



# APPROVED MINUTES

Cordillera Metro District  
Cordillera Property Owners Association

*January 11, 2019*

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## In Attendance

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<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
David Bentley, President	Ed Shriner, President
Eugene McGuire, Vice President	Mike Grier, Vice President (via telephone)
Cheryl Foley, Treasurer	Ron Haynes, Treasurer
Kitty George, Secretary	Jerri More, Secretary
John Van Deusen, Assistant Treasurer/Assistant Secretary	Larry Brooks, Assistant Treasurer/Assistant Secretary (via telephone)

## Others Present:

Rachel Oys, general manager; Alan Pogue, legal counsel (via telephone); Jaime Walker, communications manager; Trevor Broersma, operations director; Joe Helminski, recreation director; Tracy Stowell, office manager; Barry Smith, public safety director; Ron Hoppner, information systems administrator; Members of the public: Steve Houk, John Warren, Enrique Grisoni, Jay and Dee Tobin, Ron Yordi and Neel Lemon via web conference phone.

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## Call to Order

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<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
Director Bentley called to order the Regular Meeting of the Cordillera Metropolitan District at 9 a.m.	Director Shriner called to order the Regular Meeting of the Cordillera Property Owners Association at 9:01 a.m.

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## Declaration of Quorum/Director Qualifications

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

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## Approval of Agenda

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<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
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<p>Director Van Deusen moved to approve the January 11, 2019, Regular Meeting Agenda. Seconded by Director McGuire.</p> <p>Upon motion duly made and seconded, the Board approved the January 11, 2019, Regular Meeting Agenda.</p>	<p>Director Haynes moved to approve the January 11, 2019, Regular Meeting Agenda. Seconded by Director More.</p> <p>Upon motion duly made and seconded, the Board approved the January 11, 2019, Regular Meeting Agenda.</p>
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### **Approval of Consent Agenda**

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<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
<p>Director George moved to approve the Consent Agenda. Seconded by Director Foley.</p> <p>Upon motion duly made and seconded, the Board approved the November 16, 2018, Meeting Minutes.</p>	<p>Director More moved to approve the Consent Agenda items. Seconded by Director Haynes.</p> <p>Upon motion duly made and seconded, the Board approved the November 16 and December 12, 2018, Meeting Minutes.</p>

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### **Public Comment**

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- Public comment topics included short-term rentals, Eagle Vail’s skier shuttle, the car wash, pickle ball court conditions, helpful gates staff and the water fund.

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### **Joint Agenda Items for Boards Discussion and Direction**

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#### **Management Report**

- Barry Smith, the public safety director, and Ron Hoppner, the information technology administrator, were introduced to the board.
- Testing of videoconferencing equipment was successful. For future meetings, the community will be able to watch board meetings and provide public comment via GoTo Webinar.
- The draft emergency operations plan will outline staff and board roles and responsibilities, capabilities, resources, gaps and processes. It will be on the March 8 meeting agenda.
- CPOA has the authority to complete necessary wildfire mitigation improvements for individual properties that failed to execute the work within the required timeframe and upon receiving multiple notices. CPOA will bill properties for costs.
- Construction documents for the Trailhead were advertised for bid. Five contractors participated in a pre-bid meeting and site walk-through. The bids are due January 24, 2019.
- Resonance President Chris Fair will be on-site for 2.5 days starting Monday, January 21, to meet with key Vail Valley stakeholders and interest groups to gather opinions and points of view on the key issues and opportunities for Cordillera now and in the future. In early spring, Resonance will begin meeting with property owners.
- In response to questions, Ms. Oys explained reasons why the Cordillera Valley Club had decided to switch its gate security operations from CMD to a third party provider. She stated

that the financial impact on the CMD budget would be presented at the next Treasurers meeting.

- The process and timing for the general manager annual review was outlined. Review of the general manager and legal counsel is within board purview.
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## **CMD Agenda Items for Board Discussion and Direction**

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### **General Manager Performance Evaluation Process**

#### **Eagle River Water and Sanitation District**

- Jason Cowles from Eagle River Water and Sanitation District shared planned capital improvement projects related to the Cordillera Water System. Discussion ensued between the board, Mr. Cowles and the public regarding the implementation and termination of the water surcharge, the resulting water fund and its possible allocation to water system capital improvements. In response to questions, Mr. Cowles agreed that Cordillera had no obligation to pay for those water system capital improvements up front with the water fund, that the Water District was obligated in every event to construct water system capital improvements for all of its customers throughout its service territory as and when needed and to self-fund those projects, and that its costs for all capital improvements throughout its service territory are allocated equitably across and are recovered in rates from all of its customers in the Vail Valley. Mr. Cowles acknowledged that if Cordillera used the water fund to pay for Cordillera-specific capital projects, then Cordillera residents would be bearing 100% of those costs, but would still be sharing costs of capital improvements in other communities. The board requested Mr. Cowles to provide the timing for the Cordillera capital improvement projects, as reflected in the Water District's long-term planning budget.

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## **CMD Executive Session**

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- 11:47 a.m. Directors George and Bentley moved to enter Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. (CMD) for the purpose of receiving legal advice regarding the CSMN litigation.
- 1:09 p.m. Directors Foley and George moved to conclude the Executive Session.
- Present: Directors Bentley, McGuire, Foley, George and Van Deusen and General Manager Oys.
- Also present: Lisa Mickley, legal counsel.
- No action was taken in executive session.

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## **CPOA Agenda Items for Boards Discussion and Direction**

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### **Design Review Board Appointments**

*CPOA Motion: Director Shriner moved to appoint Dennis Moran to the Design Review Board (DRB). Seconded by Director Grier. Upon motion duly made and seconded, the Board approved the motion.*

## **Vacate Lot Line-Kloehn**

*CPOA Motion: Director Haynes moved to vacate the lot line between 2326 Fenno Drive and 2582 Fenno Drive. Seconded by Director More. Upon motion duly made and seconded, the Board approved the motion.*

- The DRB will bring forth recommendations to the CPOA on a way to reduce the financial impact to the community when lot lines are vacated.

## **Short-Term Rentals**

- The board discussed a draft set of rules describing a potential registration requirement for short-term rentals. Short-term rentals currently are not restricted in Cordillera, except in certain enclave communities. The Board took no action on the proposed rules, and instead directed staff to solicit additional public input and recommendations from Resonance.

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## **CPOA Executive Session**

- 11:46 a.m. Directors Haynes and More moved to enter into Executive Session pursuant to Section 38-33.3-308(4)(b), C.R.S. (CPOA) for the purpose of receiving legal advice from general counsel and special litigation counsel with respect to Court of Appeals ruling November 29, 2018, CSMN litigation and Short-Term Rentals.
- 12:42 Directors Haynes and More moved to conclude the Executive Session.
- Present: Directors Shriner, Grier (via telephone), Haynes, More and Brooks (via telephone).
- Also present: Alan Pogue, legal counsel (via telephone).
- No action was taken in executive session.

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## **CMD Adjournment**

### **CMD Board of Directors**

Director Foley moved to adjourn the Regular Meeting of the Cordillera Metro District. Seconded by Director George.

Upon motion duly made and seconded, the Board adjourned the Regular Meeting of the Cordillera Metro District at 1:10 p.m. Friday, January 11, 2019.

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## **CPOA Adjournment**

### **CPOA Board of Directors**

Director Haynes moved to adjourn the Regular Meeting of the Cordillera Property Owners Association. Seconded by Director More.

Upon motion duly made and seconded, the Board adjourned the Regular Meeting of the Cordillera Property Owners Association at 12:42 p.m. Friday, January 11, 2019.

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## **Next Meeting**

- The remaining regularly scheduled CMD and CPOA Board meetings for 2019 will be as follows: March 8, May 10, July 12, September 13 and November 8. All meetings are scheduled to begin at 9 a.m. in the large conference room of the Cordillera Administration Building at 408 Carterville Road, Cordillera, Colorado, 81632. Meetings will be canceled when there are no time sensitive or substantive topics for board discussion.