



MEETING MINUTES

DATE: Friday, November 18, 2022

TIME: 8:00 a.m.

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

SPECIAL BOARD MEETING

ATTENDANCE

Board Members Present: Cheryl Foley, President; Richard Saxby, Treasurer; Rob Meyers, Assistant Secretary/Assistant Treasurer; Dan Roberts, Vice President; Harry Jasper, Secretary.

CMD Staff Present: Trevor Broersma, General Manager; Paula Kurtz, HR and Finance Administrator.

Panelists via Zoom: Alan Pogue, CMD Legal Counsel;

Members of public present in person: None

Members of the public present via Zoom: Crystal Wilson, Dennis Moran, Jane Roberts, Cristina Flores, Steve Houk, Ed Smith, Matt Weingast, Jerry Nichols, Annette Irion, Chuck Jackson, Mike Autera, Jon Seltzer, Nukhet Saxby, Richard Hogg, Lainie Edinburg, Gregory Murphy, Betsy Meyers, Katharine Leonard, Ray Wolfe, Hiren Patel, Melissa Murphy, Beth Reintjes.

CMD Staff present via webinar: Sam Lazar, Community Operations Manager.

CALL TO ORDER/DECLARATION OF QUORUM

Director Foley called the meeting to order at 8:00 am, 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 disclosures or conflicts with items on the agenda were cited.

APPROVAL OF AGENDA

Director Saxby moved to approve the agenda for November 18, 2022. Director Meyers seconded the motion, the vote to approve was unanimous.

EXECUTIVE SESSION

Director Roberts moved to convene executive session at 8:04 am, pursuant to Section 24-6-404(4)(e), C.R.S., to determine positions relative to matters that are subject to negotiation, develop a strategy for negotiations, and to instruct negotiators, with respect to a 2023 Service Agreement with CPOA. Director Saxby seconded the motion which passed unanimously.

Following discussion in executive session, Director Saxby moved to close the executive session at 8:50am and Director Meyers Seconded the motion which passed unanimously.

DISCUSSION ITEMS

EXECUTIVE SESSION UPDATE

Director Foley shared with the public in attendance that the executive session was held and recorded according to the Colorado open meetings law. She reported that both the Metro District and CPOA are working together to reach an arrangement for 2023 that will balance the needs and interests of the entire community and result in the sharing of benefits for everyone.

No formal action was taken in the executive session.

FINANCIAL UPDATE *(Please see copies of September financials in the Board Packet)*

Director Saxby reported that, as of September 30, we are still on target to meet our 2022 budget goals, despite shortages and high inflation in goods, services, and wages. There were to-date zero percent variances in both the general operating fund and capital projects fund. However, we could slip into a deficit by year-end, depending on how the remainder of the year goes. Director Saxby's projections for year-end 2022 are a \$3.15 million balance in the operating fund and a \$775,000 balance in the capital fund for a total of approximately \$3.9 million.

No Board action was required for the Financial Update.

RESOLUTION CONCERNING BICYCLE SAFETY ON CORDILLERA ROADS

Director Roberts presented the topic of bicycle safety on Cordillera roads. He noted the recent accident involving a non-property owner; the fact that our roads are inherently dangerous as they are steep and winding; there has been increased traffic due to construction of a larger number of new homes and remodels and more residents within the community; wildlife issues are more dangerous due to a higher rate of speed from vehicles and cyclists, including regular bikes and increasing numbers of e-bikes; and the fact that there is only one expanded shoulder to ride on.

Director Roberts stated that we have been allowing large groups of non-property owners to travel through our gates. Currently, each person riding in the community is required to register and agree to travel single file and not to speed (particularly downhill), yet many do not follow these rules. Director Roberts proposed that we address safety concerns by placing restrictions on large groups of cyclists riding together, allowing groups of no more than 4 cyclists (including e-bikes) through the security gates every 20 minutes and not allowing them to form larger groups after entrance. Director Roberts proposes that the resolution in the Board packet be amended to allow groups of no more than 4 to be allowed through the security gates every 20 minutes instead of 10 minutes, as the resolution now reads.

Director Meyers reminded the Board and the public in attendance that a comprehensive traffic calming study continues under review.

After Board discussion, Director Foley proposed that vote on the resolution be postponed until after public comment.

CYBER SERCUITY INITIATIVES

General Manager Broersma shared that we recently completed a cyber security audit through the Colorado Special Districts Association. All CMD data is protected and secured via cloud storage and is backed up every 3 minutes. He shared that we

do not retain credit card information or special personal data. By presenting the findings from the audit at a board meeting, the district qualifies for an additional \$3500 in insurance. This year, cyber security initiatives focused on capital upgrades of our servers and computers. Director Meyers noted that while most districts are seeing an increase in Property and Liability insurance costs of 6-8%, the initiatives and others being undertaken by our management are resulting in a flat renewal rate for CMD in 2023.

PUBLIC HEARING – COLORADO FAMILY MEDICAL LEAVE INSURANCE

Director Foley opened the public hearing on the Colorado Family Medical Leave Insurance (FAMLI).

Paula Kurtz, HR & Finance Administrator, outlined new insurance from the state of Colorado set to go into effect in 2023. This new state requirement is designed to enhance the current federal Family Medical Leave Act, by providing additional paid leave for employees. Local governments have been given the option to opt out of participation in FAMLI for the next 8 years. Paula reported that all but a small number of local governments are opting out of this program, electing instead to provide similar and equivalent benefits to their employees in other manners. Paula presented a resolution recommending that The District opt out of participating in FAMLI with the recommendation that the District work to provide their own benefits by expanding their current leave policies and benefits by 2024.

Alan Pogue, legal counsel, pointed out that The District opting out of participation in this program does not preclude an employee from participating on their own.

Director Foley asked for public comment on Colorado FAMLI. Noting that there was no public comment, Director Foley closed the public hearing.

Director Meyers moved to approve the proposed resolution. Director Roberts seconded the motion. The vote to approve was unanimous.

DISCUSSION ITEMS CONTINUED

PUBLIC SAFETY TEAM HIGHLIGHTS

General Manager Trevor Broersma honored a new Public Safety employee, Eddie Wolfe, for a job well done. In the scope of a little over 24 hours, Eddie helped save the life of a horse in colic at the Equestrian Center and provided aid as a first responder to an individual who had severely injured himself in his home. General Manager Broersma also commended Cole Haygood for a job well done when dealing with a burst pipe at the new athletic center that was discovered during overnight patrols. The board shared their gratitude to Eddie, Cole, and the whole Public Safety Department for what they do for this community.

General Manager Broersma also thanked The Club at Cordillera for offering and providing our public safety team staff and other on-call employees with a fantastic meal on Thanksgiving.

No Board action was required regarding Public Safety Team Highlights.

2023 WILDFIRE MITIGATION

Eagle River Fire Chief Kurt Bauer and Eagle Valley Wildland specialist Hugh Fairfield-Smith joined the meeting to discuss 2022 successes and new wildfire mitigation programs for 2023, including means for Cordillera to leverage its own healthy forest budget to qualify for grants, staffing subsidies, and other third-party funding. Broersma explained that our draft budget contains \$200,000 for mitigation efforts in 2023, which The District hopes to leverage into additional funds for additional projects.

2023 BUDGET PRESENTATION

General Manager Broersma presented the draft 2023 budget, highlighting key drivers. Severe inflationary pressures, the need to responsibly fund roads and capital maintenance programs, and the continuation of all other services we have provided in 2022 require a tax increase for the general operating fund of 5.5%. Even with this maximum allowed increase, we will still be in a deficit spending mode unless we can find additional revenue. A final budget must be approved in December.

Director Foley shared with the community that the Cordillera portion of residents' 2023 property tax bill will be substantially lower than in 2022, due to the final paydown of our bond funds on Dec. 1. Even with the 5.5% increase in operating tax revenues, there is a net savings in 2023 for a home on the Ranch and Divide of approximately \$623 per every \$1 million of market value. For homes in the Summit and Territories, taxes will be lowered by a net of approximately \$1960 per every \$1 million in market value of the home. She noted that "Market value" for this purpose was determined by the county a couple of years ago, before the recent runup in the real estate markets.

No Board action was required regarding the 2023 Budget Presentation. Approval of the 2023 budget is scheduled for December 9.

PUBLIC COMMENT

Director Foley opened the meeting to public comment. Public comment included general support of the bicycle resolution, with the caveat that large bike groups could be accommodated when they use our roads for training exercises; a comment that timing of the road program could be adjusted to avoid repaving of side streets during timeframes when substantial new home construction is ongoing on that street; questions about a CPOA/CMD service agreement amount and the impact to CMD budget if no service agreement is agreed upon.

BIKING RESOLUTION

There being no public comment opposing the proposed Biking Resolution, Alan Pogue provided language to amend the proposed resolution to increase the time intervals for groups seeking gate access from 10 minutes to 20 minutes, as previously discussed by the Board. Director Roberts moved that the Board approve the proposed resolution, as amended, Director Saxby seconded the motion, and the vote to approve was unanimous. The Board noted that this resolution addressed safety concerns for the entire community and stressed the need for every biker (residents and non-residents) to ride single file, obey speed limits, and use bike lanes where available on the right side of the road.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 11:37am., motion by Director Roberts, seconded by Director Saxby.

Approved