiren Patel, Melissa Murphy, Bob Donovan

CMD Staff present via webinar: Sam Lazar, Community Operations Manager, Bill Anderson, Communications Specialist

### CALL TO ORDER/DECLARATION OF QUORUM

Director Foley called the meeting to order at 8:31 am, noting a quorum was present.

### ADEQUATE NOTICE/CONFLICT DISCLOSURE

Board members acknowledged receiving notice of the meeting no less than 24 hours in advance. No disclosures or conflicts with items on the agenda were cited.

### APPROVAL OF AGENDA

Director Jasper moved to approve the agenda for January 20, 2023. Director Saxby seconded the motion, the vote to approve was unanimous.

### DISCUSSION ITEMS

#### BOARD VACANCY

Director Foley asked for a motion to appoint Rob Meyers as the Vice President of the CMD as a replacement was needed for former board member Dan Roberts, who resigned in November 2022. Director Saxby made a motion to appoint Director Rob Meyers for the Vice President role that was vacated upon the resignation of former Director Dan Roberts. Director Jackson seconded the motion. Motion passed unanimously.

Director Foley introduced the first agenda item under the agenda topic of Discussion Items, that being the current board vacancy on the CMD board due to Director Dan Roberts resignation on November 22<sup>nd</sup>, 2022. Director Foley then noted that the Board has 60 days to appoint a director to fill the vacancy occasioned by the November 29, 2022 resignation of Dan Roberts. She explained that numerous notifications requesting expressions of interest were sent out to the community and that Bob Donovan had been identified by several residents as a possible candidate. Bob and his wife Carolyn have been full-time residents of Cordillera since 2016 and have both been active in community events. Bob is the

retired Corporate Vice-President, Finance of the MacDonalds Corporation. He has served on both the CMD and CPOA Finance Committees, as well as the Joint Strategic Planning Committee in 2018. Foley moved to appoint Mr. Donovan to fill the open Board position and Director Saxby seconded the motion. After discussion, the motion passed unanimously. Director Foley expressed the appreciation of the Board to Mr. Donovan for stepping up to join the CMD Board of Directors.

## **FLY FISHING PARCEL**

Director Foley opened discussion regarding the ownership of the Cordillera fly-fishing parcel located along Route 6. The parcel was purchased by the CPOA from the Vail Christian School in 2004 for the sum of \$1,150,000, and ownership was immediately quit claimed to the CMD, while operations remained with the CPOA and their professional contractor, Vail Valley Anglers (“VVA”). In 2021, CMD assumed operation of the parcel, also retaining VVA. Subsequently, a review of the deed identified a requirement that the parcel remain for private access only. CMD Counsel recommended that the parcel be deeded back to the CPOA, which had expressed its desire to both own and operate the property. Foley introduced a motion to quit claim the portion of the fishing parcel located north of Route 6 back to the CPOA (the land south of Route 6 would remain under CMD ownership), with a commitment by the CPOA under a proposed Open Space and Fishing Management Agreement to continue to retain professional management, to maintain current access policies (excepting potential fee increases) through 2023, and to compensate the CMD for one-half of the costs of the transfer. Director Jasper seconded the motion, which, after discussion, passed unanimously.

## **CPOA SERVICES AGREEMENT**

Director Saxby reviewed recent negotiations for the CMD to provide designated services to the CPOA, as set forth in Exhibit A of a draft Services Agreement that was included in the Board packet. The Agreement covers snowplowing of CPOA parking lots, Short Course grooming in the winter, management of the recycling and dumpster area, trail maintenance and patrol of the fishing parcel, and after-hours security checks of CPOA buildings in return for a fee of approximately \$125,000. It also has provisions for other services, as may be mutually agreed from time-to-time.

Saxby praised the cooperative nature of the discussions and the development of a good baseline document that was in near-final form, with just a couple of technicalities to be ironed out. He also noted that CMD and CPOA have a much-improved identification of services to be rendered and their related costs than they have had in the past.

Director Jasper asked about whether general Public Safety costs and responsibilities were included in the draft Agreement, and Director Saxby responded that they were not. Director Meyers noted that general Public Safety services are still an outstanding issue between the two boards, and that CMD intends to reach out to the community over the coming year to determine what Public Safety services the community wants to continue, their costs, and how to fund these services. He noted that it will be very important for the community to be involved in these discussions and to provide the CMD Board with their feedback.

Counselor Pogue asked if Director Foley wanted to ask for a motion for approval of the Agreement at this time, but Director Foley suggested it wait until the final version is completed.

## **EXECUTIVE SESSION**

Director Foley stated the need for an executive session to review 2022 performance and personnel matters. Director Jasper made a motion to commence the executive session, seconded by Director Saxby. The board went into executive session at 8:55 am.

Director Foley asked for a motion to adjourn the executive session. Director Saxby made a motion to adjourn the executive session and Director Jasper seconded the motion. The meeting adjourned at 11:02 am.

#### **SPECIAL BOARD MEETING ADJOURNMENT**

There being no further business before the Board, the special board meeting was adjourned at 11: 03 am., with a motion to adjourn by Director Saxby, and seconded by Director Jasper.