

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CHERRY CREEK VISTA PARK & RECREATION DISTRICT
HELD
June 21, 2012**

A regular meeting of the Board of Directors of the Cherry Creek Vista Park & Recreation District was held at 6:00 p.m. on June 21, 2012 at Cherry Creek Vista Pool, 11350 E. Orchard Rd., Greenwood Village, CO 80111. The meeting was open to the public.

Attendance

In attendance were Directors:

Howard Buchalter, President
Melissa Wilson, Vice President
Brendan Adams, Treasurer
Eric Hook, Assistant Secretary
Bernie Gehris, Assistant Secretary

Also in attendance were:

Conner Shepherd, Circuit Rider of Colorado, LLC
Dawn Schilling, Schilling and Co.
J.C. Chambers, MPM Recreation Management
Eric Plouffe, JBK, Inc.
Geoff Markowitz, Eagle Scout
Sanaa Azim, Residents
Tom Moscariello; The Handy Store
Cindy Nunnelee; Citizen

**Call to Order/
Agenda/Dec-
laration of Con-
flicts of Interest**

Director Buchalter called the meeting to order at 6:08 p.m. and declared a quorum. He asked if there were any conflicts of interest that needed to be disclosed. Director Gehris added the cell tower contract and a request to do volunteer work by an Eagle Scout to the agenda. **Upon a motion by Director Wilson with a second by Director Hook, the Agenda was approved as amended on a 5-0 vote.**

Public Comment

Request for Partial Pool Membership

Mrs. Azim asked the Board to consider her request for a partial season membership for the month of August. Discussion followed. **Upon a motion by Director Gehris with a second by Director Hook, the Board authorized Mr. Shepherd to offer Mrs. Azim a pro-rated pass.**

Eagle Scout

Mr. Markowirz asked the Board to allow him to make maintenance repairs to the Lakeview Park baseball infield as part of an Eagle Scout project. Work would include installing a pitching rubber and home plate, and grooming the infield to reduce the 'lip' between the infield and outfield. He said he has rounded up the necessary donations for materials and labor. With the Board's permission, Mr. Matthews will begin and complete his work the 15th and 16th of August. **Upon a motion by Director Wilson with a second by Director Gehris, the Board approved his project and thanked him for his community service.**

Cellular Phone Tower at Lakeview Park

Director Gehris reported on discussions he had with UNISON, a cellular tower brokerage firm. It proposed the one-time purchase of the contracts the District has for the current cell tower. Discussion followed. No action was taken.

Cottonwood Trail Project & Update on SEMSWA & IBC Easements

Discussion followed regarding the response to the loss of the bridge over Cottonwood Creek. Mr. Shepherd presented the Board with a number of alternatives that included one, repair of the bridge now and its removal with construction of the new pedestrian bridge project this late fall; or, two removal of the bridge now with the understanding that the bridge will not be replaced until the new bridge is installed. Director Buchalter said he spoke to trail users with 10 of 12 agreeing that the District should just take the bridge out now and avoid the cost of repairs. The Board discussed the advantage of avoiding the cost of repairing a bridge that the District plans to remove before the end of the year with the understanding that the trail users will experience some inconvenience in the meantime. **Upon a motion by Director Gehris with a second by Director Adams, by a vote of 5-0, the Board decided to accelerate the demolition of the damaged bridge. It authorized the demolition and removal and signage costs not-to-exceed \$9,000.** Director Adams emphasized the importance of contacting the City of Greenwood Village to apprise them of the Board's decision. **Upon a motion by Director Gehris with a second by Director Adams, the Board authorized The Handy Store to construct barriers to warn trail users of the missing bridge.**

Financial Matters: Approval of the Draft Audit for Period ending December, 2011

Ms. Schilling presented the Audit for 2011. Discussion followed. The Auditor again stressed the need for MPM to submit receipts for pass-through costs and supplies. **Upon a motion by Director Gehris with a**

second by Director Adams, the Board, by a vote of 5-0, approved the Audit for the Period ending December 31, 2011.

Claims

Mr. Shepherd presented the Claims in the amount of \$76,295.19 for the period to June 21, 2012 and supplemental Claims that will be included in the July payment schedule in the amount of \$12,643.05. **Upon a motion by Director Gehris with a second by Director Hook, the Board approved the payment of Claims on a 5-0 vote with the following caveat: Director Adams stressed that before the Swim Team receives its stipend, it needs to meet its responsibilities to present to the District Board its budget, staffing requirements, proof of insurance, schedule, and operating procedures.** Directors Buchalter and Wilson agreed. Representatives from the Swim Team should be in attendance at the meetings. The Board was especially concerned that the Swim Team understands that changing its schedule by starting practice a week early adds costs for pool management.

Financial Statements

Ms. Schilling presented the Financial Statements for the period ending May 31, 2012. The various governmental funds have the following fund balances: General Fund \$109,312; Fence Fund \$15,416; Debt Service Fund \$467,782; Debt Service Fence Fund \$261,788; and, the Capital Projects Fund \$36,139. The Pool Enterprise Fund has a fund balance of \$87,157. Discussion followed. **Upon a motion by Director Adams with a second by Director Gehris, the Board accepted the financial statements on a vote of 5-0.**

Administrative & Manager Items:

Minutes of May 17, 2012

Mr. Shepherd directed the Board's attention to the minutes of the regular meeting of May 17, 2012. He pointed out an error where he used Director Buchalter's first name instead of his second in a vote regarding the Tennis Lines. **Following discussion, upon a motion duly made by Director Wilson, seconded by Director Hook, by a 5-0 vote, the Board approved the minutes of the regular meeting of May 17, 2012 as amended.**

Pool, Park & Open Space:

Park Maintenance Items – Pool BBQ Grills

Mr. Shepherd and Mr. Moscariello were present to report on park issues and maintenance items.

Pool Items

Mr. Chambers provided the pool report. He said everything has been running smoothly. Total revenues for memberships are predicted to be approximately \$150,000, below projections. Resident family memberships are down this year. Hopefully, the lack of major repairs will offset lower than expected revenues. Discussion followed about how to increase memberships for 2013. Director Buchalter suggested better marketing, pool improvements, and contract incentives for MPM. Mr. Moscariello suggested targeting specific demographics. Director Adams asked about the additional cost of opening early for the swim team. The 4th of July part will once again be sponsored by Mike Duggan of REMAX. Maintenance items include: concrete patching, BBQ grills and updating fire extinguishers.

Landscape & Park Items

Mr. Plouffe provided the Board with a landscape report. He said all contract services have been performed as scheduled and are ongoing. To stay on top of water use, he asked Mr. Shepherd to have Sarah Shepherd send him copies of the water bills. **The Board approved the cost of removing a dead Aspen and a dead Cottonwood tree including grinding stumps, adding soil, and seeding the barren spot.**

Legal Items:

DR Horton Litigation

Director Buchalter reported on the DR Horton mediation. He said that DR Horton has offered a settlement amount of \$7,500. Discussion followed. **The Board authorized a counter settlement offer of \$12,500 in the gross amount, but said it would accept \$7,500 as the minimal amount.**

Adjournment:

The meeting was adjourned at 8:44 p.m. The next meeting of the Cherry Creek Park & Recreation District is scheduled to be held on August 16, 2012 Cherry Creek Vista Pool, 11350 E. Orchard Rd., Greenwood Village, CO 80111. The meeting is open to the public.

Conner W. Shepherd, Secretary for the Meeting