
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors

Vail Park and Recreation District dba Vail Recreation District April 22, 2010

A Regular Meeting of the Board of Directors of the Vail Recreation District, Town of Vail, Eagle County, Colorado, was held on April 22, 2010, at 5:00 p.m., at the Town of Vail, Council Chambers Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

1. MEMBERS PRESENT

1.1. Joe Hanlon, Michelle Hall, Jeff Wiles

2. MEMBERS ABSENT AND EXCUSED

2.1. Ken Wilson, Rick Sackbauer

3. STAFF PRESENT

3.1. Mike Ortiz, Jamie Gunion, Lori Gordon, Beth Pappas

4. OTHERS PRESENT

4.1. None

5. CONSULTANTS PRESENT

5.1. Eric Weaver, Robertson & Marchetti, P.C.

6. CALL TO ORDER

6.1. Director Hanlon called the meeting to order

7. APPROVAL OF 4/8/10 MEETING MINUTES

7.1. By motion duly made and seconded it was unanimously
RESOLVED to approve the minutes of the April 8, 2010 Regular
Board meeting as presented.

8. PUBLIC INPUT OF ITEMS NOT ON THE AGENDA

8.1. None

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9. CONSIDERATION OF CHAGNES TO THE AGENDA

- 9.1. Mr. Mike Ortiz stated that subsequent to the agenda being distributed an issue has arisen. Mr. Ortiz explained that Dogma Athletica has been airing commercials on the local radio station which is leading listeners to believe that Dogma Athletica is tied in with the VRD Mountain Bike Series. This is not true and to try and clear up the issue Mr. Ortiz has had legal counsel for the District prepare a resolution for the Board to consider which clarifies that the District retains full ownership of its events. Mr. Ortiz read the resolution aloud and explained that he will be contacting the representatives from Dogma in an effort to get the radio ads stopped.
- 9.2. Upon a motion duly made and seconded it was unanimously RESOLVED to adopt the Resolution as presented, a copy of which is attached here to and made a part thereof.

10. PREVIEW OF SPORTS SUMMER PROGRAMMING- MS. BETH PAPPAS

- 10.1. Ms. Beth Pappas from the VRD Sports Department presented a power point outlining the upcoming programs for the summer season and explained to the board all of the new camps and leagues. During the upcoming summer the Sports Department will put on 11 sports camps as well as a number of other local and regional tournaments, the La Sportiva trail running series, and the Land Rover Roaring Fork Mountain Bike Series. Ms. Pappas also reviewed a new event being put on in conjunction with Billy Mattison called the Vail Kids Adventure Race which is a two person team event designed to promote team work and problem solving. All of the board members and staff are very excited about this program.
- 10.2. The Board thanked Ms. Pappas for her presentation and commented on how busy the Sports Department is throughout the year and the incredible job that they all do to bring so many fun events to the Vail area.

11. UPDATE OF #7 TEE PROJECT- PERMISSION TO PROCEED

- 11.1. Mr. Ortiz reported that representatives from the VRD presented to revised plan for the #7 tee boxes to the Vail Town Council on April 20th. The Town Council had many questions and has asked the District to look into some of their concerns. The items was tabled until the June 1st Town Council meeting which will give sufficient time for staff to look into their questions and report back on the findings.

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12. MARCH 2010 FINANCIALS- MR. ERIC WEAVER

- 12.1. Mr. Eric Weaver stated this is the time when things are starting to ramp up and departments are beginning to order their supplies for the upcoming summer season. So far the District is doing well compared to budget but the majority of the favorable variance appears to be timing related and will correct itself in the coming months. At this time he had no major concerns to report.
- 12.2. Director Hanlon asked if Mr. Weaver would be producing the weekly golf revenue reports like he did last year. Mr. Weaver stated that the reports were a great tool for monitoring the course revenues and that he would be sure and distribute them to the Board once again this year.

13. EXECUTIVE DIRECTOR INPUT

- 13.1. Mr. Ortiz stated that District has begun performing some much needed maintenance on the old Battle Mountain football field and the field is looking great. The field will be of great benefit to the District for use in upcoming summer programs and events.

14. BOARD MEMBER INPUT

- 14.1. Director Wiles questioned about when the driving range would be opened? Mr. Ortiz stated hopefully, depending on the weather, May 1st. He also would like to set up a meeting with Ms. Plain and Mr. Ortiz to set up a golf Tournament for players who are local and who have not played the Golf Course in a couple of years to get them re-acquainted with it.
- 14.2. Director Hanlon wants everyone to know what the Vail Golf club has to offer, and what great improvements we have made to it. We have smiling faces, and we have been voted the friendliest woman's golf course in Colorado. Also, he encouraged everyone from the community to please get out to vote on May 4th.

15. ADJOURNMENT

- 15.1. Upon a motion duly made and seconded it was unanimously RESOLVED to adjourn the Regular Meeting of the Vail Recreation District Board of Directors.

Michelle Hall, Secretary

Lori Gordon, Assistant Finance Director

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VAIL PARK AND RECREATION DISTRICT

RESOLUTION REGARDING THIRD PARTY USE OF DISTRICT EVENTS

WHEREAS, the Vail Park and Recreation District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado authorized pursuant to Section 32-1-1001(1)(m), C.R.S. to adopt bylaws, rules and regulations for carrying on the business and affairs of the District; and

WHEREAS, the District sponsors many events and programs in furtherance of its public purpose of providing park and recreation services to its constituents; and

WHEREAS, the District desires to affirm that it retains full ownership of its events and it retains full authority, acting through its Executive Director, to set the rules, regulations, policies, and other details of its events; and

WHEREAS, the District has concluded that it is detrimental to the District for third parties to use District events as the basis for, or in connection with, a separate program, event, marketing campaign, competition, business endeavor or other organized activity without the express written authorization of the District's Executive Director.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE VAIL PARK AND RECREATION DISTRICT AS FOLLOWS:

1. The District affirms that it retains full ownership of its events (including without limitation all images, trademarks and other tangible and intangible property) and retains full authority, acting through its Executive Director, to set the rules, regulations, policies, procedures and other details of all its events.

2. The District hereby finds that third-party use of District events poses the possibility of the following risks to the District:

- (a) Confusion for event participants and the District's residents and taxpayers as to the nature, pre-requisites and benefits of a District event;
- (b) Negative publicity from being associated with a third-party event;
- (c) Legal liability;
- (d) Negative impacts on underlying leases, permits and approvals necessary to conduct the event;
- (e) Negative impacts on the quality, character and experience of the event; and

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(f) Negative reactions from District-sanctioned sponsors.

3. In order to minimize the risks to the District of third-party use of District events, the District hereby adopts the following rule:

No person shall use District events as the basis for, or in connection with, a separate program, event, marketing campaign, competition, business endeavor or other organized activity without the express written authorization of the District's Executive Director, which authorization may be revoked by the Executive Director in his or her sole discretion. Persons participating in District events in violation of this rule may be subject to criminal prosecution and civil action.

4. The Executive Director is authorized to enforce the preceding rule as may be appropriate, including denial or revocation of participant registration, public relations activities necessary to correct the possibility of public misunderstanding, filing charges for criminal trespass, and bringing a civil action for damages or injunctive relief.

Adopted this 22 day of April, 2010.

VAIL PARK AND RECREATION DISTRICT

By: 
Joe Hanlon/Chairman

ATTEST:

By: 
Michelle Hall, Secretary