

**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, July 28, 2020. In order to protect the public health and safety, the meeting was held electronically at <https://zoom.us/j/99439819901>.

**ATTENDANCE**

**Board Members Present:**

John Huggins, President/Chairperson  
Kayla Kirkpatrick, Vice President  
Joe Levy, Secretary  
Bruce Tugman, Treasurer  
Jack Sawatzki, Director

**Others Present:**

Traci Wieland, District Manager  
Lauren Feeney, Finance Director, via phone  
Pat Malloy, Parks Director, via phone  
Amy Lear, Recreation Director, via phone  
Emily Powell, Attorney, via phone

**I. Call to Order**

Chairperson Huggins called the meeting to order at 6:01 p.m.

**II. Approval of the Agenda**

A motion was made by Director Levy to approve the updated agenda. Director Kirkpatrick seconded. The motion passed unanimously.

**III. Conflict of Interest**

There were no new conflicts.

**IV. Business & Reports**

- a. Director Kirkpatrick moved to approve the minutes from the June 23, 2020 Regular Board Meeting minutes and the July 7, 2020 Joint Study Session meeting minutes. Director Sawatzki seconded. The motion passed unanimously.
- b. Finance Director Feeney reviewed the financials including the cash flow and fund balance sheets which showed improved revenues due to aquatic, tennis, and summer child care participation.
- c. Director Kirkpatrick and Director Tugman were unable to attend the last Master Association Board meeting; however, they have established a plan for attendance going forward.

- d. Director Levy and Director Sawatzki provided an update from the July 22, 2020 Open Space Committee meeting. A brief update was given regarding the Committee's interest in assisting the Metropolitan District with the South Hogback sensitive resource and management plan. Additional conversations centered around a new trail connection near Ken-Caryl Avenue and South Valley Road.
- e. President Huggins provided an update on the Community Collaboration Committee that met on June 25, 2020 and will be meeting again on July 30, 2020. Conversations thus far have been around sharing resources and brainstorming additional collaboration concepts for the Master Association and Metropolitan District.

**V. Communication & Discussion Topics**

**a. COVID 19 Response and Update**

District Manager Wieland provided an update regarding the Metropolitan District's response to the COVID 19 pandemic. The impact of the State's mandatory mask order has not been detrimental thus far to participation levels; however, fall programming will likely be impacted especially indoor tennis programs. Facility rentals continue to decline due to cancellations. The Community Center Pool registration process continues to be improved upon. Current session maximum is 70; however, that number will be increased to 75 for the upcoming week. The Ranch House Pool project is unfortunately not set to be completed until the end of August. Staff will closely monitor progress and has plans to open if it can be accomplished given the staffing and timing constraints. The Board asked to be updated as new information is available. Cash flow projections for the remainder of the year are more positive than previous months; however, no additional revenue is included in the forecast given the uncertainty of the pandemic. Staff reviewed delayed capital projects and made a recommendation to spend \$3,000 of general fund on the new snow block system for the tennis building entryway. Improvements are necessary now to prepare for the winter and prevent hazards.

**b. South Hogback Open Space**

Staff updated the Board on the July 22, 2020 Open Space Committee meeting where the Committee voted to assist the Metropolitan District with the planning process for the sensitive resources and recreation management plan. The Board was concerned over the scope of the potential non-disclosure agreement with the Committee members, in the event the unredacted biological and archeological studies are shared with them. The need for sharing the unredacted studies is unknown at this point in time; additional conversations are required with the Committee to determine the level of information needed for the Committee to assist. Staff anticipates this being a six to 12 month process with a start date sometime in September.

**c. 2019 Audited Financial Statements Discussion**

Attorney Powell notified the Board that the COVID pandemic delayed the start of the 2019 financial statement audit. Unfortunately, the audit was received too late to prepare the notice of the associated 2019 Supplemental Budget hearing in time to meet the newspaper's deadline for publication. Accordingly, the Board is being asked to approve an application for an audit extension. The audit presentation will then occur at the August meeting.

**d. Electronic Board Meeting Policy**

Attorney Powell presented a Resolution Revising the Electronic Board Meeting Policy During COVID-19 Pandemic. Due to the continued uncertainty of the COVID pandemic, the Resolution revises the Board's electronic meeting policy to provide flexibility to hold Board meetings either in-person, electronically, or a combination of the two depending on the current conditions. The Resolution will remain in effect until such time as the Governor declares that the statewide COVID-19 State of Emergency has ended, or such statewide COVID-19 State of Emergency otherwise terminates or expires. Director Levy suggested a revision to the sixth paragraph, striking all text and beginning the paragraph at the word "because".

**e. Policy Requests for Public Records**

Attorney Powell provided information regarding the Colorado Open Records Act ("CORA") which requires that most public records be made available to the public upon request. A "public record" includes most writings made, maintained, or kept by the District. The District's currently approved policy is from 2013. During the special meeting on June 18, 2020, the Board directed Attorney Powell to present a revised Open Records Request and Fees Policy, which updates the policy in accordance with current law.

**f. Cost Recovery Philosophy**

District Manager Wieland presented the cost recovery pyramid philosophy for discussion with the Board since three new members have been sworn in since this concept was last discussed in January of 2020. The pyramid is a tool for staff to use to better meet the public's demand for programming while gauging accountability and maximizing resources.

**VI. Community Connectivity**

**a. Audience Participation – Public Feedback**

Information was included on the agenda and the website informing the community of how to submit public comments to be read during the meeting. No emails were received; however, one person was in attendance to provide public comment. Resident Rilla Reinsma was concerned with the recreational component of any activity in the South Hogback Open Space and strongly suggests the Board protect the resource.

**VII. Action Items**

**a. Resolutions:**

- i. Director Levy motioned to approve Resolution 20-107 A Resolution Revising the Electronic Board Meeting Policy During COVID-19 Pandemic with the exclusion of all text prior to the word “however” in the sixth paragraph. Director Tugman seconded. The motion passed on a majority vote, with four voting in favor and Director Kirkpatrick voting “present”.
  - ii. Director Kirkpatrick motioned to approve Resolution 20-108 A Resolution Establishing a Policy for Requests for Public Records and Assessing Charges for the Production of Public Records. Director Levy seconded. The motion passed unanimously.
- b. Motions:
- i. Director Kirkpatrick motioned to approve the application for an audit extension. Director Levy seconded. The motion passed unanimously.
  - ii. Director Levy motioned to approve the expenditure of \$3,000 for the new snow block system for the tennis building entryway. Director Sawatzki seconded. The motion passed unanimously. Director Kirkpatrick motioned to use general fund as the funding source for the \$3,000 snow block system project. Director Levy seconded. The motion passed unanimously.

**VIII. Board & Staff Comments**

Parks Director Pat Malloy drew attention to the Governor’s Proclamation for Parks and Recreation Professionals Day, highlighting the work of the District staff. Staff updated the Board on upcoming recreation programs including the Doggie Dip and fall youth programming.

**IX. Adjourn**

Director Levy made a motion to adjourn the meeting at 9:15 p.m. Director Tugman 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.

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John Huggins, President

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Joe Levy, Secretary