

MINUTES
BOARD OF DIRECTORS REGULAR MEETING
KEN-CARYL RANCH METROPOLITAN DISTRICT

A regular meeting of the Ken-Caryl Ranch Metropolitan District Board of Directors was held on Tuesday, January 26, 2016 at the Ranch House, 7676 South Continental Divide Road, Littleton, CO 80127.

ATTENDANCE

Board Members Present:

Lauri Lehan-Milano, President/Chairwoman
Robert Generoli, Vice President
Dave Banning, Secretary
Jami Jensen, Treasurer
Jeff Esbenshade, Assistant Treasurer

Others:

Darrell Windes, District Manager
Allen Rogers, Parks Director
Melissa Daruna, Recreation Director
Judy Anderson, Tennis & Facility Supervisor
Daniel Flint, Recreation & Aquatics Coordinator
Angie Nichols, Elevation Corporate Health
Katelyn Groves, Elevation Corporate Health
Sue Blair, Community Resource Services
Angela Kelly, Community Resource Services
Emily Powell, Attorney

Residents:

Ruth Sundberg
Seth Murphy

I. CALL TO ORDER

Chairwoman Lehan-Milano called the meeting to order at 6:03 p.m.

II. APPROVAL OF AGENDA

Director Lehan-Milano requested the agenda be amended to add the following two items:

- (1) XIV Action Items –Ratification of the Financing Agreement with Wells Fargo’s Equipment Financing for the New Fitness Equipment at the Community Center; and

(2) An additional Executive Session under Item XVIII for Purposes of Discussion of the Plains Metropolitan District Litigation.

Director Generoli made a motion to approve the agenda, as amended. Director Jensen seconded. The motion passed unanimously.

III. CONFLICT OF INTEREST

No new conflicts.

IV. APPROVAL OF MINUTES OF NOVEMBER 17 AND DECEMBER 8, 2015 BOARD MEETINGS

Minutes of November 17, 2015

Director Esbenshade made a motion to approve the minutes of the November 17, 2015 Board meeting. Director Generoli seconded. The motion passed unanimously.

Minutes of December 8, 2015

The Board noted that the notification letter that had been discussed to advise neighbors adjacent to the Veterans Monument was no longer necessary.

Director Esbenshade made a motion to approve the minutes of December 8, 2015 Board meeting. Director Generoli seconded. The motion passed unanimously.

V. AUDIENCE PARTICIPATION

There was no audience participation.

VI. INTRODUCTION OF NEW STAFF

Recreation Director Daruna introduced Daniel Flint, a new employee with the District. Daniel has accepted the position of Recreation and Aquatics Coordinator.

VII. PRESENTATION – ELEVATION CORPORATE HEALTH RE: PROPOSED WELLNESS PROGRAM MANAGEMENT AT THE COMMUNITY CENTER

Katelyn Groves and Angie Nichols with Elevation Corporate Health presented a proposal to the Board for providing wellness and fitness coordination services for the District at the Community Center. Following discussion, the Board indicated it would consider action on this topic later in the meeting.

VIII. PRESENTATION – COMMUNITY RESOURCE SERVICES RE: MAY 2016 DIRECTORS ELECTION

Sue Blair and Angela Kelly with Community Resource Services presented a proposal to the Board to provide election services for the District's May 3, 2016 Directors Election. Following discussion, the Board indicated it would consider action on this topic later in the meeting.

IX. COMMUNICATION ITEMS

A. November and December 2015 Status Reports

The Board commented on the testing of new lighting for the tennis building.

B. November and December 2015 Check Registers

The Board reviewed the check registers for November and December, 2015.

C. November and December, 2015 Invoices from Foothills Park & Recreation District RE: Ridge and Peak Recreation Centers

The Board reviewed the invoice from Foothills Park & Recreation District for the Ken-Caryl Ranch resident use of the Ridge and Peak Recreation Center in November and December, 2015.

D. Ken-Caryl Ranch Open Space Committee Reports

The Board reviewed the Ken-Caryl Ranch Open Space Committee Reports for November and December, 2015. There were no comments.

E. Board of Director Meeting Minutes for Foothills Park & Recreation District for November 10, 2015

The Board reviewed the Board of Directors meeting minutes for the Foothills Park & Recreation District for November 10, 2015. There were no comments.

X. DISCUSSION ITEMS

A. 2016 Jefferson County Open Space Local Park & Recreation Grant Update

District Manager Windes and Recreation Director Daruna reported to the Board that the District had been awarded a \$43,000 Local Park and Recreation Grant from Jefferson County Open Space.

B. Veterans Monument Update

Director Esbenshade provided the Board with the monthly update on the activities of the Veterans Monument Committee.

C. Bond Projects Update

District Manager Windes updated the Board on the current status of the bond projects.

D. Bond Projects Expenditure Summary

District Manager Windes reviewed a schedule of Bond Project Expenditures since the inception of the projects.

E. Appointment of Members to the Community Planning Committee for 2016

The Board reviewed a list of names for appointment to the Community Planning Committee, a joint committee of the Master Association and the District. The Board will consider action on this matter later in the meeting.

F. 2016 Property and Liability Insurance Update

District Manager Windes informed the Board that the District had renewed coverage with the Colorado Special Districts Property and Liability Insurance Pool for property, liability and worker compensation insurance for 2016. District Manager Windes also indicated that he was scheduled to meet with the insurance broker for the Master Association to review an optional proposal.

G. Community Center Pool

Director Banning discussed with the Board the financial implications for the possible future replacement of the swimming pool at the Community Center.

XI. A MOTION TO OPEN THE PUBLIC HEARING ON A PROPOSED SUPPLEMENTAL BUDGET FOR 2016

Director Banning made a motion to open the Public Hearing on the proposed Supplemental Budget for 2016. Director Lehan-Milano seconded. The motion passed unanimously.

Ruth Sundberg stated that she was opposed to the proposed supplemental budget. Seth Murphy stated that he supports the proposed supplemental budget.

XII. A MOTION TO CLOSE THE PUBLIC HEARING ON A PROPOSED SUPPLEMENTAL BUDGET FOR 2016

Director Esbenshade made a motion to close the Public Hearing on the proposed Supplemental Budget for 2016. Director Generoli seconded. The motion passed unanimously.

XIII. ACTION ITEMS – BOND PROCEEDS

A. Motions:

A MOTION TO AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT FOR SADDLEWOOD PARK FROM CHURCHICH RECREATION INC. THROUGH MIRACLE RECREATION EQUIPMENT IN AN AMOUNT NOT TO EXCEED OF \$67,726.75, PURSUANT TO THE PROPOSAL DATED JANUARY 14, 2016 AND SUBJECT TO THE PARTIES ENTERING INTO A MUTUALLY ACCEPTABLE AGREEMENT AS APPROVED BY LEGAL COUNSEL

Director Banning made a motion to authorize the purchase of playground equipment for Saddlewood Park from Churchich Recreation Inc. through Miracle Recreation Equipment in an amount not to exceed of \$67,726.75, pursuant to the proposal dated January 14, 2016 and subject to the parties

entering into a mutually acceptable agreement as approved by legal counsel. Director Jensen seconded. The motion passed unanimously.

B. Resolutions:

None

XIV. ACTION ITEMS – OPERATIONS

A. Motions

A MOTION TO APPOINT MEMBERS TO THE COMMUNITY PLANNING COMMITTEE FOR 2016, A JOINT COMMITTEE WITH THE MASTER ASSOCIATION

Members appointed:

Melinda Sanders

Thomas Hadley

Michael Miro

Jeremy Jensen

Valerie Walling

Kedra Hood

Chris Figge, Master Association Representative

Lauri Lehan-Milano, Metropolitan District Representative

Chris Pacetti, Master Association Staff Representative

Darrell Windes, Metropolitan District Staff Representative

Director Esbenshade made a motion to appoint the people listed above as members to the Community Planning Committee for 2016, a joint committee for the Master Association and the District. Director Generoli seconded. The motion passed unanimously.

A MOTION TO APPROVE THE PROPOSAL FROM ELEVATION CORPORATE HEALTH DATED JANUARY 26, 2016 FOR ONSITE WELLNESS AND FITNESS CENTER MANAGEMENT AT THE COMMUNITY CENTER SUBJECT TO A MUTUALLY ACCEPTABLE AGREEMENT AS APPROVED BY THE DISTRICT'S LEGAL COUNSEL

Director Jensen made a motion to approve the proposal from Elevation Corporate Health dated January 26, 2016 for onsite wellness and fitness center management at the Community Center subject to a mutually acceptable agreement as approved by the District's legal counsel. Director Lehan-Milano seconded. The motion passed unanimously.

B. Resolutions

MD 16-101 A RESOLUTION DESIGNATING OFFICIAL POSTING PLACES FOR DISTRICT MEETING NOTICES

Director Generoli made a motion to adopt Resolution MD 16-101 designating official posting places for District Meeting Notices. Director Banning seconded. The motion passed unanimously.

MD 16-102 A RESOLUTION TO AUTHORIZE A MAIL BALLOT ELECTION FOR THE MAY 3, 2016 DIRECTORS ELECTION AND TO ACCEPT THE PROPOSAL FROM COMMUNITY RESOURCE SERVICES TO CONDUCT THE ELECTION AND SERVE AS THE DESIGNATED ELECTION OFFICIAL

Director Banning made a motion to adopt Resolution MD 16-102 to authorize a mail ballot election for the May 3, 2016 Directors Election and to accept the proposal from Community Resource Services to conduct the election and serve as the Designated Election Official. Director Esbenshade seconded. The motion passed unanimously.

MD 16-103 A RESOLUTION SUMMARIZING SUPPLEMENTAL APPROPRIATIONS, REVENUES AND EXPENDITURES FOR FISCAL YEAR 2016 FOR THE PURPOSE OF DEFRAYING EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE KEN-CARYL RANCH METROPOLITAN DISTRICT

Director Lehan-Milano made a motion to adopt Resolution MD 16-103 summarizing supplemental appropriations, revenues and expenditures for fiscal year 2016 for the purpose of defraying expenses in excess of amounts budgeted for the Ken-Caryl Ranch Metropolitan District. Director Generoli seconded. The motion passed unanimously.

A MOTION TO RATIFY THE LEASE PURCHASE FINANCING AGREEMENTS WITH WELLS FARGO EQUIPMENT FINANCING FOR THE PURCHASE OF NEW FITNESS EQUIPMENT AT THE COMMUNITY CENTER AND A NEW MINI-BUS FOR THE ENVIRONMENTAL EDUCATION PROGRAMS

Director Esbenshade made a motion to ratify the Lease Purchase Financing Agreements with Wells Fargo Equipment Financing for the purchase of new fitness equipment at the Community Center and a new mini-bus for the Environmental Education Programs. Director Generoli seconded. The motion passed unanimously.

XV. COMMENTS

A. Board

Director Lehan-Milano reported to the Board that at the February 2 Joint Study Session, she plans on requesting a special meeting of the Master Association and District Boards to discuss in detail the Reorganization Agreement and how services on Ken-Caryl Ranch are paid for.

B. Staff

- Parks Director Rogers discussed with the Board a possible median renovation project on the Long Spur Median. Parks Director Rogers stated that the proposed project will be discussed with the Parks Advisory Committee at its next meeting.
- Recreation Director Daruna updated the Board on a request from a resident to park a private mini-bus for charter school transportation at the Community Center. The Board agreed this was not an allowable use of the parking lot during after-hours use.
- Recreation Director Daruna reported that the Scientific and Cultural Facilities District (SCFD) had requested a KCRMD Board of Director Resolution to support renewal of the SCFD District in the November 2016 election. The Board requested this item be placed on the February meeting agenda for consideration by the Board at that time.
- Recreation Director Daruna reported that the initial capacity figures for the new facilities for summer camp are lower than originally anticipated. Staff is meeting to review options on capacities and alternatives. Recreation Director Daruna will report back to the Board on the status of this issue at the February Board meeting.

XVI. A MOTION TO GO INTO EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402(4)(b) AND (f) TO RECEIVE ADVICE OF LEGAL COUNSEL REGARDING A MATTER INVOLVING THE KEN-CARYL RANCH WATER & SANITATION DISTRICT AND TO RECEIVE ADVICE OF LEGAL COUNSEL REGARDING A PERSONNEL MATTER.

Director Jensen made a motion to go into Executive Session pursuant to C.R.S. 402(4)(b) and (f) to receive advice of legal counsel regarding a matter involving the Ken-Caryl Ranch Water and Sanitation District and to receive advice of legal counsel regarding a personnel matter. Director Generoli seconded. The motion passed unanimously. Attorney Powell certified for the record that this will be an attorney-client communication and will not be recorded. The Board went into Executive Session at 9:41 p.m.

XVII. A MOTION TO COME OUT OF EXECUTIVE SESSION

Director Esbenshade made a motion to come out of Executive Session and resume the regular meeting. Director Generoli seconded. The regular meeting resumed at 10:40 p.m.

XVIII. A MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS NEGOTIATION ISSUES AND ADVISE NEGOTIATORS REGARDING THE PLAINS METROPOLITAN DISTRICT LITIGATION PURSUANT TO C.R.S. 24-6-402(4)(e)

Director Generoli made a motion to go into Executive Session to discuss negotiation issues and advise negotiators regarding the Plains Metropolitan District litigation pursuant to C.R.S. 24-6-402(4)(e). Director Lehan-Milano seconded. The motion passed unanimously. The Board went into Executive Session at 10:42 p.m. Attorney Powell left the meeting.

XIX. A MOTION TO COME OUT OF EXECUTIVE SESSION

Director Lehan-Milano made a motion to come out of Executive Session and resume the regular meeting. Director Banning seconded. The motion passed unanimously. The regular meeting resumed at 11:11 p.m.

XX. ADJOURN

Director Esbenshade made a motion to adjourn the meeting. Director Generoli seconded. The motion passed unanimously. The meeting adjourned at 11:12 p.m.

These are the correct minutes for the meeting held on the above date and were approved by the Board on this _____ day of _____ 2016.

Dave Banning, Secretary

I hereby attest that the information communicated during the first Executive Session, which was held pursuant to C.R.S. 24-6-402(4)(b) and (f), and which was not recorded, constituted a privileged attorney-client communication.

Emily Powell, Esq. _____

I hereby attest that the first Executive Session, which was not recorded, was confined to topics authorized for discussion in Executive Session pursuant to C.R.S. 24-6-402(4)(b) and (f).

Lauri Lehan-Milano, President

I hereby attest that the second Executive Session, which was recorded, was confined to topics authorized for discussion in Executive Session pursuant to C.R.S. 24-6-402(4)(e).

Lauri Lehan-Milano, President