EAGLE VAIL BOARD OF GOVERNORS MEETING

MAY 16, 2013

TRAIL PROJECT UPDATE AND FUNDING REQUEST FROM ECO TRAILS PROGRAM, EAGLE COUNTY

BACKGROUND

There are two more phases to complete in the Avon to Eagle Vail Trail project that commenced last summer: 1 more within the boundaries of the Eagle-Vail Metro District, and one in Town of Avon. The section within the Eagle Vail Metro District is between Post Boulevard and Stonebridge Road on the north side of Highway 6. This length is called "Phase IB". It will be 9 to 10 feet wide and asphalt paved.

It will create a route for pedestrians and slower-speed cyclists other than the road shoulder that is immediately adjacent to motor vehicle traffic. The trail will provide a route for residents that live along this stretch of highway as well as for users coming from other directions to the transportation corridor.

Alpine Engineering has prepared final construction plans for submittal to CDOT for a Special Use Permit. A preliminary plan set was reviewed by CDOT in early 2012. Eagle Vail Metro will receive a copy for review. ECO Trails will bid and manage the construction project in cooperation with Eagle-Vail Metro, CDOT, Eagle County, Town of Avon and adjacent properties.

The trail construction will be fully located in the CDOT Highway 6 right of way with no planned encroachment into the adjacent private properties at this time. 4 of the 5 properties have been contacted (Sun River, Mountain Stream, Vail Bible Church, Riverview), with 5th in process now (Whitewater). One of the properties has made a request for mitigation of impact due to proximity of trail (Sun River), further detail to be provided at the BOG meeting.

SCHEDULE:

Assuming final funding can be assembled, the target schedule is to bid in June and construct in August and ending early October. This project is not as complex as the trail section completed last year because it does not include construction of extensive walls in order to create a level trail platform. There are challenges in the construction scope or work due to the narrow work zone. Traffic control will include periodic shoulder closure and turn lane closure but not travel lane closure except for flagging as needed for materials delivery. The impact on the roadway will be less in scope and scale than last year, ½ as long a period of time, and further away from the business district.

LOGISITICS:

Staging would occur off-site due to limited space. Use of CDOT yard in Eagle Vail has been requested again. Contractor will be responsible for finding other staging areas as needed and will be advised that land use regulations and PUD guidelines must be met. Eagle Vail will be included in bidding and construction meeting process, as with last year's project.

BUDGET: The construction cost estimate is $539,493.00 based on the Engineer's Estimate of Probable but with a 5% reduction in contingency. Current funding is $425,000, amounted creating a shortfall of $114,500.

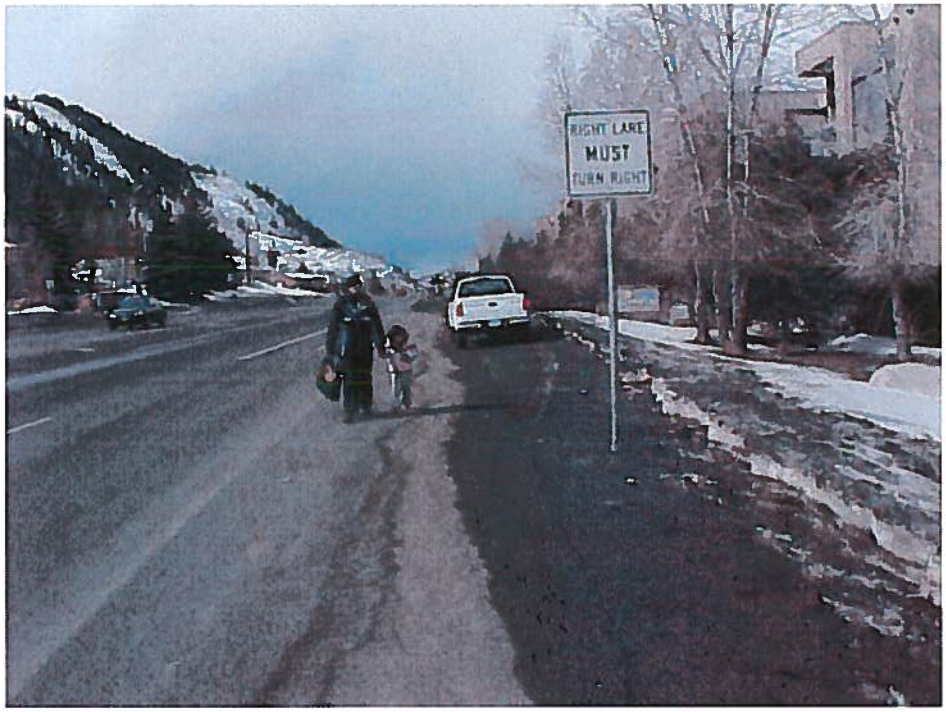
ECO Trails is working on value engineering certain aspects of the project hoping to find at minimum $25,000 in savings. Assuming we find those savings, **the anticipated funding shortfall is $89,000.** Outcome of bids may positively or negatively affect this number.

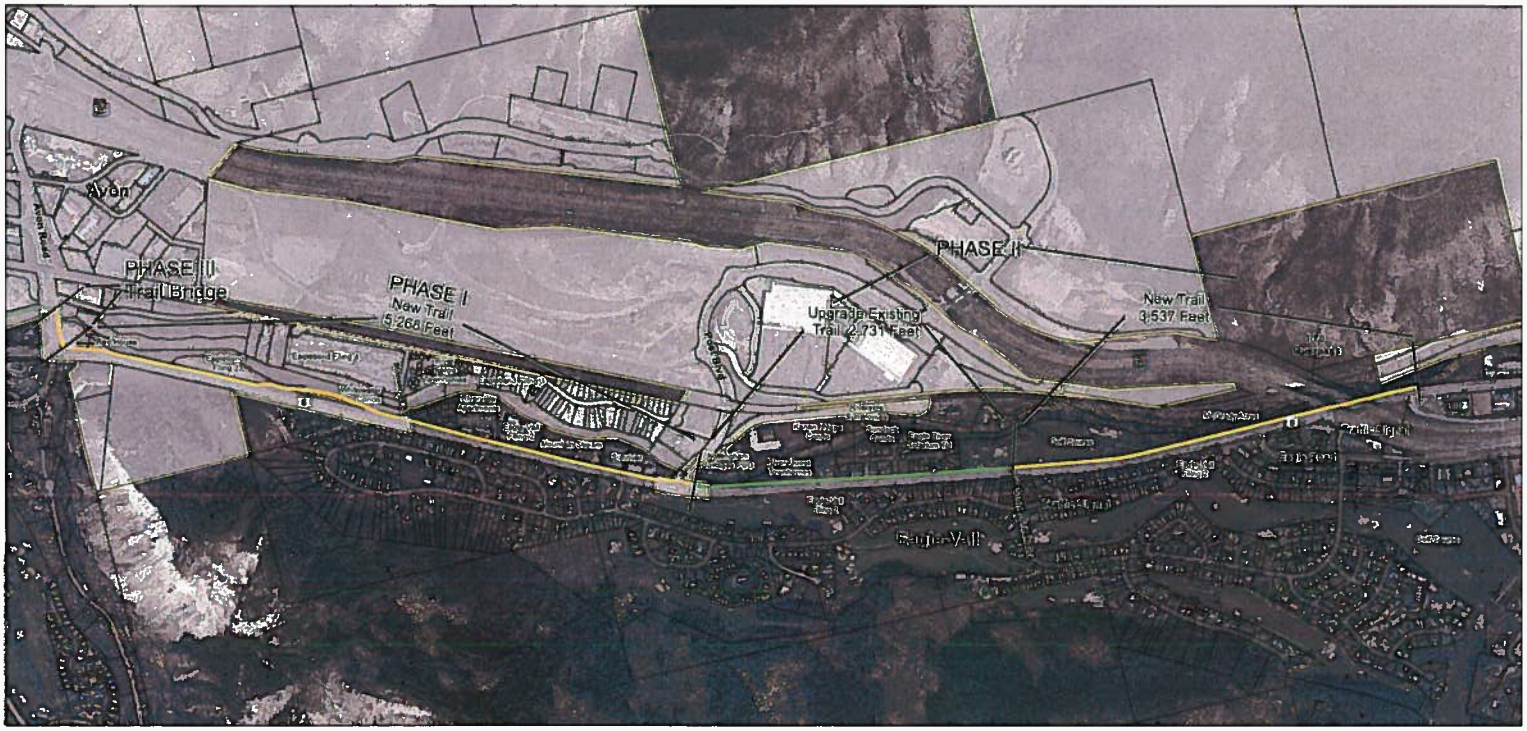
Note: There are currently no adjacent property mitigation items such as trees or privacy walls included in the budget.

REQUEST: A contribution of $50,000 is requested from Eagle Vail Metro District for the shortfall amount. The project will produce an amenity for the Eagle Vail community for the long term and the 90% of the investment in the infrastructure is by Eagle County's ECO Trails fund.

The $39,000 balance of the shortfall will be requested from the remaining $80,000 in ECO Trails reserves. The reserves were drawn down significantly last year by the Phase II Eagle Vail project, but determined by the multi-jurisdictional ECO Trails Committee and ECO Board as an important connection. Eagle Vail's cash contribution to that project was $10,000 representing ½% of the $1.7 million project, plus in-kind staff contributions.

It is very much understood that Eagle Vail has an internal capital improvement plan and a lengthy list of mandated and potential improvements in the community. This request is respectfully made in the interest of completing the project to tie into the Avon project and for the multiple benefits stated above, and then move on to planning work for the *final* trail phase in Eagle Vail, through the business district.





Avon to Eagle-Vail Trail Project
Exhibit A

Proposed Eagle Valley Regional Trail Location

Existing Eagle Valley Regional Trail Location

Parcel Boundary

Town of Avon

Feet
0 337.5 675 1,350

Community of EagleVail Briefing: **May 7, 2013**

Golf Course Animal Control

Jeff Layman, Community Manager

Issue
By placing "leashes required" signs at golf course entrances, Eagle County can legally enforce our rules on the golf course. Board action is requested to place these signs at certain locations throughout EV.

Background
We recently met with a member of the Eagle County Animal Services Department who told us that they could not enforce our leash laws. This is the same information that we have heard for many years from the department. When pressed, he said it was because we are not a "subdivision of the state". When we replied that the EVMD was, in fact, a subdivision of the state, he advised that if we posted our property with "leashes required" signage, they would enforce the rule—and "dogs running at large" provisions—on EVMD property, to include pocket parks.

Discussion
The staff has met to discuss this and recommends the following course of action:

- Replace the current "summer only" sign with the attached sign at pocket parks and entrances to the golf courses. This sign also notifies the public that the EVMD owns the property and therefore meets the requirement for enforcement of trespassing statutes. The "summer only" was intended only to prohibit trespassing and is installed only during golf season.
- Press Eagle County to enforce our rules at regular intervals. Continue with Operation: Pup Sweep.
- Press Eagle County to release pet ownership information to us so the POA can take action against the homeowner.
- Explore the concept that EV, under our revised service plan can take action independently of the county.

Fiscal Impact
We do not yet have a bid on the signs. We should have the information in time for the May 16th meeting. It could be paid for from the Design Amenities 5a capital budget or the 2013 POA capital budget.

Recommendation
It is requested by staff that the EV BOG approve of the replacement of the current signs with the attached sign and to the above course of action.

Suggested Motion
"I move to approve the replacement of the current "summer only" signs and adopt the course of action as presented by the EagleVail staff."

Sign DESIGN &Graphics.llc
TEL: (970) 949-4565 FAX: (970) 949-4670

CLIENT: EAGLEVAIL HOA
DATE: 5/3/13
ARTWORK BY: STEVE

PHONE:
FAX:
FILE NAME:

12 in

12 in

ACTION REQUIRED → THIS PAGE MUST BE SIGNED AND FAXED BACK TO 970-949-4670 BEFORE PRODUCTION CAN BEGIN

I HAVE REVIEWED ALL TEXT & SPELLING, SIZES, COLORS, LAYOUT AND APPROVE THIS ARTWORK FOR PRODUCTION

CLIENT APPROVED FOR PRODUCTION_____

PLS. CHANGE AND RESUBMIT_____

ROBERTSON & MARCHETTI, P.C.
Certified Public Accountants

MEMORANDUM

To: EagleVail Joint Board of Directors
Jeff Layman, Community Manager

From: Ken Marchetti

Date: April 26, 2013

Subject: CEBT Health Insurance Renewal

We recently received the CEBT renewals for the health insurance. The new renewal rates show a 5.5% increase and will begin on July 1, 2013. Although the 2013 increase is not that significant, over the last few years we have seen insurance rates increase quite rapidly.

We performed an analysis of the premium savings that can be achieved by moving to a larger deductible and larger co-pays compared to the increased cost to the employee of the increased co-pays and deductibles (i.e. by moving from the PPO2 Plan to the PPO3 Plan).

The District is currently on the PPO 2 plan. Significant differences between PPO2 and PPO3 are:

	PPO 2	PPO 3	Difference
Co-pay per doctor visit	30	35	5
Deductible	600	1000	400
Max our of pocket - Single	3,500	3,750	250
Max our of pocket - Single	7,000	7,500	500
Premiums - Single	7,877	6,820	(1,057)
Premiums - Family(1)	14,570	12,852	(1,718)

(1) The family portion of the premium is split 50/50 with the employee.

Our recommendation is that the District move from PPO2 to PPO3 and that the District share the savings with the employee by giving a raise of $1,000 per year to employees that have spouse or family coverage and a $675 raise to employees with single coverage. These raises will provide sufficient funds to the employee to pay the required taxes and have enough remaining to pay the increased co-pays and deductibles. Even with these raises the District will save around $380 per year per employee with health insurance coverage.

If you have further questions please let us know.

28 Second Street, Suite 213, Edwards, CO 81632; Phone (970) 926-6060; Fax (970) 926-6040

Community of EagleVail Briefing: May 9, 2013

EagleVail Water Conservation Update

Prepared by: Steven H. Barber. Superintendent of Golf Courses and Parks

Issue:
EV is no longer in an "extreme drought" situation. Snowpack is much better than it was in 2012. The EV Water Committee does not recommend adopting a Water Conservation Resolution at this time.

Background:
The EagleVail Metropolitan District has taken a proactive approach in the way we use water to irrigate the various recreational facilities throughout the community. Over the years the Metro District has uniquely positioned itself to be a leader in water management. The District has worked very hard to maximize water efficiencies through technologies while at the same time reducing total usage. On August 15th 2002, the Metro Board adopted a resolution regarding water conservation which stated that the Metro District would voluntarily reduce water usage for the benefit of the community. Again on May 21st 2012, the BOG adopted a Water Conservation Resolution that voluntarily reduced water for irrigation purposes as described in the 2012 Drought Management Plan. This plan was developed and endorsed by EV Water Committee.

On April 9th 2013 the EV Water Committee met to discuss plans and drought strategies for managing water for the upcoming season. The EV Water Committee developed a drought management plan of action for 2013, if needed. However, given all the recent moisture this spring we are no longer in an "extreme drought" situation according to the U.S. Drought Monitor. Snowpack for the Colorado River Basis is significantly better than it was in 2012.
Therefore, the EV Water Committee recommends the following at this time:

- The Metro District continues to manage and use water wisely as part of our civic responsibility.
- Continue to work/ partner with outside resources to help manage our waterways.
- Keep the BOG updated on current water and drought conditions in the state.
- Table the 2013 Water Conservation Resolution for now. Can revisit at a later date if needed.

Discussion: Open

Fiscal Impact: None

Proposed Motion: Nothing at this time

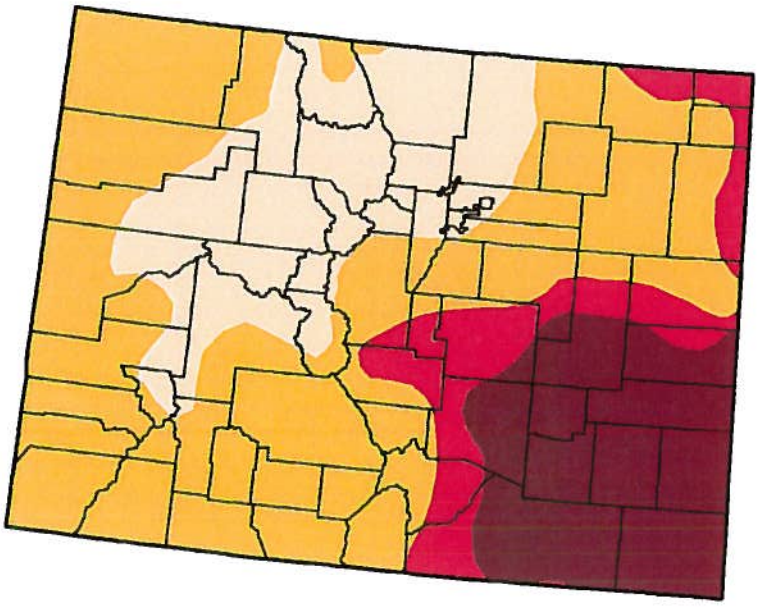
U.S. Drought Monitor

Colorado

April 30, 2013
Valid 7 a.m. EST

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	100.00	78.08	26.98	17.51
Last Week (04/23/2013 map)	0.00	100.00	100.00	78.08	32.19	16.24
3 Months Ago (01/29/2013 map)	0.00	100.00	100.00	100.00	58.58	13.50
Start of Calendar Year (01/01/2013 map)	0.00	100.00	100.00	95.06	53.47	13.48
Start of Water Year (09/25/2012 map)	0.00	100.00	100.00	100.00	61.75	16.89
One Year Ago (04/24/2012 map)	5.17	94.83	61.82	26.00	0.00	0.00



Intensity:

- *D0 Abnormally Dry*
- *D1 Drought - Moderate*
- *D2 Drought - Severe*
- *D3 Drought - Extreme*
- *D4 Drought - Exceptional*

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

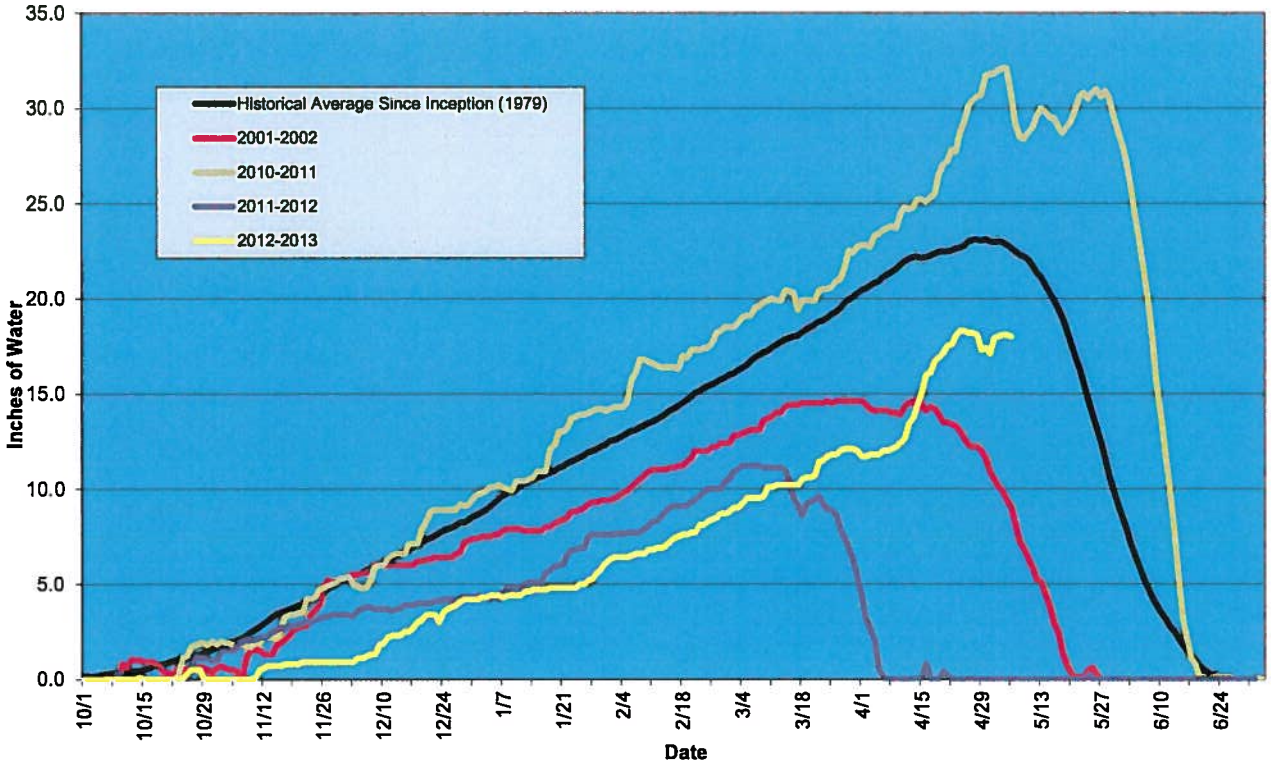
http://droughtmonitor.unl.edu

Released Thursday, May 2, 2013

Eric Luebehusen, U.S. Department of Agriculture

Created by the Eagle River Water and Sanitation District
www.erwsd.org

2012-2013 Snow Water Equivalent at Vail Mountain
May 6, 2013

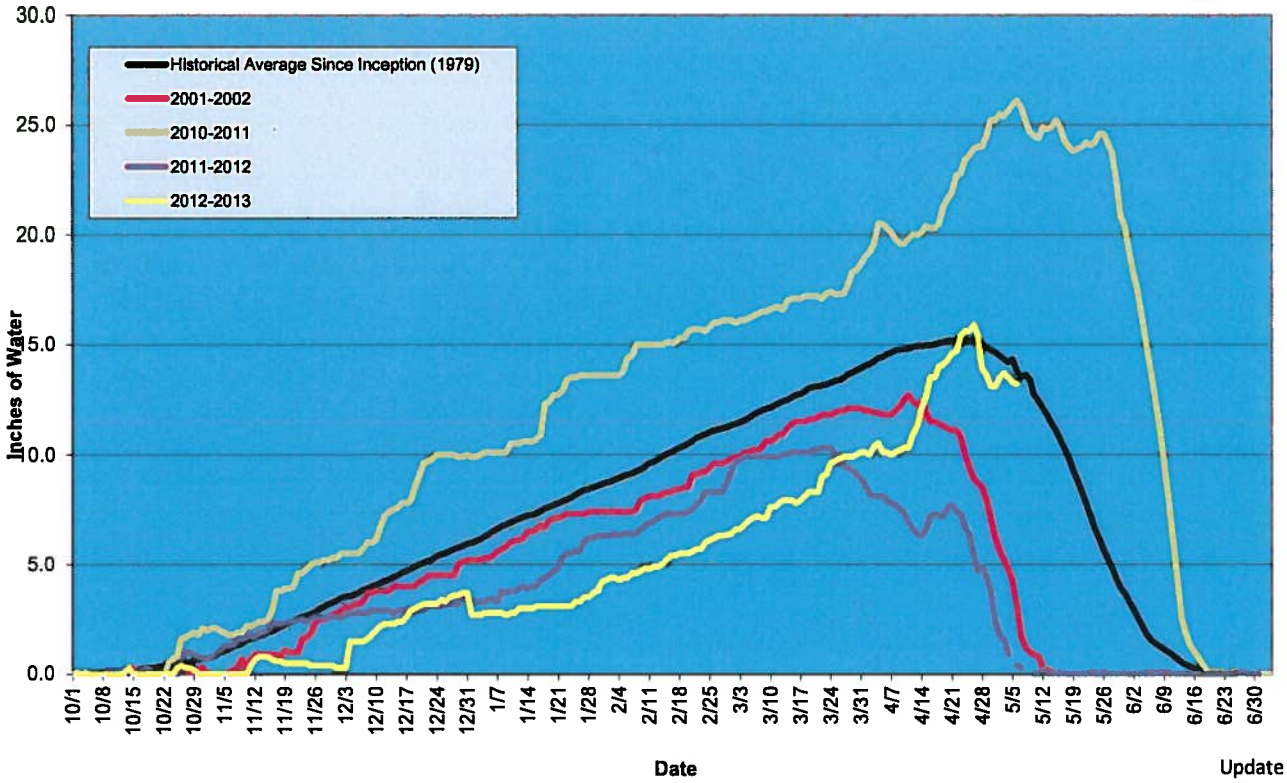


Updated 5-6-13
Snow Water Equivalent: 18.0 in
79% of average

Historical Average Peak:
4/30 @ 23.109

Created by the Eagle River Water and Sanitation District
www.erwsd.org

2012-2013 Snow Water Equivalent at Copper Mountain
May 6, 2013

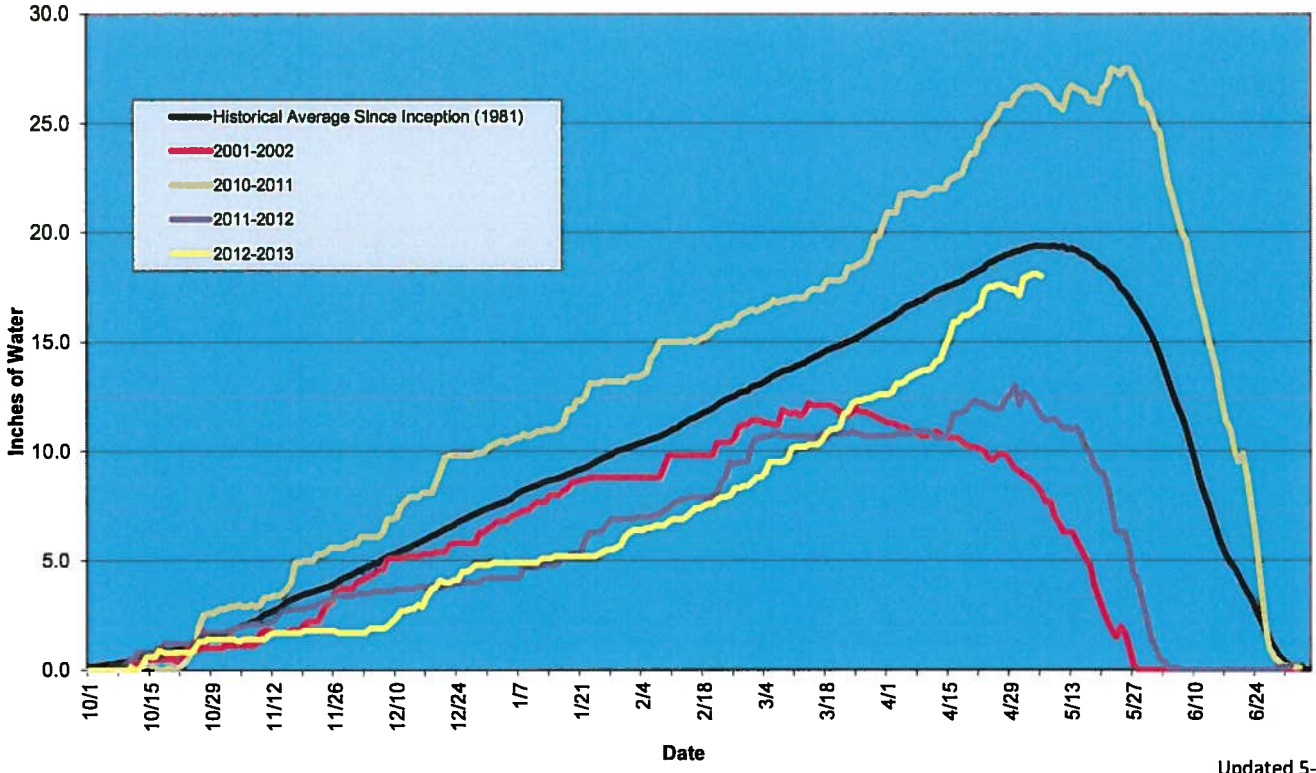


Update 5-6-13
Snow Water Equivalent: 13.2 in
96% of average

Historical Average Peak:
4/26 @ 15.19

Created by the Eagle River Water and Sanitation District
www.erwsd.org

2012-2013 Snow Water Equivalent at Fremont Pass
May 6, 2013

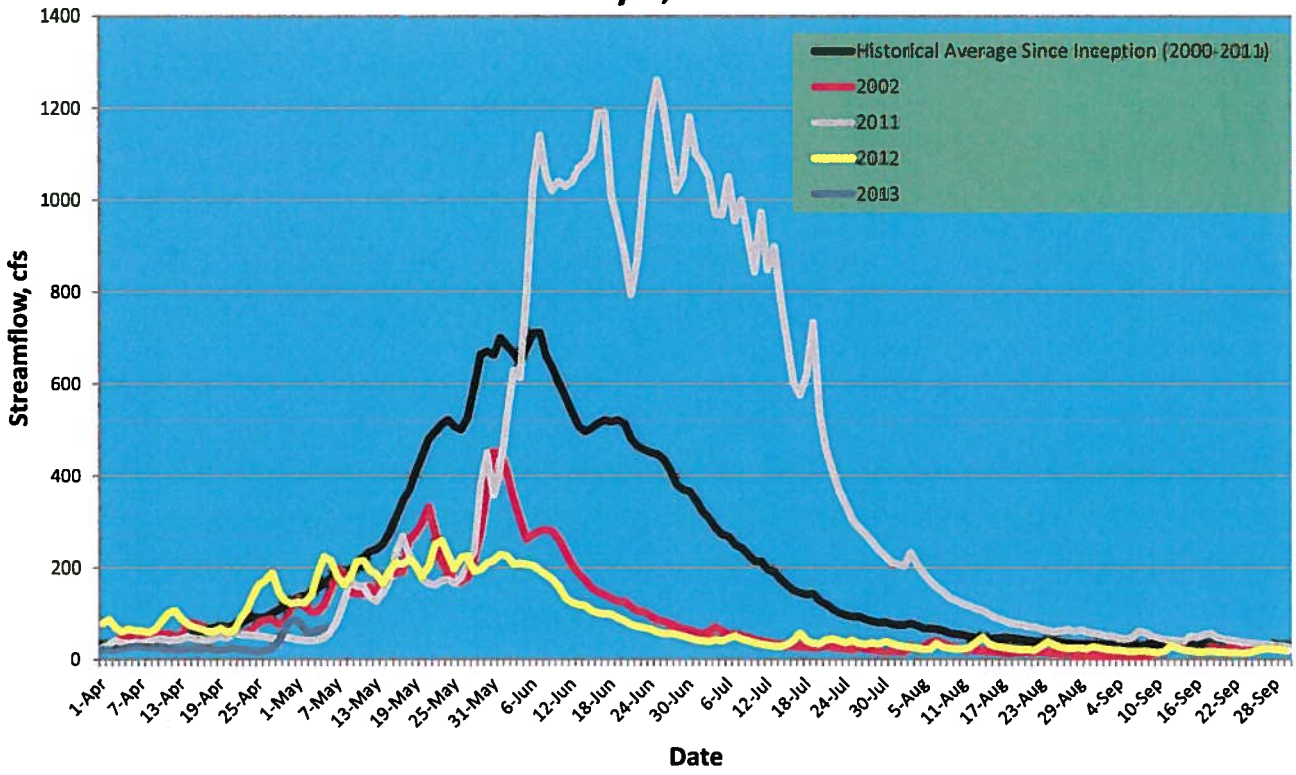


Historical Average Peak:
5/9 @ 19.388

Updated 5-6-13
Snow Water Equivalent: 18.0 in
93% of average

Created by the Eagle River Water and Sanitation District
www.erwsd.org

2013 Streamflow for Gore Creek (above Red Sandstone) May 6, 2013

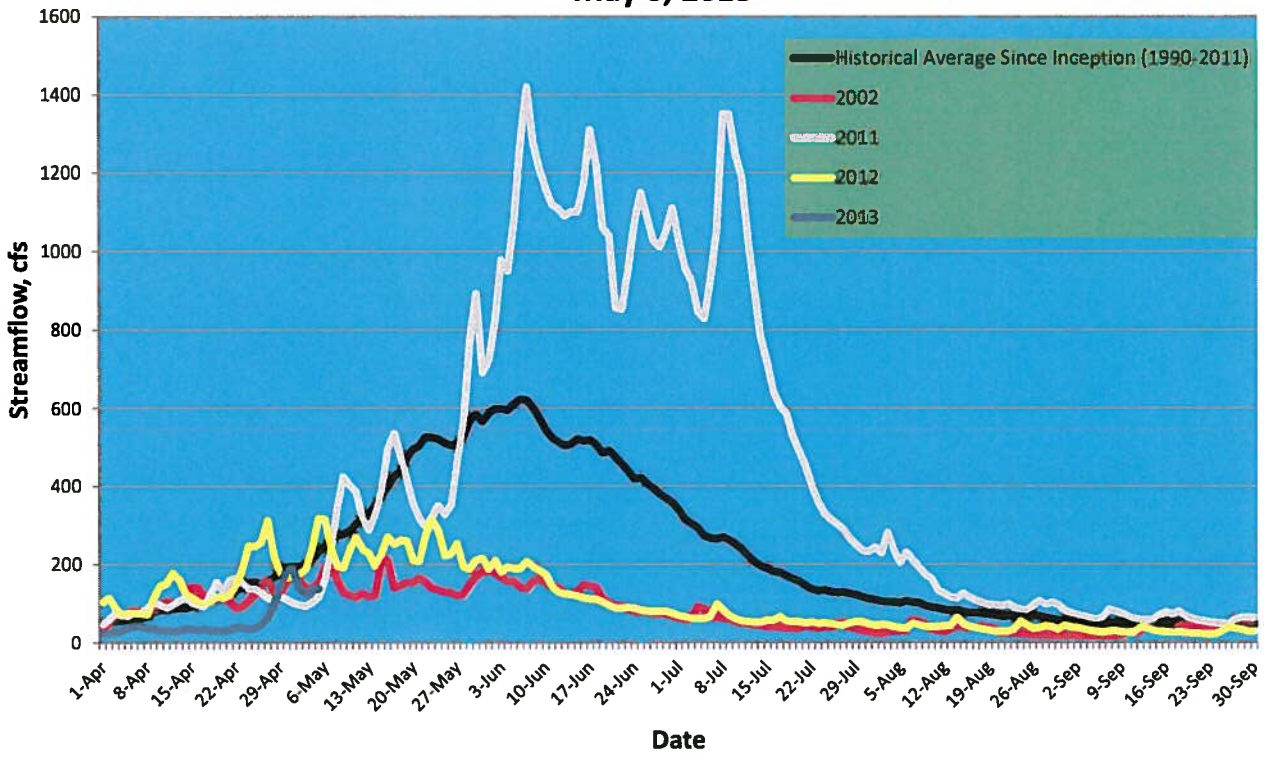


Historical Average Peak: 6/7 @ 712 cfs
2012 Peak: 5/23 @ 259 cfs

5-6-13
Streamflow: 69 cfs
42% of Historical Average

Created by the Eagle River Water and Sanitation District
www.erwsd.org

2013 Streamflow for the Eagle River (near Minturn) May 6, 2013

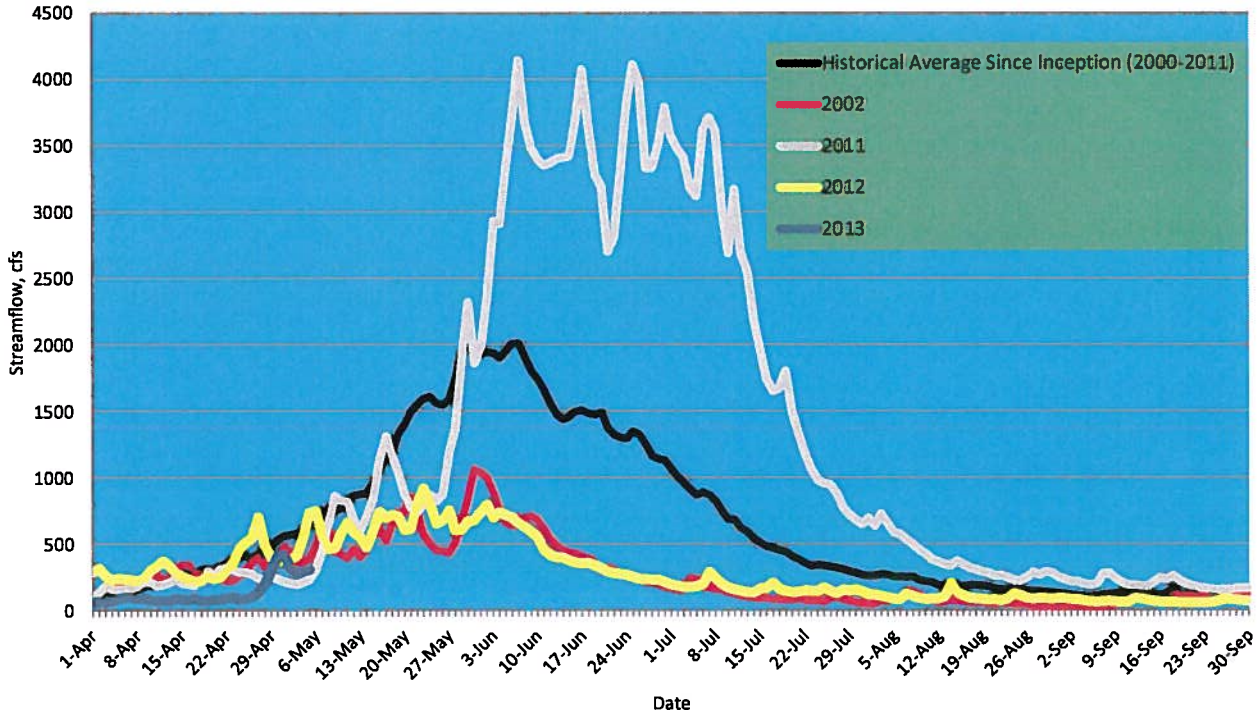


Historical Average Peak: 6/6 @ 622 cfs
2012 Peak: 5-23 @ 315 cfs

5-6-13
Streamflow: 138 cfs
60% of Historical Average

Created by the Eagle River Water and Sanitation District
www.erwsd.org

2013 Streamflow for the Eagle River (below Avon Wastewater Treatment Plant) May 6, 2013



5-6-13
Streamflow: 308 cfs
48% of Historical Average

Historical Average Peak: 6-7 @ 2010 cfs
2012 Peak: 5-23 @ 917 cfs

EagleVail Golf Courses & Parks

Management Report
May 9, 2013

Golf Course Update:

- Both golf courses are in good condition and continue to improve on a daily basis; especially the greens. The staff and I are working very hard to get all 18 holes open. We are scheduled to have all holes open for play on Saturday, May 25th, just in time for Memorial Day Weekend. We will also be opening the Willow Creek Par 3 Golf Course on the same day.
- I have never seen the golf courses look this good so early given the adverse weather we have encountered this spring. The staff has done a tremendous job to this point getting the golf courses ready for play.
- As you can imagine the bad weather has played havoc on our operations. In fact, we are about two weeks behind schedule and will be playing catch-up over the next several weeks. We are very excited about this season and the opportunity to once again provide our guests with the best golfing experience possible.

Park & Rec:

- All of the parks have been cleaned up this spring and look very good. Our contractor, ECO, has done an excellent job to this point. Currently, we are in the process of energizing the irrigation system and should begin mowing the parks on a regular basis next week.
- The soccer and baseball fields look good as well. We have completed all of spring cultural practices and will be mowing the turf on a regular basis next week.
- We began spraying the Spruce Trees for scale this week. We are treating the highest priority trees first. Targeted areas include Trout Pond, Holland's Pond, Coyote Park, and Ptarmigan Park. A total of 66 trees will be treated for Spruce Scale.

Capital Equipment:

- We have purchased and received 90% of our new maintenance equipment for this year. These items are a vital part of our maintenance operation and allow us to provide our community and guests with the best recreational experience possible. Capital Equipment purchased to date includes:
    - Toro Sand Pro Rake
    - (2) Toro Workman MDX Utility Carts
    - Toro Reelmaster 3100D
    - Rainbird Maxi Irrigation Computer/Software

Water/Spring Run-Off: ***(see attachments)***

- What a difference a year makes! Stream flows are below normal for this time of the year due to the cold spring. I anticipate water levels will begin to rise later this month as we approach runoff. We have about two hundred sand bags ready to be placed along our creeks, streams and ponds if needed.
- Currently, we are in "Moderate Drought Conditions" or a D1 category drought. Last year at this time we were already a D3 category. Drought intensity is measured in stages ranging from D0 (abnormally dry) lowest level to D4 (exceptional) highest level.
- It's still too early to predict what this summer will be like, but we are definitely in better shape than we were last year.

Staffing:

- We are fully staffed for the upcoming 2013 golfing season. I believe we will have an excellent crew this year.
- In fact, we have several employees returning for another season. Our employees do a fantastic job and it shows in the product we provide for our guests and community.

I am looking forward to the upcoming season and once again providing our guests with the best recreational experience possible. I look forward to seeing everyone at the next board meeting. If you have any questions or concerns please feel free to contact me at your convenience.

Steven H. Barber
Superintendent of Golf Courses & Parks

EagleVail Swimming Pool May 2013 Meeting Update

Please welcome CJ Nero to the EagleVail Pool management team as the Assistant Pool Manager. CJ comes to us with years of experience as a lifeguard, pool manager, and pool technician. He spends his winters as the Ticket Sales Supervisor for Beaver Creek, where he trains and supervises front line staff.

We are excited to have many experienced and qualified lifeguards and front desk associates this summer, both new to us and returning. Stop by to say "hello" and pick up your pool pass, we open May 17th!

Programs and Events to look forward to:

- **Father's Day family boat building contest**
- **June Community Night/Moonlight Swim with live music**
- **August 4th Old Fashioned Carnival**
- **Baby swim classes FREE to EV residents**
- **2 Water Safety Programs**
- **Bike Safety Activity with EC Sheriff's Office / Pedal Power**
- **Adult Coached Lap Swim 6 days per week!**
- **Group and Private Swimming Lessons**
- **Water Aerobics**
- **Yoga on the Yard**
- **Swim Team**
- **Family Nights**
- **Moonlight Swims**

Stay tuned, we are currently discussing additional special events with EV businesses.

Marketing:
We will be adding a "Have you checked in on facebook?" sign on the pool doors this summer as well as a "free wifi" sign.

A three month event calendar will be posted in the lobby to help guests plan their event participation and pool time early.

Sales:
We will be adding to our merchandise and food and beverage selections this year.

Eddie will be providing pre-made wraps and sandwiches for pool patrons to purchase. He will also be offering call in / pick up ordering.

Did you forget something at home? We will now be offering towels, sunscreen, pool toys, goggles, and shirts for sale. Lifejacket rentals will be available at the front desk as well.

Administrative Staff

Manager's Report
May 16, 2013

POA Update:

- The statements for the 2013 dues were mailed out on March 1, 2013. Another $132,496.26 was collected in April.
- The letters regarding the amnesty program have been sent out and so far no one has opted to take advantage of it.

Other Administrative Business:

- The HPS Community Service Day is scheduled for May 20, 2013. The HPS 8th graders will be in EagleVail from 9:00am-3:00pm helping with different projects throughout the community. Steven Barber and Brent Barnum have put a lot of work into planning this day for the students. It should be a lot of fun.
- The next community event that is scheduled is the 'Par 3 Social' for residents only on June 2, 2013 11:30am-1:30pm at the Willow Creek Golf Course. Ben Welsh will provide several different golf games. Live music and food will be provided, as well as free golf at the Par 3.
- A Community Yard Sale has been planned for June 8, 2013 and mentioned in the May newsletter and will also be mentioned in the June newsletter. This will also be advertised in the Vail Daily.
- The BOG Policies, Procedures and Rules of Conduct document, as well as the Board Meeting Etiquette Briefing Paper have been updated and are attached to this report.
- I just want to remind everyone that there will be no work sessions held until September 5, 2013. The Regular Meeting on June 20, 2013 will be held at Homestake Peak School in the auditorium. The September Work Session and Regular Meeting will be held at the Pavilion.

Our next meeting will be the Regular Meeting on June 20, 2013 at 4:30pm in the auditorium at **Homestake Peak School**.

Respectfully,

Kris O'Neill

Administrative Manager

EAGLEVAIL
BOARD OF GOVERNORS

POLICIES, PROCEDURES AND RULES OF CONDUCT

(Adopted April 2013)

TABLE OF CONTENTS

EAGLEVAIL BOARD OF GOVERNORS

Policies, Procedures and Rules of Conduct

Introduction

The EagleVail Board of Governors was formed in August of 2009 by the EagleVail Metropolitan District Board and the EagleVail Property Owners Association Board. In March 2013, the Board added an eleventh member to represent the business community. It is governed by an elected eleven-member Board of Directors ("Board") made up of the five members from the Metropolitan District Board, the five members of the Property Owners Association Board and one member from the Business Association Board. This document is a manual of policies, procedures and rules of conduct for the EagleVail Board of Governors, and has been established pursuant to Board resolution, state law and/or precedents which have guided the District to this date. In addition to the matters addressed in this manual, each Director has an obligation to become familiar with and abide by the District By-Laws, which by this reference are incorporated into this manual.

Orientation of New Board Members

The Board and Community Manager will develop and maintain an effective orientation and training program for new Board members, including Board orientation sessions, distribution of pertinent literature and materials, and tours. Board Members are encouraged to read the By-Laws of the District and the Board Member Manual developed by the Special District Association of Colorado. Board Members are also encouraged to read the Association's Governing Documents.

Fiduciary Duty

A Director has a fiduciary obligation to the Community. This obligation does not extend to each individual resident of the Community, but rather to the Community itself. As a fiduciary, the Director has the duty to exercise the utmost good faith, business sense and astuteness on behalf of the Community, and is prohibited from taking personal advantage of a situation to benefit for him- or herself or prejudice the Community.

Since the Board is elected at large, each Board member is responsible to residents throughout the entire Community, and no special consideration shall be shown by a Director toward any specific program, special interest or geographic area within the Community boundaries. In the event the Board is faced with a decision that might negatively impact a relatively small number of residents, but favorably impact the broad majority of residents, the Board shall balance the needs of the majority with the impact on the minority. The Board shall conduct its affairs in a manner that wins public respect and support for the

Community and guarantees its integrity to the community. Each Director shall be ready to listen to criticism and quick to discern and remedy situations that require correction.

Board responsibilities

The role of the Board of Governors is to provide strategic vision and effective governance for the Community of EagleVail and direction to the Community Manager.
Both the EVMD and EVPOA Boards have missions that are complementary to one another. The EVMD

- **"seeks to enhance quality of life and property values by providing the most unique and comprehensive recreational experience possible for EagleVail residents and the public, ultimately creating the most desirable family neighborhood in the Valley",**

while the EVPOA provides

- **"property owners of EagleVail, Colorado, with a pleasant and safe community, while protecting the value of their properties. Our mission will primarily be accomplished through the fair and equitable enforcement of the covenants, rules and regulations."**

And the EVBA strives to:

- "to enhance, improve, maintain, and promote the commercial activities of the defined EagleVail Business district. This mission is to further support and enhance the Residential Community of EagleVail and the EagleVail Metropolitan District"

Together, the boards collaborate via the joint board of governors

- **"to make EagleVail the best community in which to live, work & play".**

The Board of Governors is also responsible to approve staff and committee recommendations that are above and beyond approved budgets.

Individual Board members responsibilities include

- Enforce the documents
- Establish sound fiscal policies and ensure staff & partners maintain accurate records
- Work with staff, partners & committees to develop a workable budget, keeping in mind the needs, requirements and expectations of the community
- Establish, publicize, and enforce rules and penalties
- Authorize legal action against owners who do not comply with the rules
- Appoint committees and delegate authority to them
- Approve staff recommendations regarding an attorney, an auditor, insurance agent and other professionals for the community
- Attend and participate at meetings

Metropolitan District Board Members are restricted in their communications as a group outside of board meetings per state law. Three or more members cannot communicate outside of publicly

noticed meetings, commonly known as 'sunshine laws'. This includes 'reply all' email among Board communications.

Staff responsibilities

Staff's role is to oversee the daily operations of the Community, including EVMD assets and POA code enforcement (expand as needed). Staff is to work with and oversee all committees and to work with all partners (accounting, legal, marketing) and to manage local stakeholder relationships including but not limited to Business Center, Eagle County, etc.
Staff members report to Community Manager.

Committee responsibilities

Committees are formed as task forces for a specific project or focus, i.e., parks, pool, golf, etc. It is the responsibility of the committee to drill down and research the specific points of the task and to present a committee recommendation to either staff or board. The work of committees is a highly regarded part of the governing work of EagleVail and thus is considered a top level consideration when staff or board are considering a decision.
Committees report to Community Manager.

Board Meetings

A Director shall devote his/her personal attention to matters of the District, Association and/or Board of Governors and is required to attend Board meetings. Telephonic attendance is acceptable provided the Director is able to hear and be heard. Any absences shall be noted and excused (where appropriate) in the Board meeting minutes.

The Board of Governors desires to conduct efficient and professional board meetings. Members of the Board are encouraged to be respectful to other members, staff, meeting participants, those in both the live and TV audience and the citizens of EagleVail. To that end, board members will observe the following courtesies:

- The Board chair will call meeting agenda items for discussion.
- Members will wait to be recognized by the chair before speaking.
- Obtain the floor by waiting for their turn during 'round robin' discussions and/or raising their hand to be recognized.
- Board members will be selected for discussion in a random order.
- The chair will recognize each member by name.
- During 'round robin' discussions, the chair will take care to recognize all members who wish to speak.
- A member who has been recognized and has finished speaking will yield the floor by nodding to the chair or by saying 'thank you'.
- Members will not speak twice on the same issue until other members wishing to speak have spoken once.
- Board members will have three (3) minutes per discussion topic and one (1) minute of rebuttal time.
- Board members will respect the speaker by limiting 'off-line' conversations or removing them to another room.

- Conference call capability will be available to board members to participate in all meetings; all rules apply to conference call attendees.
- Members will yield the floor when directed by the chair or called to order by another member. If the member wishes to continue speaking, the chair will put that question to a vote for other members to decide whether or not the member will be allowed to do so.
- Eating will not be allowed during the televised meetings; dinner breaks will be scheduled on longer meetings.

Proper public notice of Board Meetings shall be posted in accordance with Colorado statutes, as follows:

> Three-Day Notice – Notice of the time and place of regular or special meetings shall be posted in at least three public places within the boundaries of the District and in the office of the County Clerk and Recorder at least three days prior to the Board meeting.
>
> Twenty-Four Hour Notice – In addition to the three-day notice, notice of any meeting of a quorum of the Board at which public business will be discussed shall be posted in a designated public place within the District no less than 24 hours prior to the meeting, which notice shall include specific agenda information, if possible.

Conflicts of Interest

A Director shall disqualify him- or herself from voting on an issue in which he/she has a conflict of interest, unless the conflict has been disclosed, and then only to vote in order to establish a quorum. A failure to disclose a conflict of interest occurs if a Director exercises any substantial discretionary function in connection with a government contract without having given at least 72 hours actual advance written notice to the Colorado Secretary of State and the District Board. A potential conflict of interest exists when a Director is an executive officer, or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in a transaction with the District.

Further, a Director shall not 1) disclose or use confidential information acquired in the course of District duties to further his/her financial interest; 2) accept gifts of substantial value or economic benefit which would tend to improperly influence a 'reasonable person' to depart from faithful, impartial discharge of his/her public duties; 3) engage in a substantial financial transaction for his/her private business purposes with a person whom he/she inspects or supervises in the course of his/her Board duties; 4) perform an official act directly or substantially affecting, to its economic benefit, a business or other undertaking in which such Director either has a substantial financial interest or is engaged as counsel, consultant, representative or agent; or 5) be interested in any contract made in such Director's official capacity or by any body, agency or board of which such Director is a member or employee. Each Director should be aware that violation of the five prohibitions

stated above is a criminal misdemeanor under Colorado statutes and could result in prosecution.

The following scenarios are acceptable and are not conflicts of interest; however, each situation must be carefully scrutinized for legal compliance purposes. Before a Director takes action which may involve a potential conflict of interest, the Director and Board shall consider whether such action might have the appearance of impropriety, along with all legal and policy implications.

1) A Director holding a minority interest in a corporation contracting with the Metropolitan District or the Property Owners Association is not considered "interested" in such contract;

2) Contracts in which the Director has disclosed a personal interest and has not voted thereon; and

3) A Director may vote, notwithstanding any other prohibition, if participation is necessary to obtain a quorum or otherwise enable the Board to act, and if the Director complies with voluntary disclosure procedures.

In addition to the acts mentioned above, a Director shall not 1) acquire or hold an interest in any business or undertaking which he/she has reason to believe may be directly and substantially affected to its economic benefit by action taken by the Board over which he/she has substantial authority; 2) within six months following termination of his/her office obtain employment in which he/she will take direct advantage, unavailable to others, of matters with which he/she was directly involved during his/her term of office; or 3) perform an act on behalf of the Board which will directly or substantially affect a business or undertaking to its economic detriment when he/she has a substantial financial interest in a competing firm or undertaking.

In addition to the above limitations, no Director shall perform compensated service for the Board, except under extremely unusual or emergency circumstances. If extremely unusual or emergency circumstances occur, a Director may provide compensated services for the Board only after receiving approval from the Board of Governors by majority vote, and only after the publication of a "Potential Conflict of Interest" Notice in accordance with the requirements of Colorado law. Any Director proposing to provide compensated service under extremely unusual or emergency circumstances must abstain from any vote on the matter by the Board of Governors.

Acceptance of Gifts

A Director shall not accept gifts or favors from vendors, suppliers or other persons which might be construed to create a conflict of interest. Additionally, a Director shall not ask for nor accept gifts, favors or services from the Community or from any staff member unless such gifts, favors or services are generally offered to every Director.

Community Manager(s) – Appointment, Assignment of Duties, General Responsibilities to Board

The Board has the express responsibility to appoint a professional administrator to serve as the Community Manager(s), and to review his/her performance annually, determining annual compensation, fringe benefits, etc., at that time.

The Community Manager(s) shall 1) plan, organize and administer quality programs in the area of recreation activities, operation and maintenance of facilities and grounds, public relations, and all related Community functions and services; 2) promulgate innovative ideas for Board consideration and at all times utilize initiative; 3) select, train, supervise and direct activities of all subordinate District employees; 4) submit recommendations to the Board on all items requiring Board action; 5) submit complete, accurate reports and data to the Board as instruments to assist the Board in decision-making; 6) carry out assigned duties as prescribed by the Board, and at the Board's discretion to act on behalf of the Board and Community; 7) prepare, explain and submit the annual budget to the Board, and upon Board approval administer, control and balance the budget and provide regular financial reporting to the Board; 8) maintain effective channels of communication with the Board so each Director will be apprised of pertinent Community activities; 9) manage all Community activities with integrity, high ethics, and in a manner which will produce the most favorable benefits to the Community and its residents; 10) represent the Board in all matters concerning the employees; and 11) prepare agenda items and all supporting documents for Board consideration at meetings and study sessions.

Community Manager(s) – General Responsibilities to the Board

Each Director and the Board as a whole shall with respect to the Community Manager(s) 1) keep in proper perspective the appropriate Board/Community Manager relationship; 2) provide necessary policy decisions for the administration of the Community and to allow the Community Manager(s) to uniformly carry out such policies; 3) carefully analyze recommendations made by the professional staff, through the Community Manager(s), based upon factual data, staff expertise, community needs, and enhancement of the Community as a whole; 4) encourage initiative and the creation of innovative ideas on the part of administration for Board consideration; 5) review at least annually the performance of the Community Manager(s) in managing the Community and to determine his/her compensation; and 6) provide constructive criticism when necessary regarding the overall management of the Community.

Individual Director/Community Manager communication is encouraged; however, because the Board functions as a unit, individual instruction shall not be directed by a single Director except as related to specific assignment as authorized by Board action. In such situations, any memorandum or correspondence pertaining to Board matters initiated by any Director to the Community Manager(s) shall be copied to each Director.

The Board has the responsibility for hiring and terminating the Community Manager(s) and for establishing his/her compensation. The Board may appoint an interim Community Manager.

Board/Employee Relationships

The Board also maintains certain aspects of management of employees, as follows:

1) Annually or as needed, the Community Manager(s) shall present a proposal for budget considerations pertaining to proposed modifications in salary plans, fringe benefits and working conditions. The Board will then establish compensation standards for the ensuing year.
2) Board members are encouraged to communicate with employees; however, supervision, direction, instructions, requests and reprimands of any employee must be handled directly through the office of the Community Manager(s).

Public Image and Press Relations

Board members' actions and comments are a reflection on the District, Association and/or Board of Governors and Directors shall use discretion when discussing EagleVail business with the news media concerning items either prior to public Board meeting discussion, after public Board discussion and decision, and personal opinion. Comments to the press and public must be factual. Directors in general must speak for themselves unless authorized to speak for others. If a Director speaks to a reporter, he/she is speaking as an individual and is to make that known to the reporter. A Director is prohibited from making promises which would be binding on the Board, District or Association. If a Director acts inappropriately or there is a personal issue which may affect the Board, the District or the Association, it shall be discussed immediately with the Chairman. Information for Board members which is marked confidential is not available to the public. All information discussed regarding personnel, legal matters or contractual issues are to be kept private until the Board makes them available at a Board meeting.

Review and Approval of District and Association Expenditures

The Board has established the following criteria for the payment of bills. The staff shall review all bills and if they meet the established criteria, shall pay them in a timely fashion, taking advantage of early payment discounts when available and financially justified. The following criteria must be met prior to payment:

1) The expenditure must be within the budget appropriation for that item or type of item;
2) The expenditure must be for a governmental or public purpose (although the expenditure may also benefit a private purpose or entity);
3) The expenditure must be documented in such a manner that the Board can determine the amount, nature and purpose of payment and to whom payment should be made; and

4) The expenditure must be for goods or services actually received or performed for a Board-approved purpose.

In the event a major emergency relating to District or Association facility or function arises which threatens the operation of such facility or function and the Board has not theretofore approved the expenditure necessary to repair or continue the facility or function, the staff shall poll Board members for approval of such expenditures. If, due to time constraints or inability to contact Board members, the Community Manager deems it necessary to correct the emergency situation without prior Board approval, the staff shall authorize such repairs or services as are necessary, pay the charges in accordance herewith, and advise the Board as soon as practicable.

Program and Facility Use Fee Structures

The staff is responsible for establishing a fee structure for all recreational programs and use of District facilities. Prior to preparation of the annual budget, the staff and Board shall discuss the philosophies and goals which must be set for the coming year's fees and charges. As a result of this study, a proposed fee schedule for the coming year will be prepared and submitted to the Board, along with the proposed budget, for approval, thus enabling the Board to establish the various revenue requirements for programming areas and the facilities. Staff, prior to making recommendations to the Board, will not have made any disclosures to any group or organization prior to the recommendation being presented to the Board. Board members will be afforded the opportunity to consider the fee recommendations first at a study session prior to consideration at a public meeting.

It is the responsibility of staff to present to the Board accurate costs figures per activity, income projections, and to justify the existence of each program. The Board's philosophy is that most activities must be self-supporting, including both direct and indirect operations costs, though there may be exceptions to this policy.

Included in the analysis submitted to the Board shall be a recapitulation of the immediate past season's historical profile relating to program popularity, financial disposition, etc. Additionally, survey information of other area programming shall be supplied, if applicable. Fee structure recommendations shall normally be submitted to the Board as a package, including all general programs by major category.

Facility Usage by Board Members

Board members are entitled to and encouraged to utilize and become aware of District facilities; however, a Director shall not take undue advantage of any complimentary usage policies. Each year while in service to and in good standing with EagleVail Board of Governors, a Board member shall be entitled to complimentary golf on the EagleVail Golf Course subject to the following regulations:

- All Board Member complimentary play will be subject to the same restrictions as apply to homeowner pass play for that particular year.
- Complimentary Board play is for Board Members and their spouses or "designated other" ("designated other" shall be defined as one other individual accompanying the Board Member in the same cart on the day of play). In addition, a Board Member may be entitled to one complimentary foursome per week and must accompany the foursome during play.
- Any unused complimentary play entitlement within a weekly period described above shall not carryover or accumulate to future weeks. A week shall be defined starting Monday and ending Sunday.

In addition to the above, each Board Member shall be entitled to a Family Pool Pass and outgoing Board Members in good standing, upon completion of their service on the Board, shall be entitled to a complimentary one year resident individual golf pass including cart pass or swim club pass for each year served on the Board of Governors.

General Guidelines

The following guidelines are meant to assist the Director in furthering the mission and goals of the District:

DON'T	DO
Phone staff members at home.	Phone staff at home if emergency.
Wait until a Board meeting to communicate a problem.	Phone the District Manager immediately so problems may be addressed in a timely manner.
Micromanage the District.	Go through chain of command. Be a helpmate to staff.
Wait until Board meeting to read Board packet.	Come to Board meeting fully prepared to discuss issues on the agenda.
Be headstrong and not listen to other points of view.	Approach issues with an open mind until all information is received.
Assume your idea, comment, etc. is bad.	Express yourself; your comment may give rise to a great discovery.
Make promises to the public that you are not sure you can keep. Available dollars may preclude keeping promises.	Convey only factual information to the public on behalf of the District.
Individually request a report to be done by staff.	Discuss the information you need with the District Manager or Chairman, or bring request to a Board meeting for Board input.
Bad-mouth a Board decision.	Live with and support Board decision once it has been made.
Criticize or correct staff in public.	Offer criticism and comments in private and through the chain of command.

Amending the Manual of Policies, Procedures and Rules of Conduct

It will be desirable from time to time to amend or augment this document to reflect certain changes or additions in District and/or Association policy. The procedure for changes to this Manual shall be that, at a public meeting of the Board, certain action will be taken and identified by the Board as a policy change or new procedure. By the next public meeting, the Directors shall have for their review a written policy statement which can then be adopted at the public meeting for immediate inclusion in this manual.

Community of EagleVail Briefing: April 5, 2012
Revised May 16, 2013

Board Meeting Etiquette

By: Chris Romer, POA President
Louise Funk, EVMD Chair
Kris O'Neill, Admin Manager
Jeff Layman, Community Manager

Issue

The following are general guidelines to ensure that EagleVail Joint Board meetings are run in an efficient & effective manner.

Background

Some Board members have expressed the need for us to discuss rules of etiquette for board meetings. This request includes the participation of members via telephone.

Discussion

General Meeting Etiquette:

Disclaimer
Agree that it is acceptable to disagree. Uncomfortable debates could happen. Always separate business from neighbor. Leave business at the meeting table. We are neighbors first and Board of Directors second.

Arrive on time
Meetings start promptly at 4:30pm. Please respect other people's time.

Arrive prepared
Read your board packet and know the agenda, have your questions clearly thought out on each issue.

Cell phones
Please turn phones off or to vibrate during meetings and no texting.

Participate
Please solicit ideas. You are elected for your opinion. Remember ten heads are better than one. Your constructive participation will make a difference.

Stay on topic
Follow meeting structure to make use of every meeting minute in order to be productive.

Recognize good ideas
Acknowledge, recognize and respect each other's ideas even if they differ from your own. Always assume positive intent.

Listen
Respect others by giving them the courtesy to hear what they have to say.

Always have the best interest of the community in mind
Never lose sight of why we are here. Make all decisions for the community. Our purpose is to serve the Community of EagleVail.

Meeting process & procedures:

- The Board chair will call meeting agenda items for discussion.
- Members will wait to be recognized by the chair before speaking.
- Obtain the floor by waiting for their turn during 'round robin' discussions and/or raising their hand to be recognized.
- Board members will be selected for discussion in a random order.
- The chair will recognize each member by name.
- During 'round robin' discussions, the chair will take care to recognize all members who wish to speak.
- A member who has been recognized and has finished speaking will yield the floor by nodding to the chair or by saying 'thank you'.
- Members will not speak twice on the same issue until other members wishing to speak have spoken once.
- Board members will have three (3) minutes per discussion topic and one (1) minute of rebuttal time.
- Board members will respect the speaker by limiting 'off-line' conversations or removing them to another room.
- Conference call capability will be available to board members to participate in all meetings; all rules apply to conference call attendees.
- Members will yield the floor when directed by the chair or called to order by another member. If the member wishes to continue speaking, the chair will put that question to a vote for other members to decide whether or not the member will be allowed to do so.
- Eating will not be allowed during the televised meetings; dinner breaks will be scheduled on longer meetings.

Board Meeting Telephone Etiquette

It is our sincere desire to accommodate board members who may not be able to attend board meetings in person by providing a conferencing telephone alternative. This option was developed primarily for absentee property owners who are not present in Eagle County on the day(s) and time(s) of the meeting(s).

Board members who are in the county during these times are expected to physically attend the meeting, unless exigent circumstances exist. It is up to each board member to properly apply this standard.

Phone conferencing presents some unique challenges to meetings and the improper use of such conferencing can cause significant organizational consequences. Among them:

Poor morale and relationships among participants: If the proper etiquette is not followed, it might create some bad feelings. Board and staff members may find that it is harder to work with these participants. Most expect that conference calls will run with smoothness; no interruptions and solid productivity. Otherwise, it may be seen as a complete waste of time for all involved.

Missed deadlines, opportunities and misunderstandings: Constant interruptions and disorganization cause others to miss information. This leads to inefficiency ("What did you say?" "Can you hear me now?") and ineffectiveness.

Increased stress: It's stressful for all participants when information is missed, some can't hear properly and for the person on the phone who can't see others on the call.

To avoid these negative outcomes, participants should observe the following rules:

1. Live participants must realize that those making the meeting by phone are at a disadvantage and give them some consideration for that. They can't see other participants and many times may not be able to hear well, either. Make sure conferencing equipment is properly adjusted as to volume and microphone positioning.
2. Those participating by phone should find a quiet place. Background noise is heard in the call and can be very distracting to other participants. Those at home with young children or dogs playing nearby should find the quietest area.
3. "Mute" the phone when not talking. Participants should know how to use this equipment prior to the meeting.
4. Avoid using a cell phone. Cell phones add tremendous background noise to a conference call. If a cell phone is the only option, it should be muted for the entire duration of the call.
5. Be on time for the call. The call announcement is very distracting to the meeting when it occurs after the meeting has started.
6. Do not use the hold button. Using this feature may introduce sounds and noises into the conference.
7. Cordless phones may introduce static into the conference. Participants should be prepared to change phones or to hang up if the phone is particularly troublesome to other participants.
8. Shuffling papers is very distracting. So is "drumming fingers" and constant throat clearing. These habits should be avoided and are alleviated with the mute button.
9. Phone participants must wait for the presiding officer to call on them to talk. Be patient. Trying to talk over others never works out well.

EagleVail Community Relations/ Compliance

Board Report

May 16, 2013

Priorities:

- Pup Sweep
- Wildfire Mitigation
- Clean Up Day
- Landscape Contest
- Eagle Road

Operation "Pup Sweep" will be gearing up with a member of the Eagle County Animal Services. I will be out a couple of days prior to opening to remind everyone that no one is allowed on the course during golf operations as well as the leash regulations. The ECAC officer will be writing citations for unlicensed pets pursuant to county regulations. I am hopeful that we can coordinate at least one if not two after golf hours sweeps with the ECAS officer a month.

The wildfire mitigation project is moving forward with a meeting scheduled for May 8th. This meeting will be for EagleVail homeowners to explain the mitigation projects along Eagle Drive and Elk Lane. This project will clean up deadfall and standing dead trees as well as combining efforts with homeowners to attempt to limit the possibility of wildfires in our area. A Ready, Set, Go meeting is scheduled for June 5th to help Valley residents be prepared for a wildfire incident.

The annual clean up day went very well again this year. It was held on Saturday March 27th and we were fortunate to have relatively good weather. I believe that we had our best turn out for the event in the 3 years that I have participated. There were a total of 83 participants that signed in at the pavilion and then spread out through the community. We were very pleased to have EagleVail resident Dan Trush of the Avon Bakery and Deli supply the coffee and pastries for the event. Thank you to all of the BOG that participated.

The community landscape contest has secured prizes for both divisions, clean up and remodel. Home Depot has generously donated a grill and some accessories and New Dimension Cleaning & Restoration has also generously donated a $100 gift card.

This Spring I will be concentrating on Eagle Road and the condition of the residences and commercial buildings along that stretch of road. I will attempt to solicit results by communicating with owners without having to write violation notices.

As always, if you have any questions or concerns please feel free to contact me at anytime.

Respectfully submitted,

Ted Hanley

			EagleVail Violation Log Sheet		
Violation #	Date	Address	Violation/Observation	Timeframe	# of violations
13-011	4/4/2013	640 (W) Stone Ceek	Restrictions on Parking /Trailers	10 Days	1
13-012	4/4/2013	188 Stone Creek	Restrictions on Parking /Trailers	10 Days	2
13-013	4/4/2013	361 (E) Deer Blvd	Property to be Maintained / Yard	10 Days	3
verbal	4/4/2013	170 (A) Grouse Ct	Restrictions on Parking /Snowmobiles / AT	10 Days	1
cr	4/5/2013	820 (W) Deer Blvd	Property to be Maintained / Building		
13-014	4/5/2013	977 (E) Deer Blvd	Lock -off/ Leasing less than the whole unit	10 Days	1
13-015	4/5/2013	718 (B) Stone Creek	Restrictions on Parking /Trailers	10 Days	1
13-016	4/5/2013	718 (A) Stone Creek	Restrictions on Parking /Trailers	10 Days	1
13-017	4/5/2013	73 Elk Lane	Annoying Light /Sound / Odor	10 Days	2
13-018	4/5/2013	980 (W) Deer Blvd	Restrictions on Parking /Trailers	10 Days	1
cr	4/8/2013	? Pavilion Park	Animals / Failure to Control		
cr	4/11/2013	? Deer blvd	Animals / Failure to Control		
13-019	4/15/2013	106 Deer Run	Restrictions on Parking /Trailers	10 Days	1
inspection	4/17/2013	977 Deer Blvd	Other		
13-020	5/1/2013	153 (A) Daisy Lane	Restrictions on Parking /Trailers	10 Days	
verbal	5/1/2013	719 Deer Blvd	Property to be Maintained / Building	10 Days	
verbal	5/1/2013	1105 Deer Blvd	Restrictions on Parking /Snowmobiles / ATVS		
verbal	5/2/2013	189 Daisy Lane	Restrictions on Parking /Trailers		
verbal	5/2/2013	969 Eagle Dr	Garbage - Refuse Disposal / Left Out		
verbal	5/2/2013	346 Eagle Rd	Garbage - Refuse Disposal / Left Out		
verbal	5/7/2013	1644 Deer Blvd	Garbage - Refuse Disposal / Out Early		
verbal	5/7/2013	1105 Deer Blvd	Restrictions on Parking /Vehicles		

Golf Update
May 16th, 2013

Pinnacle Pass Sales

I want to update the BOD on our progress thus far for season pass sales. To date we have sold 141 Pinnacle Passes. We have another 5 or so that we are fairly sure will purchase who are out of town, putting our total estimated sales just shy of 150. Last year we sold 166 total, so we will be short by 16-20 passes. We have called every passholder from the past 2 years directly and will hope that some more late purchases will come in. We have heard that a few from last year have moved back to Cordillera and others are not repurchasing for a number of other reasons. Our focus will shift to selling 10-punch cards and increasing daily rounds to make up the deficit in the pass sales.

Merchandising

Most merchandise is ordered and starting to arrive. I am excited for a few new brands that we will be introducing! New for 2013 we will be introducing a golf club a trade-in program. The PGA Trade-in Network operates a little like the Kelly Blue Book for golf clubs but they actually buy the clubs from us directly. It is my goal to grow the our overall golf shop sales by increasing the offering of hardgoods and enticing people to shop locally rather than looking to online or discount stores. We will be carrying 3 new brands of golf equipment, 6 brands total, all ready for sale!

Marketing/Advertising

Our marketing plan is coming together and we are starting to take action. Katie Campbell of Nichols Interactive will be planning to present to the Board at the May 16th meeting to share the vision, plan and new ad materials that we have been working on. Hopefully you have seen some of our ads in the Vail Daily, our e-mail blasts and Facebook posts and even heard Steve and Me as "The Last DJ" on KZYR radio. We are making a significant effort to build our database of emails and followers on FB so that we can continue to build the brand of EagleVail and our network of marketing. We will start pushing golf instruction, leagues, par 3 and the restaurant more as we get things up and running.

Seasonal Staff

We have 3 PGM Interns this season, all freshmen from the University of Nebraska. They seem attentive and ready to learn this summer. They will be involved in the Homestake Peak Service day and also with the First Tee programs. We'll be sure to teach them anything we can before we send them back to school.

Food & Beverage

The F&B operation is really coming together nicely. Aside from Eddie Schoenbein and Vinny Cisneros, our entire staff is new. While the training will require more time to get started, we are excited to make some changes and have all the staff trained to the new processes and efficiencies. We have made some menu changes at the main restaurant and also at Hole 11. The quality will be as good or better than last year and we are always looking for ways to manage the food cost as best we can. We are planning some great new weekend and evening events and plan

to market more proactively to the community for families and non-golfers to come and enjoy our food. Sunday brunch and Bloody-Mary Bar will kick it off later in May and we will expand from there as business dictates.

Hole 11 Capital Projects

As budgeted, we finished painting the interior of the Hole 11 Snack Bar. It looks much better, fresher and brighter!! Also, as budgeted, I am working on a dumpster enclosure for Hole 11. I have the drawings done (by Craig Snowdon) and am awaiting bids by 3 contractors. The budget was $10,000 total. The drawings were negotiated for $1000 even and we will work to complete the construction for the remaining $9000. As we have done with all other projects, I have set aside a 10% contingency and will work with the contractors to stay within budget.

Summer Programs

We have scheduled our two weeks of junior camps for June 10-14 and July 15-19. We will again be running a 5 week Beginning Golf class for CMC beginning May 13th and will be expanding our Get Golf Ready programming beginning in June. It is a major goal of ours to increase the number of new golfers at EagleVail this year and we will be proactive in our efforts to fill all of our group classes.

Respectfully Submitted,

Ben Welsh