



MEETING MINUTES

APPROVED

DATE: Monday, January 10, 2022

TIME: 9:00 a.m.

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

REGULAR BOARD MEETING

ATTENDANCE

Present: David Bentley, President; Treasurer; Eugene McGuire, Vice President; John Van Deusen, Secretary; Trevor Broersma, General Manager.

Board Members via webinar: Cheryl Foley, Treasurer; Dan Roberts, Assistant Treasurer/Assistant Secretary.

Other panelists via webinar: Alan Pogue, CMD Legal Counsel.

Members of the public via webinar: Nancy Alexander, Chuck Jackson, Melissa Murphy, Lainie Edinburg, Mike Autera, Harvey Schnitzer, Margo Boyle, Jerry Nichols.

CMD Staff via webinar: Paula Kurtz, Executive Assistant to the GM; Cliff Simonton, Planning Manager; Sam Lazar, Operations Manager.

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 and cited no conflicts of interest with items on the agenda.

APPROVAL OF AGENDA

Director John Van Deusen moved to approve the agenda for January 10, 2022, Director McGuire seconded. The vote to approve was unanimous.

APPOVAL OF CONSENT AGENDA *(note one corrected minutes and draft minutes for four meetings detailed in Board Packet)*

Director John Van Deusen moved to approve the consent agenda for January 10, 2022, Director McGuire seconded. The vote to approve was unanimous.

DISCUSSION ITEMS *(note resolutions detailed in Board Packet)*

ELECTION RESOLUTION AND ANNUAL ADMINISTRATIVE MATTERS RESOLUTION

Counselor Pogue presented the Annual Administrative Matters Resolution and the Election Resolution. The Administrative Matters Resolution directs Staff (Legal Counsel, the District Accountant and the General Manager) to take those actions

required by Statute to keep the District compliant with applicable state laws and also the Service Plan with respect to Eagle County Regulations. The Election Resolution calls for the CMD Board Election as required by statute, and designates Icenogle Seaver Pogue, P.C. as the Designated Election Official. The election will be held on May 3rd by mail ballot. If on the 67th day prior to the election (end of February) there are the same number of candidates as positions open or fewer candidates than positions open, the election will be cancelled and those nominated will be elected by acclamation. Nominations are due by the 25th of February. On the matter of election bios, Counselor Pogue suggested that rules be established for the content and length of bios. Candidate bios should be placed in the mailed election packet based on random draw to avoid perceptions of favoritism. More than one candidate forum can be held, candidates simply need to know how it will be conducted. The Designated Election Official must remain a neutral and independent arbitrator of the election process. Forums should be conducted professionally and should not serve as settings for social gathering.

Mr. Pogue indicating his comfort with the form and content of the Annual Administrative Matters Resolution and the Election Resolution, his understanding that no substantive issues with either document had been identified by individual Board Members, and his belief that the Board could decide to approve both under one motion.

Director Bentley moved to approved both the Annual Administrative Matters Resolution and the Election Resolution. Director McGuire seconded the motion. Comments by the Board included the following:

- CMD elections are not the same as property owner elections. In POA matters, one property equals one vote. For Metro District elections, several eligible voters could reside in a single home. Individuals who are registered to vote in Colorado and who own property in Cordillera, or as registered voters who list Cordillera as their primary residence, may vote.
- Regarding representation, and as a practical matter, CMD Board Members are morally and ethically bound to represent all Cordillera residents and property owners. Any candidate who chooses to serve should be made aware of that obligation.
- In the event there are more candidates than positions open, two candidate forums should be held after February 25th and before April 11th to maximize opportunity for interested parties to participate (there are many new owners in Cordillera) and to allow candidate credentials and positions to be fully disclosed. Based on the number of candidates, enough time should be allocated in the forum to allow opening statements, questions, responses, and follow-ups. Details of the forums can be further discussed by the Board at the February meeting.
- To elevate awareness and encourage participation, a letter should be drafted the Board to the community with information about the election and the duties and of the Board. Director Bentley indicated that he would write a draft letter for consideration by the Board.
- Board members can encourage friends and neighbors to run, but the Board as an entity must remain neutral.
- Board communications and responses to nominated candidates should be uniformly directed to all candidates.
- Bios should be formatted to allow candidates to fully express their backgrounds and positions on matters of community interest. A separate position statement could be part of the Bio.

The vote to approve the Administrative Matters Resolution and the Election Resolution as presented was unanimous.

PUBLIC COMMENT

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

- The qualifications for candidacy and voting need to be clearly communicated to the Cordillera Community.

- The mail ballot process with dates and deadlines needs to be clearly communicated to the Cordillera Community.
- A letter from the Board encouraging election involvement should be sent and should include detail about the District and about the roles and responsibilities of the Board.
- The candidate bio form should include opportunity for a position statement.
- Candidate bio information should be collected and mailed to qualified voters in advance of the forums, allowing adequate time for community review.
- The candidate forums should be recorded and made available on the web site.
- Jon Stavney would be an excellent moderator for the forums.
- Board members should not use CMD letterhead for personal communications to their constituents.

Seeing no other hands raised, Director Bentley closed public comment.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 10:08 a.m., motion by Van Deusen, second by Foley.