



# MINUTES

APPROVED  
Cordillera Metro District  
Cordillera Property Owners Association

**CMD and CPOA Public Session**

**January 10, 2020**

## In Attendance

<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
David Bentley, President (Term to 2022)	Mike Grier, President (Term to 2020)
Eugene McGuire, Vice President (Term to 2022) (by phone)	Ron Haynes, Vice President (Term to 2021)
Cheryl Foley, Treasurer (Term to 2022)	Monte Irion, Treasurer (Term to 2022)
Kitty George, Secretary (Term to 2020)	Jerri More, Secretary (Term to 2020)
John Van Deusen, Assistant Treasurer/Assistant Secretary (Term to 2020)	Cynthia Lenac, Assistant Treasurer/Assistant Secretary (Term to 2022)

## Others Present:

Rachel Oys, general manager; Alan Pogue, legal counsel (by phone) ; Trevor Broersma, operations director; Tracy Stowell, office manager; Barry Smith, public safety director; Heather Mathews, finance manager; Joe Helminski, recreation director; Ron Hoppner, information technology administrator; Cliff Simonton, community planning manager; Fernanda Bazani, human resource manager and members of the public: Ed Shriner, Cassie Gray, Pam Horan-Kates, Jay and Dee Tobin, Debbie Brady, Linda Burba, Dennis Moran, Vince Leone, Dan Hoffman, Jana Wisenbaker, Joe Lenac, Steven Wellins, Henry Reed, Chuck Jackson, Stephen Houk, Michael Finley, Michael Dowling, Mike Autera and Lois Bruce.

## Call to Order

<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 9:01 a.m.	Director Grier called to order the Regular Meeting of the Cordillera Property Owners Association at 9:02 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

<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
Director George moved to approve the January 10, 2020 Regular Meeting Agenda. Seconded by Director Van Deusen.	Director More moved to approve the January 10, 2020, Regular Meeting Agenda. Seconded by Director Haynes.

Upon motion duly made and seconded, the board approved the January 10, 2020, Regular Meeting Agenda.	Upon motion duly made and seconded, the board approved the January 10, 2020, Regular Meeting Agenda.
--	--

### **Approval of Consent Agenda**

<b>CMD Board of Directors</b>	<b>CPOA Board of Directors</b>
Director Foley moved to approve the Consent Agenda. Seconded by Director George. Upon motion duly made and seconded, the board approved the November 8, 2019, Meeting Minutes with a deletion of a reference to the ACC that was used twice and the clarification of a public comment in the December 13, 2019 Special Meeting Minutes.	Director More moved to approve the Consent Agenda items. Seconded by Director Haynes. Upon motion duly made and seconded, the board approved the November 8, 2019, Meeting Minutes with the deletion of a reference to the ACC that was used twice and the clarification of a public comment in the December 13, 2019 Special Meeting Minutes.

---

### **Public Comment**

- Public comment topics included: a reminder to property owners that the boards welcome public comment; a comment requesting clarification about who has access to Cordillera amenities – specifically related to short-term renters and Club at Cordillera members; a question about the new Cordillera credentialing cards; concerns about moving the pool to the athletic center parcel with Cordy Campers also using the facility; a suggestion to build an adult pool on the grassy area at the Trailhead; a suggestion to build a new pickleball facility/court at the lower barn at the equestrian center; a suggestion to purchase e-bikes for property owner use; a compliment about the existing pool at the athletic center; and a request to add Ed Shriner’s public comment (clarifying the interpretation of his Nov. public comment) to the November 8 meeting minutes.

---

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

#### **Management Team Report**

- No Comments

#### **Financials**

- Presidents’ and treasurers’ meetings were held on Wednesday, December 8.
- Director Foley gave a 2019 CMD third-quarter financial update (July-September).
  - o There were some unexpected expenses in community operations but, ultimately, the 2019 budget in its entirety is projected to be within approved spending limits. Revenues were \$430,000 lower than projected due to eliminating public safety service at the CVC gate but this was offset by reduced spending in other areas including payroll vacancies.
  - o Debt payment was made November 27 and was due on December 1.
  - o An agenda for 2020 topics to be addressed during the presidents’ and treasurers’ regular meetings was reviewed. Discussions related to this agenda will take place throughout the year.
  - o Moving to monthly financial reporting was discussed.

- CMD long-term funds are invested in the Colorado Trust Fund, which meets statutory and regulatory requirements. All funds are in insured bank accounts.
  - In the reserve study, Borne Consulting recommended putting \$1.45 million into the Reserve Fund each year. This year the board will put \$1.38 million in the fund. The board will determine at a later date the appropriate amount that should be reserved each year for capital projects.
  - Director Irion gave a CPOA financial update.
    - 2019 was budgeted at a deficit of \$217,000. Staff is working on reducing that number without pulling from cash reserves.
    - CPOA is ahead on the Reserve Fund, in part, because it did not spend the \$1 million budgeted for Trailhead projects. The Reserve Fund balance is currently \$4.5 million.
    - An estimated \$1.75 million will be coming in from RETA for 2019.
    - Bank balances are projected to end the year at more than \$5 million. Presidents and treasurers reviewed individual bank accounts and the banking structure of those accounts to ensure maximum interest earnings while keeping CPOA funds secure.
- 

## **CMD Agenda Items for Board Discussion and Direction**

---

### **Employee Handbook**

- Fernanda Bazani, human resources manager, updated the board on the CMD employee handbook which has been updated. The last update occurred in 2016. Both the Employers Council and district attorneys have reviewed the new handbook.
- Changes include:
  - New laws related to workplace accommodations for nursing mothers and discrimination including bullying and gender identity.
  - Updates were made to the dress code and the video surveillance policy.
  - Policies related to technology changes including privacy and confidentiality information and employees' use of social media.

*CMD Motion: Director George moved to approve the changes made to the CMD Employee Handbook. However, the topic was tabled due to concerns from Director McGuire. The handbook will be reviewed again at the April 17 regular board meeting.*

---

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

---

### **Athletic Center Pool Project**

- CPOA has not committed to construction as of yet. The board is in the process of hiring a construction design team that will study the existing infrastructure and land available at the ACC and the Trailhead. A local architect and contractor have been identified to serve on the team. In addition, Directors Grier and Haynes have interviewed site planners to undertake site and master planning. In the coming weeks it is anticipated CPOA will enter into a teaming agreement under which the contractor will work proactively on the planning process with the architect and site planner.

- The board recognizes there are issues with moving the pool to the athletic center site, and these will all be addressed if the board decides to go with that location. The board also recognizes there may some advantages to keeping the pool at the Trailhead due to the ancillary services in place to maintain the pool.
- Once the team is in place, the first phase will be to complete an evaluation of existing facilities, what those facilities are worth and the cost of replacing, renovating and repairing the facilities. Phase two will proceed with developing a concept for what the project might entail, gathering stakeholder input and selecting from pricing options.
- Director Grier discussed the four different financing options that could be used to fund this project.
  - o A bond issue – This would require a public vote of only Colorado registered voters. The project would need to be fully developed and 100 percent priced out before it goes to voters. Only CMD can issue bond debt, which would require underwriting at a significant cost.
  - o Special Assessment – This would require an investment in long-term capital assets over 20-30 years. One disadvantage of a special assessment is that current property owners would pay for future benefits.
  - o Borrow money – CPOA has the capability to borrow. This would allow CPOA to avoid a special assessment but would assume short-term loans and interest rate risks.
  - o Phasing project with available funds – This would include the RETA tax. In 2022, the agreement with CMD will expire when the bond debt expires, and CPOA will then have an additional \$400,000 in RETA funds for the Reserve Fund in 2023.
- The Board will be meeting monthly for the next three months to move the pool project forward. Public comment will be available at the end of each meeting. Meeting dates include:
  - o January 23
  - o February 20
  - o March 19
- Meeting dates have been posted to the website and the county.

### **Club at Cordillera Letter**

- Director Haynes met with Mike Henritze of the Club at Cordillera a week prior to the January 10 board meeting to discuss the letter sent to the club. CPOA will keep Mr. Henritze abreast of the type and size of facility CPOA is looking to build. The club can choose to make a proposal if it believes the desired facility would work on its property and from there the board can assess the site.
- Director Haynes addressed three hurdles with building a CPOA facility on club property. Those include the following:
  - o If there is sufficient property to accommodate the facility requirements.
  - o Half of Cordillera property owners are not club members.
  - o Absolute protection of CPOA assets if the club changed ownership.

The board is investigating the club area for a pool because 57 percent of survey responses said it could be a viable location.

### **Skier Shuttle**

- Joe Helminski, recreation director, updated the board on the skier shuttle pilot program.

- The shuttle runs Friday, Saturday and Sunday each week between December 13 and March 29 with two round-trips to Vail and Beaver Creek on each of those days.
- As of January 5, there were a total of 48 shuttle trips – 24 to Beaver Creek and 24 to Vail.
- A total of 101 passengers were served with Vail being the more popular route.
- When the shuttle is not servicing Cordillera, it can be seen driving other routes, providing additional marketing exposure with the Cordillera wrap. Only one shuttle is wrapped. The second shuttle has magnetic Cordillera signage on the door.
- The shuttle is available to all property owners and their in-house guests.
- Peak1 is open to discussions on changes to the schedule if the Beaver Creek shuttle is not utilized more.

### **DRB Guideline Modifications**

- Gene Shanahan’s term as Chair of the Design Review Board is up after nine years of service. The board elected Dennis Moran as the new chair. Traci O’Connor will move from being an alternate member to a full member. The board will seek two or three applicants that would like to serve on the DRB as alternate members. These new alternate members may include an architect that may or may not be a property owner. DRB will bring these recommendations to the CPOA board for approval.
- DRB Guidelines that need to be modified include the following:
  - o Consolidating topics, eliminating redundancy and improving navigation
  - o Clarifying and streamlining the process and the document
  - o Clarifying design expectations and minimizing subjectivity
  - o Updating fees, fines and construction rules and regulations
  - o Incorporating mountain-modern/contemporary design options and newer construction materials that are compatible with the established community character
- DRB will first work on getting the guidelines updated for the areas where homes are being built, which is primarily the Summit.
- Staff is compiling information on what similar communities are doing and working with the finance department to do a financial analysis and historical review of lot combinations.

---

### **CMD and CPOA Executive Sessions**

11:00 a.m. Directors George and Foley 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.

11:01 a.m. Directors More and Haynes moved to enter executive session pursuant to Section 38-33.3-308(4)(b), C.R.S. (CPOA) for the purpose of receiving legal advice regarding the CSMN Litigation.

12:28 p.m. Directors Foley and George moved to conclude the executive session.

12:28 p.m. Directors More and Irion moved to conclude executive session.

Present: CMD Directors Bentley, McGuire (by phone), Van Deusen, George and Foley as well as CPOA Directors Grier, Haynes, More, Irion and Lenac.

Also, present: Rachel Oys, general manager, Alan Pogue, legal counsel (by phone), Miles Buckingham, legal counsel (by phone), Lisa Mickley, legal counsel (by phone) and Ed Shriner, defendant in CPOA litigation.

12:30 p.m. Directors Van Deusen and George moved to enter executive session pursuant to Section 24-6-402(4)(a), C.R.S. (CMD) to discuss personnel matters (general manager/general counsel).

12:31 p.m. Directors Haynes and Lenac moved to enter executive session pursuant to Section 38-33.3-308, C.R.S. (CPOA) to discuss matters pertaining to employees/agents of the association (general manager/general counsel).

1:19 p.m. Directors Foley and George moved to conclude the executive session.

1:19 p.m. Directors Grier and Lenac moved to conclude executive session

Present: CMD Directors Bentley, McGuire (by phone), Van Deusen, George and Foley as well as CPOA Directors Grier, Haynes, More, Irion and Lenac.

Also, present: Rachel Oys, general manager (left at 1:00 p.m.).

No action was taken in executive sessions.

---

### **CMD Adjournment**

<b>CMD Board of Directors</b>
-------------------------------

Director George moved to adjourn the Regular Meeting of the Cordillera Metro District at 1:20 p.m. Seconded by Director Foley. Upon motion duly made and seconded, the board adjourned the Regular Meeting of the Cordillera District.
---

### **CPOA Adjournment**

<b>CPOA Board of Directors</b>
--------------------------------

Director Grier moved to adjourn the Regular Meeting of the Cordillera Property Owners Association at 1:20 p.m. Seconded by Director Lenac. Upon motion duly made and seconded, the board adjourned the Regular Meeting of the Cordillera Property Owners Association.
--

---

### **Meeting Schedule**

- The regularly scheduled CMD and CPOA Board meetings for 2020 will be as follows: January 10, April 17, August 27 and November 13. All meetings are scheduled to begin at 9 a.m. in the large conference room\* at the Cordillera Administration Building at 408 Carterville Road,

Cordillera, Colorado, 81632. Meetings will be cancelled when there are no time-sensitive or substantive topics for board discussion.

\*Note: The April 17 regular board meeting will be held via webinar to comply with social distancing requirements.