

**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, May 21, 2019 at the Ranch House, 7676 South Continental Divide Road, Littleton, CO 80127.

ATTENDANCE

Board Members Present:

Lauri Lehan-Milano, President/Chairperson
Jami Jensen, Vice President
Jeff Esbenshade, Treasurer
John Huggins, Assistant Treasurer
Kayla Kirkpatrick, Secretary

Others Present:

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

I. CALL TO ORDER

Director Lehan-Milano called the meeting to order at 6:02 p.m.

II. APPROVAL OF AGENDA

Director Lehan-Milano made a motion to approve the agenda. Director Jensen seconded. The motion passed unanimously.

III. CONFLICT OF INTEREST

There were no new conflicts.

IV. BUSINESS & REPORTS

A. Approval of the Minutes of the April 23, 2019 Regular Business Meetings

Director Kirkpatrick made a motion to approve the minutes of the March 26, 2019 regular business meeting, amended to change Section VIII “daily cash deposits” to “more frequent cash deposits”. Director Lehan-Milano seconded. The motion passed unanimously.

B. Monthly Report

Staff reviewed the April Monthly Report highlighting successes in each department. Each department also discussed any challenges they are facing and solutions being implemented.

Director Jensen expressed concern about the drop in community group rentals and requested that staff further analyze the drop in community group facility rentals in 2019 compared to rentals in 2018.

Parks Director/interim Co-District Manager Malloy praised facilities maintenance staff for opening the pools and saving the District a significant amount of funds. Mr. Malloy also noted the significant amount of funds saved due to a wet spring in which the District has not yet used any irrigation water from the system.

Recreation Director Lear noted that the District is considering changing lifeguard training contractors and locations to make next year's training more effective.

Controller/interim Co-District Manager Leniger reviewed the financials and noted that the District is at its high point in the annual cash flow cycle. Deferred revenue balance is high due to all of the summer registration cash inflow.

Director Jensen requested reformatting the financials to show net income by program. Controller/interim Co-District Manager Leniger explained that the District's current software, Sage 100, does not allow for customizable reporting and recommends a new system be implemented with a go-live date of January 1, 2020, using the funds allocated by the Board to IT expenditures in the previous meeting. The Board was agreeable to a system change recommendation at a future meeting if the system will give better reporting and analytics information.

C. Open Space Committee Report

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

D. Meeting Minutes of Neighboring Districts

The Board reviewed Meeting Minutes of neighboring Districts with no additional comment.

V. COMMUNICATION & DISCUSSION TOPICS

a. District Manager Job Description and Posting Plan

The Board discussed the District Manager draft job description and potential posting plan.

The Board requested staff change the draft job description to modify the wording "possess [or obtain within 30 days of hire] a valid Colorado driver's license with good driving record" and remove the wording "this position involves periods of high mental and/or emotional stress." The Board recommended that staff send the revised draft job description to legal counsel for review.

The Board requested staff change the draft annual salary range for the position from 90,000-105,000 to 90,000-120,000 in order to make the range competitive given comparables researched and presented to the Board by staff.

The Board discussed potential posting websites. The Board discussed search options being regional or national.

The Board will hold a Special Meeting on June 4th to adopt a resolution establishing the Executive Director Hiring Committee and hiring process. The resolution establishing hiring process will include a timeline, job announcement, application deadline, and finalist list requirements. The Board anticipates finalizing an application opening date of June 7th and an application closing date of July 12th as part of the resolution timeline.

Attorney Ross clarified that the Board must name finalists for the position after the close of the process but is not required or obligated to hire any of the finalists.

b. Updates to Cooperative Agreement Regarding Ranch House Pool Replacement

Attorney Ross described new language in Opening stating that the District Board has committed to spending \$75,000.00 of the Settlement Funds it has already received from PMD to replace lighting at the Tennis Building, leaving net potentially available Settlement Funds of \$3,425,000 (“Net Settlement Funds”). The District Board desires to use a portion of the Net Settlement Funds to contribute to the Ranch House Pool Project.

Parks Director/interim Co-District Manager Malloy described the new division of Managing Responsibilities (Section II): The District has contracted, and is responsible for working, with the firm selected to design the Ranch House Pool Project. With the approval of the District, which approval shall not be delayed or unreasonably withheld, the Association shall execute contracts with the vendors for the construction of the Ranch House Pool Project.

Controller/interim Co-District Manager Leniger described Change the meaning of useful life in Section III from “the period of time over which the cost basis of the improvements made to the Ranch House Pool and any associated facilities with Settlement Funds, less depreciation, equals zero” to “forty years”. Mr. Leniger explained that this was needed because the MA will be expensing and not be depreciating the cost of the pool replacement in their accounting records.

c. Timeline update for South Hogback Biological Survey

Parks Director/interim Co-District Manager Malloy gave updated timelines for the South Hogback surveys. Mr. Malloy explained that the archaeological and historical survey is planned to be completed as early as next week. The Board discussed the need for a full report of all items and locations. Mr. Malloy explained that the initial biological survey is planned to be completed by May 31, 2019 with a secondary survey planned to be completed by July 15, 2019. Data analysis and report production are planned to be completed by November 15, 2019. A draft report is planned to be completed by November 31, 2019. A final report is planned to be completed by early year 2020.

d. Amended Open Space Management Plan

Parks Director/interim Co-District Manager Malloy gave updates on the Amended Open Space Management Plan. The Board discussed whether an Artifact Day would discourage relinquishment of artifacts. The Board questioned whether the Plan needed to be adopted by the District at all or whether the Plan is governed wholly by the Ken-Caryl Ranch Master Association. The Board was not ready to move to adopt the Plan.

e. Amended Open Space and Park Use Rules Changes

Parks Director/interim Co-District Manager Malloy gave updates on the Amended Open Space and Park Use Rules Changes. Mr. Malloy highlighted the most significant change in terminology on park use rules changing from the term “sunset” to the term “dark”. Mr. Malloy noted that a resident had emailed the District asking for changes to the disc golf course hours and plans. Mr. Malloy also explained the other significant change is in rules for e-bike use.

VI. COMMUNITY CONNECTIVITY

a. Audience Participation

A resident commented on the significant changes in the Amended Open Space Management Plan, Amended Open Space and Parks Rules, and Amended Wildfire Hazard Mitigation Plan. She expressed concerns in the Amended Open Space Management Plan with using a Volunteer Trail Coordinator and suggested Open Space staff monitor the trails described in Section Q.

Resident requested that signs be put up in the North Hogback area to deny all access, if supported by the biological survey.

VII. ACTION ITEMS

a. MOTIONS:

- I. A MOTION TO APPROVE THE COOPERATIVE AGREEMENT REGARDING RANCH HOUSE POOL REPLACEMENT.

Director Kirkpatrick made a motion to approve the Cooperative Agreement Regarding Ranch House Pool Replacement. Director Huggins seconded. The motion passed unanimously.

- II. A MOTION TO APPROVE THE AMENDED OPEN SPACE MANAGEMENT PLAN.

The motion was tabled until the next meeting.

- III. A MOTION TO APPROVE THE OPEN SPACE AND PARK USE RULES CHANGES.

Director Jensen made a motion to approve the Open Space and Park Use Rules Changes. Director Lehan-Milano seconded. The motion passed unanimously.

- IV. A MOTION TO APPROVE WILDFIRE HAZARD MITIGATION PLAN.

The motion was tabled until the next meeting.

b. RESOLUTIONS:

None

VIII. BOARD & STAFF COMMENTS

Parks Director/interim Co-District Manager Malloy gave updates on spring happenings in the Parks Department.

Director Huggins expressed concern over the fee for grandchild pool passes, particularly that the price, at \$50, is excessive compared to a nanny pass, at \$25. Director Lehan-Milano explained that the pool fees are determined by District staff and are not a result of a Board vote. The Board asked the District staff to reexamine the fee and change the fee if deemed appropriate and equitable.

Director Esbenshade inquired whether the IT consultant has expressed any concerns over security due to the age of the infrastructure.

Director Kirkpatrick expressed pride that Ken-Caryl Little Leauge was very appreciative of the Parks Department field work.

Director Jensen requested that the open area between two big rocks near the fork in Valley Road be filled with something aesthetically appropriate such as trees or a sculpture. The Board discussed whether there would be an opportunity to fundraise or otherwise secure outside funding to fund completion of this project.

Director Kirkpatrick requested that staff review all cooperative agreements and contracts to ensure that the District is appropriately benefitted from continuing the relationships.

IX. EXECUTIVE SESSION

At 10:17 p.m., Director Lehan-Milano made a motion to go into executive session pursuant to C.R.S. § 24-6-402(4)(b) and (f) to receive the advice of legal counsel regarding a personnel matter. Director Kirkpatrick seconded. The motion passed unanimously. Attorney Ross stated for the record that the executive session constitutes privileged attorney-client communications and will not be recorded.

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

IX. ADJOURN

The meeting was adjourned at 10:37 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.

Kayla Kirkpatrick, Secretary

I hereby attest that the information communicated during the executive session, which was not recorded, constituted privileged attorney-client communications.

Dino Ross, Esq.

I hereby attest that the 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