

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, February 25, 2020 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
Jami Jensen, Member At-Large

Others Present:

Traci Wieland, District Manager
Lauren Feeney, Interim Finance Director
Pat Malloy, Parks Director
Amy Lear, Recreation Director
Robert Campbell, Tennis Supervisor
Emily Powell, Attorney
Kelley Duke, Attorney (via phone)

I. Call to Order

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

II. Approval of the Agenda

Upon motion duly made and seconded, the agenda, as amended, was unanimously approved.

III. Conflict of Interest

There were no new conflicts.

IV. Executive Session Pursuant to C.R.S. 24-6-402(4)(B) to Receive Advice of Legal Counsel Regarding Matters Related to the Easement on Parcel A, and Regarding the South Hogback Archaeological and Biological Surveys

Director Kirkpatrick made a motion to go into executive session pursuant to C.R.S. § 24.6.402(4)(b) to receive advice of legal counsel regarding matters related to the easement on Parcel A, and regarding the South Hogback archaeological and biological surveys. Director Jensen seconded. The motion passed unanimously, and the Board entered executive session at 6:03 p.m. Attorney Powell certified for the record that the executive session constitutes privileged attorney-client communications and would not be recorded. District Manager Wieland and Attorney Powell attended the executive

session. Attorney Duke attended via phone. Director Kirkpatrick made a motion to come out of executive session at 6:40 p.m. President Huggins seconded. The motion passed unanimously.

V. Business & Reports

- a. Director Kirkpatrick made a motion to approve the following Board meeting Minutes: December 3, 2019 Regular Business Meeting; January 7, 2020 Joint Study Session; January 28, 2020 Regular Business Meeting; and February 4, 2020 Joint Study Session. Director Lehan-Milano seconded. The motion passed unanimously.
- b. The monthly status report and financials were reviewed by District Manager Wieland and members of staff. The Board inquired about the status of the annual District Dimensions publication. Staff will provide information at the March meeting.
- c. Director Esbenshade attended the January Open Space Committee meeting. The Civil Air Patrol has yet to make an official request to use Parcel A for drone practice. Attorney Powell indicated this request adds a new dimension given the court's ruling against use of Parcel A's easement for landing of a plane.
- d. President Huggins and Director Lehan-Milano informed the Board the Joint Financial Sustainability Workgroup recently met and the group continues to work toward order and sustainability given the District's uncertainty regarding long-term funding.

VI. Communication & Discussion Topics

- a. Ranch House Pool Update
District Manager Wieland provided information to the Board regarding the cost overruns for the Ranch House Pool Project. Several change orders, including a \$65,000 one for foundation repair, have exhausted the existing owner's contingency. District Manager Wieland wanted to make the Board aware of the situation prior to the Joint Study Session on March 3 when it will be discussed further. Director Esbenshade suggested using the interest income from the PMD funds as a possible funding source. No decision or direction was necessary since this agenda item was for informational purposes.
- b. Tennis Entryway Project
District Manager Wieland welcomed new Tennis Supervisor, Robert Campbell. She also provided an update regarding a more cost-efficient concept for the budgeted tennis entryway project which included expanded heat tape, additional snow blocks, and an additional down spout. The new cost estimate is \$7,000 which is \$28,000 less than the budgeted amount. Tennis Supervisor Campbell presented several improvement ideas for enhancing player experience,

safety, and social connectedness. The Board was supportive of the moving forward with investigating the improvements.

c. Fiscal Policies

District Manager Wieland reviewed the brief list of revisions made to the Fiscal Policies. The Board did not have any additional feedback.

d. Bucket Truck Auction and Use of Proceeds

District Manager Wieland presented information on the 1996 Bucket Truck and the requirement, per the Fiscal Policies, for the Board to approve a resolution to allow for the sale of District property via an auction. Parks Director Malloy presented a request for staff to use a portion of the proceeds on the John Deere Mower equipment package to include the v-blade for snow removal and the hard cab enclosure. President Huggins requested information about possible alternatives to the John Deere that do not compromise functionality. The Board was supportive of the request and would entertain it in April after the auction was complete and further study was completed on the alternatives.

e. South Valley Road Hard Surface Trail

Staff presented updated cost information for the replacement of the surface of the South Valley Road hard surface trail that is currently asphalt. The original cost estimate included rebar, so the price came down significantly. The difference between the grey and buff colored concrete is \$33,000 over the course of the four to five-year project. The Board questioned whether the Architectural Committee needs to be involved in the decision, so staff will present to them at the March 12 meeting.

f. South Hogback Cultural and Biological Studies

The status of the Cultural Resource Survey of the South Hogback Open Space parcel, Jefferson County, Colorado and the Survey of Critical Biological Resources, South Hogback Open Space, Ken-Caryl Ranch, Jefferson County, CO were discussed by the Board. District Manager Wieland discussed the feedback from Sean Warren, Open Space Manger for the Master Association, and that two points of clarification were yet to be clarified by the Colorado natural Heritage Program. The Board discussed acceptance of the reports subject to the two points of clarification. Staff requested direction of the Board to redact or not redact the sensitive location information from both reports. A majority of the Board supported release of the reports with minimal redaction.

VII. Community Connectivity

a. Audience Participation – Public Feedback

Resident Chris Figge expressed concern over the aesthetics of the South Valley Road Hard Surface Trail and suggested the Board is required to confer with the Master Association Architectural Committee to assist in determining the color of the trail. Resident Rilla Reinsma also spoke regarding the South Valley Road Hard Surface Trail and suggested neighbors in the Valley do not care about the color

of the trail. Ms. Reinsma thinks the buff concrete can be considered a luxury and not fiscally responsible. Resident Dr. Fodor expressed his concern over adding any trails on the South Hogback. He suggested the District proclaim the area as a wildlife protected area.

VIII. Action Items

a. Resolutions:

- i. Director Kirkpatrick motioned to approve MD 20-105 A Resolution Adopting District Fiscal Policies. Director Jensen seconded. The motion passed unanimously.
- ii. Director Kirkpatrick motioned to approve MD 20-104 A Resolution Authorizing Sale of Surplus Property. Director Jensen seconded. The motion passed unanimously.

b. Motions:

- i. Director Kirkpatrick motioned to approve a permanent easement drainage deed with Jefferson County related to the South Valley Park Parking Lot improvements. Director Esbenshade seconded. The motion passed unanimously.
- ii. Director Kirkpatrick motioned to ratify the agreement of confidentiality with the Ken-Caryl Ranch Master Association for Assistance in evaluating the completeness and accuracy of the South Hogback Cultural and Biological Studies. Director Esbenshade seconded. The motion passed unanimously.
- iii. Director Jensen motioned to accept the South Hogback Critical Biological Resources Study, subject to clarification of the recommendations against east-west bisection and the protection of biological assets along the south boundary of the South Hogback. Director Kirkpatrick seconded. The motion passed unanimously.

IX. Board & Staff Comments

District Manager Wieland reminded the Board to vigilant with email phishing schemes since Board members' emails are widely used for such activity. She also reminded the Board the deadline for Board self-nominations is Friday at 5:00 p.m. Recreation Director Lear informed the Board the Family Glow Party was a very successful event. Staffing recruitment for the summer season is beginning. President Huggins requested information on the potholes along Club Drive.

X. Executive Session Pursuant to C.R.S. 24-6-402(4)(B) to Receive Advice of Legal Counsel Regarding Possible Inclusion of Property Under Development in the Master Association's Boundaries

President Huggins made a motion to go into executive session at 9:50 p.m. pursuant to C.R.S. § 24.6.402(4)(b) to receive advice of legal counsel regarding the possible inclusion of property under development in the Master Association's boundaries. Director Esbenshade seconded. The motion passed unanimously, and the Board entered executive session at 9:50 p.m. Attorney Powell certified for the record that the

executive session constitutes privileged attorney-client communications and would not be recorded. District Manager Wieland and Attorney Powell attended the executive session. Director Kirkpatrick made a motion to come out of executive session at 10:28 p.m. President Huggins seconded. The motion passed unanimously.

XI. Adjourn

Director Kirkpatrick made a motion to adjourn the meeting at 10:28 p.m. President Huggins seconded. The motion passed unanimously.

These are the correct minutes for the meeting held on the above date and were approved by the Board on this _____ day of _____ 2020.

Jeff Esbenshade, Secretary

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

Emily Powell, 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).

John Huggins, Chairperson