

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, January 26, 2021 at 7676 S. Continental Divide Road, Littleton, CO 80127. To protect the public health and safety, electronic attendance was made available for those desiring to attend remotely.

ATTENDANCE

Board Members Present:

John Huggins, President/Chairperson
Kayla Kirkpatrick, Vice President, arrived at 6:10 p.m.
Joe Levy, Secretary
Bruce Tugman, Treasurer, arrived at 6:11 p.m.
Jack Sawatzki, Director

Others Present:

Traci Wieland, District Manager
Pat Malloy, Parks Director, via phone
Lauren Feeney, Finance 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 6:02 p.m.

II. Approval of the Agenda

A motion was made by Director Sawatzki to approve the agenda as presented. Director Levy seconded. The motion passed unanimously.

III. Conflict of Interest

None.

IV. Business & Reports

- a) Director Levy moved to approve the minutes from the December 1, 2020 Regular Board Meeting. Director Sawatzki seconded. The motion passed unanimously.
- b) Finance Director Feeney presented the December monthly District financials, pointing out that 2020 has not been completely closed out at this point. Final 2020 figures will be provided at the March, or possibly the February, meeting.
- c) Director Tugman provided an update from the Master Association Board meeting on January 18, 2021, including information regarding a pickleball court request, the 2020 audit process, three new open space mowers, and the replacement of the wooden deck on the east side of the Ranch House. Director Tugman also provided information from the December 16, 2020 Master Association Board meeting,

- including the biologic survey, the increased trail users from Willow Springs, and the future addition of the pedestrian crossing light at the entrance to the valley.
- d) Director Sawatzki provided an update from the December 2, 2020 Open Space Committee meeting including information on the increased number of trail users from Willow Springs. Director Sawatzki made a recommendation to the Board to discuss reconsideration of the District's involvement in future Open Space Committee meetings since much of each agenda pertains to private open space issues with the Master Association. President Huggins suggested that could be a topic for a future Board meeting and offered his opinion that the information gathered is still valuable to District operations.
 - e) Director Levy provided an update from the Community Collaboration Workgroup meeting, which included the topics for the February Joint Study Session. Agenda items include 2021 median priorities and designs, and insurance audit update.
 - f) Director Kirkpatrick informed the Board the Community Planning Committee will begin meeting in February with two meetings per month. Meeting dates are being determined.

V. Staff Updates

Staff updates were moved from the final agenda item to earlier in the agenda after Business & Reports to provide better information to Board members for use during the meeting. District Manager Wieland updated the Board regarding the automatic tennis doors that will be in place by the end of the week. Staff continues to work with the District's legal team to develop the maintenance agreement for the landscape strip north of Sunset Ridge, and staff is awaiting the draft inclusion agreement from North American Development Group. Master Association and District staff have met with the contractor for final completion items of the Ranch House Pool. District Manager Wieland and Attorney Powell recommended the development of Board of Director Bylaws that would assist the Board in the governance of the District by setting forth the rules and a framework for the Board's administration and decision-making. Draft Bylaws will be presented in February. Recreation Director Lear announced the receipt of a State of Colorado Childcare Relief Grant for those licensed providers that offered care during the COVID public health restrictions. Parks Director Malloy provided information regarding the recruitment of seven positions within the parks department. District Manager Wieland provided updates regarding the progress of capital projects. Staff provided an update regarding a request for landscaping along the south side of Ken-Caryl Avenue between Simms and S. Continental Divide Road. Unfortunately, supplemental water cannot be introduced in that area due to decades-old struggles with expansive soils under Ken-Caryl Avenue.

VI. Communication & Discussion Topics

- a) District Manager Wieland presented the proposed calendar for the regular Board of Directors meeting schedule for 2021. The Board is required to designate at the Board's first regular meeting of each calendar year the schedule of regular Board meetings and the public place for posting notices of those meetings. Regular Board

meetings for the calendar year 2021 shall be held on the fourth Tuesday of each month at 6:00 p.m. except for November and December. Staff suggests scheduling the October, November, and December meetings so that there are three weeks in between each. This would allow for maximum time to update the annual budget and to meet the budget submission deadline. The Board concurred; however, the Board suggested moving the November meeting to Monday, November 15, 2021 so that the meeting is not held on the same day as a regular Master Association Board meeting.

- b) District Manager Wieland presented the slate of recommended committee members for the Community Planning Committee. Fourteen applications were received and reviewed by Master Association and District staff and Board liaisons. Five existing members were recommended for reappointment, and eight new members were recommended for appointment. Director Kirkpatrick questioned what would happen if a committee member was to be elected to the Master Association Board. President Huggins agreed that would have to be discussed between the Master Association and the District, as there are two Master Association Board candidates who are currently appointed to the committee.
- c) District Manager Wieland updated the Board regarding the independent research that resident John Fosholt has conducted regarding mineral rights on the South Hogback Open Space. Based on Mr. Fosholt's research, staff was able to speak to Mr. Joe Evers with Occidental Petroleum. Mr. Evers provided information regarding a potential agreement known as a Relinquishment of Rights, which he said means that Occidental Petroleum would relinquish its surface right to drill or excavate for minerals in the South Hogback Open Space. Directional drilling options would still exist for Occidental. The Board directed legal counsel to review the issue since the nature and substance of the mineral rights ownership and lease rights had not been verified yet. Director Levy provided the Board an update regarding the conservation options for the South Hogback Open Space. Director Levy made initial contact with the Colorado Natural Heritage Program and subsequently introduced staff to that contact. Director Levy plans to provide an update to the Open Space Committee.
- d) District Manager Wieland provided information to the Board regarding a potential strategic planning process. Now that the District is recovering from COVID, the new Board has six months under its belt, and a 2021 budget has been developed, a strategic plan is necessary and advantageous. Strategic planning provides the framework for why and how the District operates. The last similar type of process the District Board completed was in 2017 and 2018. District Manager Wieland requested feedback from the Board regarding the overall process, their desire for outside consultant assistance, and how the process would be conducted within the framework of existing regular Board meetings. General feedback from the Board was to conduct the process internally and possibly utilize a combination of regular meetings and special meetings to complete the process.

VII. Community Connectivity

- a) Audience Participation – Public Feedback
Resident John Fosholt asked about the eligibility requirements to vote in special district elections. Resident Philip Varley recommended a District Board member

continue to attend the Open Space Committee meetings and questioned if the Bradford Pool will be open for the 2021 summer season. Master Association Board Liaison Tom Bratschun wondered about the possibility of adverse possession on the strip of landscaping maintained by the District that is now under ownership of North American Development Group.

Information was included on the agenda informing the community of how to submit public comments to be read during the meeting. Emailed comments were accepted until noon the day of the meeting. The following is a list of those emails read aloud during the meeting:

Email #1: Provided by Bob Mikkelson, requesting Board consideration to convert one of the District's 22 tennis courts into two pickleball courts.

VIII. Action Items

a) Resolutions:

- i. Director Kirkpatrick moved to approve Resolution 21-100 A Resolution: 1) Approving The Regular Board Of Directors Meeting Schedule For Calendar Year 2021; and 2) Designating Posting Locations For Notices Of Regular And Special Meetings, amended to move the November meeting to November 15. Director Levy seconded. The motion passed unanimously.

b) Motions:

- i. Director Tugman motioned to approve the list of Community Planning Committee Members as presented. Director Levy seconded. The motion passed with a vote of four Directors in favor, Director Kirkpatrick abstaining.

IX. Board Comments

Director Kirkpatrick expressed appreciation for staff as they have worked through positive cases of COVID among the employee population. Director Levy thanked resident John Fosholt for his independent research regarding the mineral rights on the South Hogback Open Space. Director Tugman wondered about the maintenance of the North Ranch entrance island. Director Sawatzki expressed his appreciation for Board member and staff work on the South Hogback Open Space.

X. Adjourn

Director Levy made a motion to adjourn at 8:31 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 23rd day of February, 2021.