

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, March 22, 2016 at the Ranch House, 7676 South Continental Divide Road, Littleton, CO 80127.

ATTENDANCE

Board Members Present:

Lauri Lehan-Milano, President/Chairperson

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

Sean Warren, KCRMA Open Space Supervisor

Emily Powell, Legal Counsel

Residents:

Ruth Sundberg

Cork Chicota

Seth Murphy

Connie Greishaber

I. CALL TO ORDER

Chairperson Lehan-Milano called the meeting to order at 6:11 p.m.

II. APPROVAL OF AGENDA

Director Lehan-Milano requested the agenda be amended to remove Item IX (A) Action Item – Bond Proceeds; to move item VIII (G) to an Executive Session; and to add an additional item under X (a) to consider a First Amendment to the District Manager Employment Agreement.

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

III. CONFLICT OF INTEREST

There were no new conflicts to disclose.

IV. APPROVAL OF MINUTES OF FEBRUARY 23, 2016 BOARD MEETING
Director Banning made a motion to approve the minutes of the February 23, 2016 Board meeting. Director Esbenshade seconded. The motion passed unanimously.

V. AUDIENCE PARTICIPATION
There was no audience participation.

VI. PRESENTATION: PRAIRIE DOG RELOCATION PLAN
Sean Warren presented information on proposed sites in the South Hogback for relocation of the Manor House prairie dogs, pursuant to the Cooperative Agreement Re: Prairie Dog Relocation between the Ken-Caryl Ranch Master Association and the Ken-Caryl Ranch Metropolitan District, dated January 27, 2015. Mr. Warren proposed four sites for the relocation. Following discussion, it was the Board consensus to authorize relocation of the prairie dogs at three of the four sites, withholding the southernmost triangular site as a possible future location for playing fields.

The Board will consider action on this item later in the meeting.

VII. COMMUNICATION ITEMS

A. February 2016 Status Report

- Director Banning suggested that the tennis program consider reserving a portion of the tennis league fees for replacement of the lights in the indoor tennis building.
- Director Lehan-Milano requested that discussion of the restrooms at Bradford Park and the Community Center be added to the agenda for the April 5, 2016 Joint Study Session.

B. February 2016 Financial Report, Flash Report and Check Register

District Manager Windes reported that the February 2016 Financial Report was not yet complete. District Manager Windes will present a full financial report of first quarter 2016 activity at the April Board meeting.

C. February 2016 Invoice from Foothills Park & Recreation District

The February 2016 invoice from the Foothills Park & Recreation District had not been received as of tonight's meeting.

D. Ken-Caryl Ranch Open Space Committee and Ranger Report

There were no questions or comments.

E. Board of Director Meeting Minutes for Foothills Park & Recreation

There were no questions or comments.

F. Investment Report for Fourth Quarter 2015

District Manager Windes presented the Investment Report for fourth quarter 2015.

VIII. DISCUSSION ITEMS

A. Veterans Monument Update

- Cork Chicota and Director Esbenshade presented photos of the cast for the bronze eagle that is being designed and built for the Veterans Monument. The eagle should be complete and ready for installation sometime in the fall of 2016.
- Mr. Chicota also requested that the Board consider lighting the Veterans Monument through the night on a regular basis. The Board stated that it would take his request under advisement, but at this time, it does not intend to change the District's policy of requiring lighting to be turned off at 9:30 pm.

B. Bond Projects Update

District Manager Windes presented an update to the Board on the latest status of the bond projects.

C. Bond Projects Expenditure Summary

The Board reviewed the summary of bond project expenditures since the inception of the projects.

D. Park Renovation Projects

- District Manager Windes updated the Board on the renovation projects planned for Heirloom, Saddlewood and Territory Parks.
- The District received several bids by the March 18 submission deadline. However, following review of the bids received, the landscape architects determined that several items in the original bid documents required clarification. Following additional review and discussion, it was determined that a bid addendum would be distributed to the bidders, with a resubmission deadline of Friday, April 8, 2016.

E. 2016 Great Outdoors Colorado Grant Update

Recreation Director Daruna reported that the District was not successful in its grant application to Great Outdoors Colorado (GOCO) for the Dakota Lodge Environmental Education Project. District Staff will seek suggestions from GOCO regarding the District's grant application and will consider applying again during the next grant cycle.

Staff will modify the design of the playground project at Dakota Lodge to conform to the available funding from the bond proceeds and Master Association reserves.

F. 2016 Barn BrewHa Special Event

Recreation Director Daruna presented information on the planned Barn BrewHa Special Event scheduled for September 24, 2016 at the Dakota Lodge.

The Board will consider action on this item later in the meeting.

G. Draft Resolution Establishing District Manager Hiring Process

The Board moved this item to an Executive Session later in the meeting.

H. First Amendment to District Manager Employment Agreement

The Board reviewed the proposed First Amendment to the current District Manager Employment Agreement, which extends the term of the Agreement from January 1, 2016 to January 1, 2017.

The Board will consider action on this item later in the meeting.

I. KCRMA/KCRMD Budget Summit Meeting

The Board discussed a possible format for a proposed Budget Summit meeting with the Master Association Board of Directors.

District Manager Windes will prepare a proposed agenda and draft of information to be discussed at the Budget Summit. This information will be reviewed by the District Board at its April Board meeting.

J. Easements with Ken-Caryl Ranch Water and Sanitation District

District Manager Windes updated the Board on the proposed easement with the Ken-Caryl Ranch Water and Sanitation District at the Community Center. Attorneys for both Districts are working on a proposed agreement, which is expected to be ready for reviewed by the respective Boards in April.

IX. ACTION ITEMS – BOND PROCEEDS

A. Motions:

A MOTION TO APPROVE A LIQUOR PERMIT APPLICATION AND TO ALLOW MUSIC AT THE SEPTEMBER 24, 2016 BARN BREWHA SPECIAL EVENT AT DAKOTA LODGE

Director Banning made a motion to approve a liquor permit application and to allow music at the September 24, 2016 Barn BrewHa special event at Dakota Lodge. Director Jensen seconded. The motion passed unanimously.

B. Resolutions:

None

X. ACTION ITEMS – OPERATIONS

A. Motions

A MOTION TO AUTHORIZE THE RELOCATION OF THE MANOR HOUSE PRAIRIE DOGS TO THE PROPOSED DESIGNATED LOCATION IN THE SOUTH HOGBACK, BUT EXCLUDING THE PROPOSED SOUTHERNMOST TRIANGULAR 6-8 ACRES, PURSUANT TO THE COOPERATIVE AGREEMENT RE: PRAIRIE DOG RELOCATION BETWEEN THE KEN-CARYL RANCH MASTER ASSOCIATION, WITH THE UNDERSTANDING THAT THE DISTRICT MAY REQUIRE THE FUTURE RELOCATION OR DISPOSITION OF THE PRAIRIE DOGS IF NECESSARY TO MEET THE NEEDS OF THE DISTRICT.

Director Generoli made a motion to authorize the relocation of the Manor House prairie dogs to the proposed designated location in the South Hogback, but excluding the proposed southernmost triangular 6-8 acres, pursuant to the Cooperative Agreement Re: Prairie Dog Relocation between the Ken-Caryl Ranch Master Association, with the understanding that the District may require the future relocation or disposition of the prairie dogs if necessary to meet the needs of the District. Director Jensen seconded. The vote was 4-1 in favor, with Director Esbenshade opposed to the motion.

A MOTION TO APPROVE THE FIRST AMENDMENT TO THE DISTRICT MANAGER EMPLOYMENT AGREEMENT

Director Lehan-Milano made a motion to approve the First Amendment to the District Manager Employment Agreement. Director Jensen seconded. The motion passed unanimously.

B. Resolutions

MD 16-105 A RESOLUTION TO CANCEL THE MAY 3, 2016 BOARD OF DIRECTORS ELECTION AND DECLARE LAURI LEHAN-MILANO, JAMI JENSEN AND JEFF ESBENSHADE ELECTED TO THE BOARD OF DIRECTORS BY ACCLAMATION

Director Banning made a motion to pass Resolution MD 16-105 cancelling the May 3, 2016 Board of Directors Election and declaring Lauri Lehan-Milano, Jami Jensen and Jeff Esbenshade elected to the Board of Directors by acclamation. Director Generoli seconded. The motion passed unanimously.

XI. COMMENTS

A. Board

There were no Board comments.

B. Staff

- Parks Director Rogers reported on the most recent information regarding the emerald ash borer.

- Recreation Director Daruna provided the Board with copies of the new Jefferson County Regional Map Series for the Chatfield Basin prepared by Jefferson County Open Space.

XII. A MOTION TO GO INTO EXECUTIVE SESSION TO RECEIVE ADVICE OF LEGAL COUNSEL PURSUANT TO C.R.S. § 24-6-402 (4) (b) REGARDING THE DRAFT RESOLUTION ESTABLISHING DISTRICT MANAGER HIRING PROCESS

Director Banning made a motion to go into Executive Session to receive advice of legal counsel pursuant to C.R.S. § 24-6-402 (4) (b) regarding the draft Resolution Establishing District Manager Hiring Process. Director Generoli seconded. The motion passed unanimously.

Attorney Powell certified for the record that the executive session will constitute an attorney-client privileged communication and will not be recorded. The Board went into Executive Session at 9:10 p.m.

XIII. 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 Esbenshade seconded. The motion passed unanimously.

The regular meeting resumed at 9:58 p.m.

Attorney Powell was excused from the meeting at this time.

XIV. 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 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 Esbenshade seconded. The motion passed unanimously.

The Board went into Executive Session at 10:19 p.m.

XV. 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 Jensen seconded. The motion passed unanimously.

The regular meeting resumed at 10:46 p.m.

XVI. ADJOURN

Director Banning made a motion to adjourn the meeting. Director Generoli seconded. The motion passed unanimously.

The meeting adjourned at 10:47 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 which was not recorded, constituted privileged attorney-client communications.

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).

Lauri Lehan-Milano, President