

**AMENDED 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, August 27, 2019 at the Ranch House, 7676 South Continental Divide Road, Littleton, CO 80127.

ATTENDANCE

Board Members Present:

John Huggins, President/Chairperson
Kayla Kirkpatrick, Vice President
Jeff Esbenshade, Treasurer/Secretary
Lauri Lehan-Milano, Member At-Large

Others Present:

Pat Malloy, Parks Director/interim Co-District Manager
Jeff Leniger, Controller/interim Co-District Manager
Amy Lear, Recreation Director
Emily Powell, Attorney

I. CALL TO ORDER

Director Huggins called the meeting to order at 6:02 p.m.

Upon motion duly made and seconded, the absence of Jami Jenson was approved by unanimous vote.

II. APPROVAL OF AGENDA

Director Huggins made a motion to approve the agenda. Director Kirkpatrick seconded. The motion passed unanimously.

III. CONFLICT OF INTEREST

There were no new conflicts.

IV. BUSINESS & REPORTS

A. Approval of the Minutes of the August 6, 2019 Special Meeting

Director Kirkpatrick made a motion to approve the minutes of the August 6, 2019 Special Meeting. Director Esbenshade seconded. The motion passed unanimously.

B. Approval of the Minutes of the July 23, 2019 Regular Business Meeting

Director Huggins made a motion to approve the minutes of the July 23, 2019 Regular Business Meeting. Director Lehan-Milano seconded. The motion passed unanimously.

C. Monthly Report

Staff noted that the District needs further investment in ActiveNet training and verification to ensure integrity of the monthly data reported.

The Board noted the extraordinary budget and enrollment numbers in fitness, classes, and personal training.

The Board requested a debrief meeting for after pool closures to discuss how aquatics programming changes went in 2019.

The financial update focused on the before & after school program. Director Huggins noted that we are subsidizing a program with decreasing demand. The Board will investigate this further during budget season.

D. Open Space Committee Report

The Board reviewed the Open Space Committee Report with no additional comment.

E. Meeting Minutes of Neighboring Districts

The Board reviewed Meeting Minutes of neighboring Districts. Director Esbenshade noted that Foothills PRD is operating at a net loss in the current year.

VI. COMMUNICATION & DISCUSSION TOPICS

a. District Manager Hiring Committee

The District Manager Hiring Committee provided updates on the finalist list and the Board discussed candidate selection. The Board unanimously agreed on finalist Traci Wieland and will discuss matters subject to negotiation in Executive Session, including salaries and benefits. The Committee plans on giving the candidate a conditional offer of employment Wednesday, August 28, 2019.

b. Financial Sustainability Committee updates

The Financial Sustainability Committee reported positive progress on a collaborative solution between the MD and MA for funding MD capital projects that are critical but currently unfunded. The Committee has refined a list of unfunded capital needs for both organizations.

The Board asked for audience participation at this point as it related to unfunded capital needs.

Two community members, Eric Mercer and Lance Godswirth, presented a proposal requesting funding for one or more regulation-dimension volleyball courts. The estimated cost of the courts is between \$5,000 and \$15,000 each, depending on earthwork required.

Directors Esbenshade and Kirkpatrick highlighted the importance of replacing trucks in the parks fleet.

c. Pool project – discuss Unfunded Pool Elements list from July 16, 2019 Joint Study Session and July 23, 2019 Regular Business Meeting

The Board discussed the idea of an additional contribution to the Ken-Caryl Ranch Master Association to cover the cost of one or more unfunded Ranch House pool items. The Board deliberated over the amount and whether to earmark the funds to cover certain specific items or give an amount with no specific requested use.

The Board asked for audience participation at this point as it related to unfunded pool elements. Community Member Dr. Jim Fodor argued that the Boards should prioritize aesthetic aspects of the pool to provide value to community members who do not use the pool.

d. Discuss Employee and Board Member Recreational Benefits Program

Staff recommended delaying the adoption of the Employee and Board Member Recreational Benefits Program until the program can be considered in the context of an entire analysis on employee benefits and an update to the Employee Handbook.

The Board asked to revisit the discussion when a new District Manager is hired and the Employee Handbook can be revised comprehensively.

Staff will provide the current version of the Employee Handbook to legal counsel to begin the process of updating the Handbook for relevant changes in law and regulation.

e. Discuss South Hogback Fencing Options

The Board discussed whether additional fencing is needed above and beyond current fencing around the South Hogback, which is made of three strands of wire and has signs up rerouting potential users to designated trailheads.

f. Discuss Veteran's Monument

The Board asked for audience participation at this point as it related to Veteran's Monument lighting schedules. Community Member Cork Chicota requested that the Board turn lights on the monument on from dusk until dawn, out of respect to veterans and active duty members.

The Board noted that the current Resolution related to lighting and operation of the Veteran's Monument was not enacted in any way to disrespect veterans or current service members, but rather was a compromise to balance with requests of neighbors in the immediate proximity to the Monument. The Board asked Mr. Chicota to provide supporting data that neighbors in the immediate proximity would be in favor of the lighting change before considering it as an amended Resolution.

VII. COMMUNITY CONNECTIVITY

- a. Audience Participation
None.

VIII. ACTION ITEMS

- a. RESOLUTIONS:
 - i. MD 19-104 A RESOLUTION ADOPTING AN EMPLOYEE AND BOARD MEMBER RECREATIONAL BENEFITS PROGRAM.
Director Kirkpatrick made a motion to strike from consideration a resolution adoption an Employee and Board member recreational benefits program. Director Esbenshade seconded. The motion to strike passed unanimously.

a. MOTIONS:

- i. MOTION TO APPROVE CANDIDATE RECOMMENDED BY THE DISTRICT MANAGER HIRING COMMITTEE AND ISSUE CONDITIONAL OFFER OF EMPLOYMENT TO CANDIDATE.

Director Kirkpatrick made a motion to issue a conditional offer to Ms. Wieland for the vacant District Manager position. Director Lehan-Milano seconded. The motion passed unanimously.

- ii. MOTION TO DIRECT STAFF TO INCLUDE \$25,000 IN THE DISTRICT'S 2020 BUDGET FOR THE PURCHASE OF UNFUNDED RANCH HOUSE POOL ELEMENTS SELECTED BY THE BOARD THAT ARE NOT OTHERWISE FUNDED THROUGH THE COOPERATIVE AGREEMENT FOR RANCH HOUSE POOL REPLACEMENT OR OTHERWISE BY THE MASTER ASSOCIATION.

Director Huggins made a motion to direct staff to include \$25,000 in the District's 2020 budget for the purchase of unfunded Ranch House pool elements selected by the Board that are not otherwise funded through the Cooperative Agreement for Ranch House pool replacement or otherwise by the Master Association. Director Esbenshade seconded. Director Kirkpatrick voted against. The vote passed 3 to 1 in favor.

IX. BOARD & STAFF COMMENTS

Director Esbenshade requested conditioning work for the Veteran's Monument.

Director Kirkpatrick expressed appreciation for the work of the District Manager Hiring Committee and Financial Sustainability Committee.

Recreation Director Lear gave an update that the new tennis lights have been installed at the Community Center indoor courts.

Meeting stopped for a five minute recess.

X. EXECUTIVE SESSION

At 9:48 p.m., Director Lehan-Milano made a motion to go into executive session pursuant to C.R.S. § 24.6.402(4)(b) and (e). to receive advice of legal counsel regarding matters subject to negotiation related to the new District Manager offer of employment. Director Kirkpatrick seconded. The motion passed unanimously. Attorney Powell stated for the record that the executive session constitutes privileged attorney-client communications and will not be recorded.

At 10:19 p.m., Director Lehan-Milano made a motion to come out of executive session. Director Esbenshade seconded. The motion passed unanimously.

At 10:20 p.m., Director Kirkpatrick made a motion to go into executive session pursuant to C.R.S. § 24-6-402(4)(f) to discuss a confidential personnel matter. Director Lehan-Milano seconded. The motion passed unanimously.

At 10:37 p.m., Director Kirkpatrick made a motion to come out of executive session. Director Lehan-Milano seconded. The motion passed unanimously.

XI. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSIONS

Director Kirkpatrick make a motion to pay a one-time bonus to Parks Director/Co-Interim District Manager Pat Malloy, in the amount of \$2,000 gross pay, for exemplary work, to be paid in the next payroll cycle. Director Esbenshade seconded. The motion passed unanimously.

XI. ADJOURN

The meeting was adjourned at 10:39 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 _____ 2019.

Jeff Esbenshade, Secretary/Treasurer

I hereby attest that the information communicated during the first executive session, 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).

John Huggins, President