

CORDILLERA METROPOLITAN DISTRICT
SPECIAL BOARD MEETING MINUTES
WEDNESDAY, OCTOBER 12, 2016
0408 CARTERVILLE ROAD, CORDILLERA, COLORADO

The Special Meeting of the Board of Directors of the Cordillera Metropolitan District (CMD) was called and held on Wednesday, October 12, 2016 in accordance with the applicable statutes of the State of Colorado.

ATTENDANCE

Present: Robert Egan, President
Kitty George, Assistant Treasurer & Assistant Secretary
David Bentley, Vice President

Via Telephone: David Davies, Secretary
Judith McBride, Treasurer

ALSO PRESENT

CPOA Board Members: Ed Shriner; Rick Smith, Larry Brooks, and Lois Bruce (via telephone)

Others Present: Rachel Oys, General Manager; Alan Pogue, Legal Counsel (via telephone); Lew Harstead, Legal Counsel (via telephone)

CALL TO ORDER

Director Egan called to order the Special Meeting of the Cordillera Metropolitan District at 9:01 a.m.

DECLARATION OF QUORUM/DIRECTOR QUALIFICATION

Director Egan noted for the record a quorum was present for the purpose of doing the business of the Cordillera Metropolitan District.

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING AT LEAST 72 HOURS IN ADVANCE OF THE MEETING.

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

October 12, 2016 Special Meeting Agenda

Director Bentley moved to approve the October 12, 2016 Special Meeting Agenda. Seconded by Director George.

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

Approved the October 12, 2016 Special Meeting Agenda.

CMD EXECUTIVE SESSION

9:00 a.m. Director Egan and Director McBride moved to enter Executive Session. Pursuant to 24-6-404(4)(b) C.R.S. to receive legal advice from legal counsel regarding the Lodge and Spa at Cordillera. Thomas Wilner, a member of the Legal Committee advising on the sale of the Lodge and Spa, was present by telephone from 9:15-9:32 am.

10:45 a.m. Director Egan and Director McBride move to conclude Executive Session.

MOTION TO AUTHORIZE JUDICIAL APPEAL

A motion to authorize an appeal of the County Commissioners' determination upholding County Staff's interpretation of the Cordillera P.U.D., pursuant to Rule 106(4)(a) of the Colorado Rules of Civil Procedure

Director Davies moved to authorize a judicial appeal of the County Commissioners' determination as provided for by Rule 106 of the Colorado Rules of Civil Procedure. The motion was seconded by Director George.

Upon motion duly made and seconded, the Board voted 4-1 (director Bentley opposed) to **Authorize** legal counsel to file an appeal of the County Commissioners' determination, pursuant to Rule 106 of the Colorado rules of Civil Procedure

MOTION TO DISSOLVE LEGAL COMMITTEE

A motion to dissolve the joint CMD-CPOA legal committee established on 3 June 2016.

Director McBride moved to dissolve the joint CMD-CPOA legal committee, established on 3 June 2016 to advise the Boards with respect to the appeal to the County Commissioners of County Staff's interpretation of the Cordillera P.U.D. The motion was seconded by Director Bentley.

Upon motion duly made and seconded, the Board voted unanimously to dissolve the joint CMD-CPOA legal committee.

MOTION REGARDING INSURANCE POLICY ANNUAL REVIEW

A motion to modify CMD insurance policies as part of the annual review of CMD coverages and to direct staff to obtain information on additional policy options from alternative carriers.

Director McBride moved to authorize staff to obtain additional general liability coverage as part of the CMD's annual review of its insurance policies, and to direct staff to obtain information and quotes on other policy options, including but not limited to umbrella coverage, from alternative carriers. The motion was seconded by Director Bentley and passed unanimously.

ADJOURNMENT

Director George moved to adjourn the Special Meeting of the Cordillera Metropolitan District. Seconded by Director Bentley.

Upon motion duly made and seconded, the Board voted unanimously to **Adjourn** the Special Meeting of the Cordillera Metropolitan District at 10:50 a.m. on Wednesday, October 12, 2016.

Respectfully submitted,



Tracy Stowell

Executive Coordinator