



MEETING MINUTES

DATE: FRIDAY, SEPTEMBER 10, 2021

TIME: 9:00 AM

LOCATION: 408 CARTERVILLE ROAD
STATE OF COLORADO) COUNTY OF
EAGLE) SS.

REGULAR BOARD MEETING

ATTENDANCE

Present: David Bentley, President; Cheryl Foley, Treasurer; John Van Deusen, Secretary;; Trevor Broersma, Acting General Manager.

Via webinar: Dan Roberts, Assistant Treasurer/Assistant Secretary, Alan Pogue, CMD Legal Counsel, Jason Carroll, Clifton Larson Allen, Bryan Bevin, Starview Realty Investment Attorney.

Not in attendance: Eugene McGuire, Vice President

Members of Public via Webinar:

CALL TO ORDER/DECLARATION OF QUORUM

Director Bentley called the meeting to order at 9:00 a.m., noting a quorum was present.

ADEQUATE NOTICE/CONFLICT DISCLOSURE

Board members acknowledged receiving notice of the meeting no less than 24 hours in advance of the meeting and cited no conflict of interest with items on the agenda.

APPROVAL OF AGENDA

Director Foley moved to approve the agenda as presented, Director Van Deusen seconded. There being no discussion, the vote to approve was unanimous.

APPOVAL OF CONSENT AGENDA

Director Foley moved to approve the consent agenda consisting of the minutes from the meeting of July 9, 2021, Director Van Deusen seconded. Director Roberts inquired about the minutes from the August meeting and was informed these will be presented in October. Director Bentley asked if the Resolution approved by the Board at the August meeting regarding monies available for the purchase of the Grouse on the Green had been formerly transmitted to the CPOA; Trevor indicated yes. There being no further discussion, the vote to approve was unanimous.

AGENDA ITEMS

PUBLIC HEARING TO EXCLUDE REAL PROPERTY, continued from 7/9/21.

Director Bentley opened the hearing continued from the meeting of July 9th regarding a request from Starview Realty Investment to exclude that real property situated at 4852 Sendero Verde from the Cordillera Metropolitan District service boundary. Counselor Pogue presented a resolution prepared for the Board's signature (please reference Board Packet for 9/1/0/21) which detailed facts and events of the investigation, and which concludes that the Cordillera Metropolitan District,

upon consideration of all statutory criteria and receipt of all evidence required, has determined that the property should not be excluded.

Director Roberts moved to approve the resolution; Director Van Deusen seconded the motion. Director Bentley opened the hearing to public comment. Seeing none, public comment was closed.

The Board moved to deliberation. There being no discussion, the vote was called, and the resolution was unanimously approved. Director Bentley formally closed the hearing on the matter of Starview Realty Investment.

FINANCIAL AND AUDIT REPORT *See full reports in 9/10/21 Board Packet*

Director Foley presented the Financial Report for the period ending June 30, 2021, providing the following highlights:

- Revenue and expenses are on target and consistent with budget and expectations. One exception is interest income, which will fall short of expectations (budget projections may have been unrealistic).
- The move of Water Fund monies to the General Fund is not reflected in this report, as that did not occur until July.

Director Bentley questioned the increase in accounting fees, and was told the on-going reconciliations and corrections that have been required as the District moves to the new CLA accounting system were not anticipated by the budget.

- The 2020 Audit did identify significant deficiencies, most associated with accounts and balances that did not align, exacerbated by issues with (old) accounting software. Significant reconciliation and corrections were necessary. The future outsourcing of accounting and financial management to CLA should solve these problems.
- The auditors did find that, after reconciliation and corrections, year-end financial statements reflected an accurate picture in all material respects of each major fund and the aggregate remaining funds and government activities of the Cordillera Metropolitan District as of December 31, 2020.
- The Metro District is in very good financial shape. Additionally, all bond debt should be fully amortized by the end of 2022.

Presentation of the Financial Report required no specific action by the Board

RESOLUTION GOVERNING USE OF CMD ASSETS TO SEND POLITICAL OR PERSONAL MESSAGES TO THE CMD COMMUNITY

Director Roberts presented and moved to approve the following Resolution:

WHEREAS, on August 19, 2021 a letter was written by David Bentley, to the Cordillera Community on CMD letterhead using the personnel, mailing list, and other resources of the CMD and was signed by Mr. Bentley as President of the CMD. Mr. Bentley admits in the letter, that the letter was solely a personal message; and

WHEREAS, several residents have questioned the legality of using the CMD logo and letterhead, the CMD email distribution or mailing lists, and CMD facilities and personnel to enable such personal distributions; and

WHEREAS, to our knowledge CMD does not have any written policy governing use of its assets for political or personal purposes and the Board believes that such a policy is necessary and appropriate;

NOW THEREFORE, the CMD Board hereby adopts the following policy related to the use of its assets in the distribution of political or personal messages to Cordillera residents: No CMD Director may use the CMD logo or letterhead, its email or mailing distribution lists, or its facilities, personnel, or other assets to send messages of a political or personal nature to the Cordillera residents. Any CMD Director who wishes to send a written communication to Cordillera residents using CMD assets shall first send a copy to all other CMD Directors and solicit their comments. In the event that a question arises as to whether any communication is prohibited under this policy, the Board's attorney shall be consulted and shall make the final decision.

Director Foley seconded the motion to approve.

In discussion, those in favor stated the urgency of the matter, and that the resolution and attendant policy, which in effect would do no more than codify existing Colorado Law, was needed to address an immediate concern of the community.

Those opposed stated that it would be inappropriate to establish board policy through a resolution targeting a single isolated incident, and that the Board should instead work with appropriate stakeholders to establish bylaws to guide its protocols and activities, as provided in the Special Districts Handbook.

General support was voiced by Board members for the development of bylaws addressing Board activities, responsibilities and protocols at some future time.

The vote was called, with Directors Roberts and Foley voting in favor of adoption of the resolution, and Director Bentley and Van Deusen voting against. The vote being tied, the measure failed.

INTRODUCTION OF CLIFTON LARSON ALLEN – NEW CMD FINANCIAL SERVICES TEAM

The Board welcomed Mr. Jason Carrol, managing partner of Clifton Larson Allan, who then presented his firm's qualifications and a summary of the financial and accounting services CLA would be providing to the District. In response to Board questions, Jason provided additional information regarding the timing and availability of monthly financial information, and the involvement of CLA in future audits and the budgeting process.

In discussing the transition to the new accounting software, the Board recognized the outstanding effort and work of Financial Manager Claudia Wells, as she has been instrumental in problem solving and providing advice through the transition effort. The Board wished her well in new endeavors as Claudia will be leaving the organization.

CLARIFICATION OF PROCESS FOR HIRING THE GENERAL MANAGER POSITION

Counselor Pogue presented a summary of the statutory requirements of postings and open meetings associated with the process of hiring a new General Manager. The Board confirmed the status of its hiring activities and scheduled a follow up meeting consistent with statutory requirements, setting October 13th as the day by which the process would be concluded.

MANAGEMENT TEAM REPORT *See full report included in 9/10/21 Board Packet*

Acting General Manager Trevor Broersma presented the September 10, 2021 Management Team Report, providing detail on topics including:

- Staff training, anniversaries, and recognitions. Trevor also presented the Metro District organizational chart.
- The financial software update project

- Information and Technology news. Ron Hoppner is starting his own business, but will continue to provide IT services to both the District and the CPOA.
- Equestrian Center news - enthusiastic welcome-back to manager Dominique Jones.
- Community Operations and the status of road, trail, and fleet projects
- The Fishing Program summary for 2021
- Public Safety operations, call boxes at gates, trailer parking and staffing shortage issues.

Discussion included a request for a video that would detail the use of call boxes at entry gates, acknowledgement regarding regional workforce and housing shortages, and a request for clarification regarding the position of Community Planning Manager on the organizational chart. It was confirmed that the District's two transport vans had been sold (CPOA was approached but did not have use for them), and greater detail was provided regarding this summer's road resurfacing projects, new bike lanes and the changes to the intersection of Squaw Creek Road and Cordillera Way. The Board acknowledged that a great deal of work had been accomplished this summer, with no increase in taxes.

Presentation of the Management Team Report required no specific action by the Board.

2022 BUDGET PLANNING DISCUSSION *See supporting documents in 9/10/21 Board Packet.*

Acting General Manager Trevor Broersma presented preliminary detail on the Budget proposed for 2022, including the timeline for its completion and approval. Forecasts for revenues, expenditures and the plan for capital projects were presented. Discussion included impacts from elevated construction costs, and an explanation of how the 20-year Reserve Study is used to determine capital budget amounts for each year. The reserve study is scheduled to be updated in 2022. Clarification of proposed costs associated with the Bearden Pond upgrade was also provided.

Working with CLA, a more refined draft budget will be available for the Board's consideration at the October 13 meeting.

The budget planning discussion required no specific action by the Board.

PUBLIC INPUT

Director Bentley opened the meeting to public input. Comments received included:

- A request for periodic inspection and maintenance of intersection identification fences in the Summit
- A request for flowers to be returned to select intersection and monument beds in the Summit. The 2022 budget brings funds allocated for flowers back to 2019 levels. Flower bed designs will be modified in response to the need for water conservation.
- Tim and Anita Asfazadour should be recognized for discovering a fire adjacent to the Big Park Trail this past summer that could have grown significantly.

ADJOURNMENT

The day and time for the next CMD Board meeting was set as Wednesday, October 13, 2021 at 9:00 am. There being no further business before the Board, the meeting was adjourned at 10:40am, motion by Foley, second by Van Deusen.