

## **6F and Social Media Rebuttal – KCRMA 2024**

As you are surely aware, KCRMD Ballot Issue 6F was defeated earlier this month. We monitored various social media communications closely during the election season, recognizing that a Master Association employee was personally involved in advocating in favor of 6F. However, we decided to wait until the election was over before speaking out and offering clarification. Prior to and during the election, The Master Association did not want to engage in any electioneering or create more confusion amongst the residents; however we felt the need to offer clarification to correct the factual misstatements and errors and to address the unsubstantiated attacks on staff that circulated before and during the election on social media and in the letters to the editor section of the *Life at Ken-Caryl* community newspaper. This statement has been approved by the Master Association Board of Directors.

### **The Ken-Caryl Metropolitan District and the Ken-Caryl Master Association are Different Entities**

The Metropolitan District is a quasi-municipal corporation and political subdivision of the state of Colorado, governed under a distinct set of laws. The Master Association is a non-profit corporation, governed under a different set of laws. The two entities work together for financial stewardship and increased efficiencies for residents. At the end of the day, each entity's board makes its own decisions and manages their own budgets. The Master Association has no say in proposing any ballot issue, including 6F; this was a decision by the Metropolitan District. However, because the Master Association and Metropolitan District share the common goal to improve Ken-Caryl Ranch for its residents through property maintenance and improvement, services, amenities, and to foster a sense of community, additional revenue to the Metropolitan District can mutually benefit Ken-Caryl Ranch residents and the goals of the Master Association.

### **Master Association employees do not leave their First Amendment rights at the door when accepting employment**

Some owners criticized a Master Association employee for her advocacy in favor of ballot issue 6F. The Master Association is a non-profit corporation and could not ask its employees to forego their rights as American citizens to participate in the political process. The employee advocated on her own time and not as a part of her employment with the Master Association. The Master Association did not ask the employee to undertake this advocacy, nor did it compensate her for her time spent on the ballot issue. The Master Association allowed the employee to purchase ad space at market rates – as it would anyone else – but it did not coordinate messaging or limit access sought by opposing positions.

### **The majority of the Master Association Board members were in favor of 6F**

While the Master Association decided to not take a formal vote in support of 6F, the majority of the MA Board members were individually in favor of the ballot issue, as was reflected in their letter to the editor in *Life at Ken-Caryl*. Because the ballot issue would assist the Metropolitan

District's funding needs, its passage would benefit Ken-Caryl Ranch's residents and the Master Association's shared goals of improving the community assets and attending to its aging infrastructure. The Master Association respects the will of the community and the results of the election and will continue to focus on maintaining and improving our community through monthly HOA dues funding.

### **The Master Association contributed to the Metropolitan District, as is permitted by law**

The 2021 Community Survey indicated that 78 percent of the community supported "retaining" some or all of the 2014 bond mill to fund maintenance.

The Colorado Revised Nonprofit Corporation Act allows the Master Association to make donations that further the community's interests. Over several different election cycles, the Master Association has contributed to the Metropolitan District's ballot initiatives when the Metropolitan District's actions further the community's interests. These contributions are minimal in the context of the Master Association's overall budget, and have never been offered to a candidate.

### **The Master Association and its lawyers did not engage in any lobbying efforts**

"Lobbying" means communicating directly with officials to aid or influence a variety of legislative, executive branch, or state agency activities. The Master Association made a contribution to the ballot initiative 6F through Yes On 6F For Ken-Caryl; it did not take a formal position on 6F, it did not contact any legislators to seek assistance in passing 6F, it did not retain a lobbying firm to advocate for 6F, and it did not request that its law firm (which is not a lobbyist) advocate for 6F. We are aware that, for some reason, a resident filed a lobbying complaint against the managing partner of the Master Association's law firm. That complaint has nothing to do with the Master Association and, from our knowledge, has no basis.

The Master Association takes pride in fostering a sense of belonging, community and open dialogue for all resident, regardless of perspectives, personal viewpoints and political beliefs. Misinformation, derogatory comments and public shaming —whether intentional or not—can damage relationships, erode trust, deflate morale, negatively impact job performance, cause anxiety and fear and create unnecessary conflicts within our community. This misuse of social media platforms like Facebook that serve as a stage to launch negative attacks on a person's personal life and professional career, that include the disclosure of personal information, can have a significantly detrimental impact, potentially damaging their reputation, hindering career advancement, causing emotional distress, and even leading to job loss and negative public perception. The Master Association Board of Directors does not condone personal and unsubstantiated attacks on fellow residents, board members, volunteers and staff and it will not be tolerated.

Additionally, needing to allocate staff resources to address the constant dissemination of misinformation, personal and professional attacks, and the need for legal representation, is an

unnecessary and gross misuse of Ken-Caryl Ranch Master's Association time and expenditures. These resources would be better allotted to programs, services and improvements intended to serve the best interests of all Ken-Caryl Ranch residents.

Strive to promote respectful dialogue, present accurate information, assume positive intent, and seek to understand and respect each other. Even with differing opinions, we can prevent the spread of misinformation, shaming, and false narratives, and build a community that is united, informed, and resilient.

Together we can do better, Ken-Caryl.