



MEETING MINUTES

DATE: Friday, June 10, 2022

TIME: 9:00 a.m.

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

REGULAR BOARD MEETING

ATTENDANCE

Board Members Present: Cheryl Foley, President; Richard Saxby, Treasurer

Board Members present via webinar: Dan Roberts, Vice President; Harry Jasper, Secretary.

CMD Staff Present: Trevor Broersma, General Manager.

Panelists via webinar: Alan Pogue, CMD Legal Counsel; Jason Carroll and Margaret Henderson, CliftonLarsonAllen (CLA)

Members of the public present via webinar: Dennis Moran, Neel Lemon, Jon Seltzer, Harvey Schnitzer, Pam Horn-Kates, Cathleen McKinzie, Lainie Edinburg, Bill Farley, Ronald Gafford, Mike Grier, Cassie Grey, Chuck Jackson, Mary Jackson, Nukhet Saxby, Margo Boyle, Jerri More, Annette Irion, Lois Bruce, Brooke Ferris, Matt Ralls.

CMD Staff present via webinar: Paula Kurtz, HR and Finance Administrator; Sam Lazar, Operations Manager; Cliff Simonton, Planning Manager.

CALL TO ORDER/DECLARATION OF QUORUM

Director Foley 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. No conflicts with items on the agenda were cited.

APPROVAL OF AGENDA

Director Saxby moved to approve the agenda for June 10, 2022. Director Roberts seconded the motion, the vote to approve was unanimous.

DISCUSSION ITEMS

FINANCIAL UPDATE

Director Saxby presented the financial update for the month of April. Operating expenses are below budget by 5.5%. Capital fund expenses are low at this time as most projects are just getting underway. The finances look good.

No Board action was required for the Financial Update

2021 FINANCIAL AUDIT

HR and Finance Administrator Paula Kurtz provided an update on the 2021 financial audit, which is being reviewed in preliminary form by both CLA and staff. The letter from the auditor indicates no difficulties or issues, and the audit looks clean. Once approved, the audit will be posted on the website.

Director Foley noted the clean audit was very good news and thanked all involved.

No Board action was required regarding the 2021 Financial Audit.

BOARD VACANCY

Director Foley presented the need to fill the vacancy on the Board, providing three possible options:

1. Appoint the candidate from the recent 2022 election who had obtained the next highest number of votes.
2. Arbitrarily choose and appoint a qualified member from the community.
3. Provide a process allowing qualified community members to submit their names to the Board for consideration, and then apply thoughtful consideration to qualifications, areas of expertise, previous candidacy or board experience, community involvement, and other criteria or qualities determined appropriate by the Board. Based on analysis by individual board members, select the best candidate.

The Board discussed the options at length. Director Foley then opened the meeting to public comment on this specific topic. Comments received included:

- Agreement that it is Board's responsibility to consider and select a candidate to fill the vacancy.
- Support for selecting an individual with qualifications that would fill identified expertise or skill "gaps".

Following discussion and public input, Director Foley moved in support of option # 3, directing staff to initiate a process and send notice to the community requesting interested and qualified community members submit their names for consideration to the Board no later than 5:00 p.m. on Friday, June 17. Candidates from the recent 2022 election who were not elected are encouraged to submit their names for consideration. The Board will discuss and vote to fill the vacancy at a public meeting to be scheduled on June 28, 2022.

Director Roberts seconded the motion; the vote to approve was unanimous

General Counsel Pogue indicated that his office would need to confirm the qualifications of any interested candidates prior to a Board decision.

WEBSITE MEMORANDUM OF UNDERSTANDING RESOLUTION *(please note copy of the full resolution in the Board Packet)*

Director Foley introduced a resolution approving a Memorandum of Understanding (MOU) between the CMD and the CPOA, and summarized text from the resolution as follows:

"Whereas the Metro District desires to work with the CPOA to make the website a "one-stop shop" for easy and efficient access to community information, and whereas both the Metro District and the Association desire to enter into an MOU to

set forth certain key terms and conditions by which the website will be jointly developed, operated and maintained by the District and the Association.”

The MOU establishes a 50-50 sharing partnership for website management and costs between the CMD and the CPOA, appointing website managers for each entity who will work collaboratively to assure efficiency, effectiveness, and overall quality. CMD Board approval for the MOU is being requested today, with the understanding that the CPOA Board will attempt to approve a supporting resolution at their next meeting.

Director Foley moved to approve the MOU as presented, Director Saxby seconded the motion.

In discussion, Director Saxby asked for clarification of the assignment clause in the resolution. General Counsel Pogue indicated the clause is intended to prevent the CMD or the CPOA from assigning their position in the agreement to a third party, as highly unlikely as that might be. Director Jasper noted the positive nature of this joint project between the CMD and CPOA and that the community seems very happy to have one on-line location where they can find information. Director Roberts mirrored this opinion, noting the significant improvement to the site, and indicated that the Board should support continued refinements and enhancements to the site going forward. Director Foley closed discussion with a request that anyone with nice pictures of Cordillera should submit them as they can be added to the site.

The vote was called, and the MOU Resolution passed unanimously.

MANAGEMENT TEAM UPDATE *(please note copy of the full Report in the Board Packet)*

General Manager Broersma presented the Management Team Report, highlighting the following:

- Staffing remains strong, with just three positions open.
- A CMD Board Open House is scheduled for July 19. General Counsel Pogue indicated that as all Board Members will be present, the open house should be posted, and that normal protocol opening a Board meeting should be followed at the start of the open house.
- The Kids Camps and riding lessons have started at the Equestrian Center.
- Under Projects update:
 - The Bearden Ponds rebuild is progressing, the top pond is lined and should begin filling next week. Weather and water availability will determine when the lower pond can be filled. Director Foley confirmed that all affected homeowners and fishing stakeholders have been advised of the project status. Director Saxby asked for details regarding safety and the interface between the liner soil covering in the area where fishermen would be wading.
 - The new Bearcat Barn is on schedule and should be completed by mid-July. The project is impacted by supply chain issues. The old siding from the original barn is stored and will be used on other site enhancements.
 - The Ranch Gatehouse project is on target and Trevor took the opportunity to thank everyone involved. It seems to be very much appreciated by the community. The structure for the guest lane cover is being constructed as a kit in Montana and will be shipped later this summer. The project is expected to come in under budget.
 - Fire mitigation projects continue and include completion of work on the Divide and joint projects with Colorow and Diamond Star for new fire breaks, these to be completed later this summer.

- Trees brought down by strong winds the spring (there were many) are being cleaned up by the trails crew.
- An insurance carrier-approved driver training program designed by Public Safety has been successfully tested. Completion of the program will be required for all staff.
- Bill Morris has been promoted to Public Safety Supervisor.
- Salvador Garcia, the longest tenured employee with the Metro District at 26 years, was highlighted as an exemplary and extraordinary employee.

No Board action was required regarding the Management Team Report.

SEWER LIFT STATION RESOLUTION *(please note copy of the full resolution with attachment in the Board Packet)*

General Manager Broersma presented a resolution memorializing policies and yearly fees associated with the operation of two sewer lift stations in Cordillera. These stations serve approximately 20 lots in the Settlers Loop and Bearden neighborhoods where, due to terrain, sewer effluent must be pumped to adjacent gravity flow mains. These stations are not managed by ERWSD, but are instead the responsibility of CMD. Through annual billing, the cost of operating and maintaining these stations is passed on to affected homeowners. Director Foley emphasized that this service arrangement has been in place since the beginning of Cordillera, and that this resolution simply formalizes existing arrangements.

Director Saxby moved to approve the resolution; Director Jasper seconded the motion.

In discussion, Director Roberts asked what capital expenditures can be expected for the lift stations in coming years. General Manager Broersma indicated that upgrades to meet code will be required soon, with an expected cost of \$5000. This cost will be divided and passed on to the affected homeowners. Director Saxby asked whether previous capital expenditures had been amortized over time. They have not, as pump replacement and other maintenance costs have been passed on within the year to affected owners. Director Foley asked if the lift stations were included as part of the reserve study. General Manager Broersma indicated yes, but as a minor element only as replacement is not anticipated in the near future.

The vote was called, and the Sewer Lift Station Resolution passed unanimously.

RULES OF THE ROAD RESOLUTION *(please note copy of the full resolution with attachment in the Board Packet)*

Community Planning Manager Cliff Simonton presented a resolution approving updated and amended Rules of the Road for activities within Cordillera Road Right-of-Ways. The updated document eliminates requirements no longer enforced and expands coverage and detail to areas and activities not previously addressed.

Director Roberts moved to approve the resolution; Director Jasper seconded the motion.

In discussion, Director Roberts asked about road restrictions that might change at the end of the year when the bond debt is retired. Would there be an opportunity, as example, to further restrict bicycles entering Cordillera? General Counsel Pogue identified a number of legal considerations that the Board should discuss, perhaps with the help of the District's bond and/or tax counsel, as that time approaches. Director Foley indicated support for looking into possible modifications of the current

bike access policy. Director Saxby asked if cars were legally required to stop for golf carts at identified cart crossings, and pointed to the issue in Cordillera of limited sightlines at various crossings. It was explained that carts are required to stop for cars. Work is ongoing to improve sightlines wherever possible. The Board suggested that CMD staff work with the Club to remind golfers of the rules at cart crossings.

The vote was called, and the Rules of the Road Resolution passed unanimously.

MILL LEVY DISCUSSION

General Manager Broersma introduced Jason Carroll with CLA who presented information regarding the mechanics of taxing in Cordillera, the application of mill levies, and general impacts to homeowners once various bond debts have been retired. Cordillera is limited each year to a 5.5% increase in taxes to support the general operating fund unless otherwise approved by the Cordillera voter.

No Board action was required on the topic of Mill Levies.

PUBLIC COMMENT

Director Foley opened the meeting to public comment. Seeing no hands raised, Director Foley closed public comment.

EXECUTIVE SESSION

Director Roberts moved to convene executive session, pursuant to Section 24-6-402(4)(f)(I), for the purpose of discussing personnel matters, and Section 24-6-402(4)(b), for the purpose of receiving legal advice from general counsel regarding the same. Director Jasper seconded the motion.

Following discussion, Director Saxby moved to leave executive session and return to the public meeting. Director Jasper seconded the motion.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 11:25 a.m., motion by Roberts, second by Saxby.