

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CHERRY CREEK VISTA PARK & RECREATION DISTRICT
HELD
June 20, 2013**

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 20, 2013 at St. Peter's Lutheran Church, 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
Bernie Gehris, Assistant Secretary – arrived at 6:17

Eric Hook, Assistant Secretary, was absent whose absence was excused.

Also in attendance were:

Conner Shepherd, Circuit Rider of Colorado, LLC
Sarah E.E. Shepherd; Circuit Rider of Colorado, LLC
Eric Plouffe; JBK
Matt Mundy, MPM Recreation Management
Dawn Schilling; Schilling and Co.
Rob Jump; Swim Team Representative
Mr. and Mrs. Azim; Residents
Mr. Corkill; Resident
Mr. and Mrs. Rogers; Residents
Cindy Shepherd; Visitor

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

Director Buchalter called the meeting to order at 6:06 p.m. and declared a quorum. He asked if there were any conflicts of interest that needed to be disclosed. **The Agenda was approved by acclamation as amended acknowledging that items may be taken out of order.**

Swim Team Representative

Mr. Jump, Swim Team Parent Rep', reported there was a swim-a-thon where the team raised about \$5,000 for the Abby Kraus foundation. He said some people have complained about the striping on the parking lot. Director Hook replied that the budget is limited this year. Whether or not the District is able to restripe the lot will have to be determined later in the year when it can be seen if there are funds sufficient to do the job. Mr.

Jump said that currently, the swim team believes it has 245 registered swimmers.

Trail

The Project

Mr. Shepherd reported that the project was essentially complete. Greenwood Village, along with the contractor and Muller Engineering, completed a walk-through for the bridges. Greenwood Village asked the contractor to irrigate the revegetation sites along the bridges. The concrete pads that were damaged by ACC have been replaced. Costwise Concrete completed all of its work. Its warranty will be sufficient to address any additional concerns SEMSWA or Centennial have regarding silt stabilization. The Board approved the final payment for the projects.

Fencing

Property owners abutting the IBC property along the trail were in attendance to voice concerns about privacy fencing. Mr. Shepherd reported that the original estimate to install fencing along the trail was \$36,288 for dog-ear cedar fencing. That included replacing fencing along four properties that have existing cedar fencing and three properties that do not. If the Board felt that it was its intent to provide a barrier between residences and the trail, then it would look at installing fencing along the three properties that currently do not have cedar fencing. The original estimate to replace the split rail behind the Vogel property and add fencing behind the Azim property and their neighbor to the west was \$17,442. Mr. Shepherd said he called Split Rail Fencing Company and was given a verbal estimate of \$22.14 per lineal foot to install (not including removal of existing fencing and trees in the District's easement). Based on the estimated length of 323 feet, that would cost an estimated \$7,100 to add the screen fencing behind the three lots that currently are without screened fences.

Mr. Corkill asked about the fencing that exists. Does the District plan on replacing it? He said he wants a consistent appearance. Mr. Corkill said he would like the District to pay for part of his fence improvements. Mrs. Azim said she wanted to plant trees as a visual barrier between her backyard and the trail. She and her neighbors, the Vogels would like iron fencing.

Discussion followed regarding landscape maintenance along the trail easement. Concerns were raised regarding dogs off leash. Mr. Shepherd said the District does not have jurisdiction for this issue. They should call the County Sheriff for dogs off leash.

Mr. Rogers said some of his neighbor's fence is falling down. What would he say to them? Mr. Corkill said he would have knocked his fence down if he believed the District wasn't going to replace the existing fencing.

Discussion followed. Mr. Corkill suggested that if the District has money to install fencing along the properties that do not have fencing, do them now. Then, in 2014 replace the fencing along the four properties that have existing fences. Mr. Rogers concurred. Director Gehris observed that though Mr. Corkill expressed interest in consistency, the Azims and Vogels want iron fencing. He suggested a solution whereby if a homeowner wants a privacy fence and doesn't have one, they can build whatever they would like and the District would reimburse them \$22 per running foot. Mr. and Mrs. Vogel expressed surprise that the cost of metal fencing is so much more and the cost to residential homeowners is considerably more than the cost to the District for the same type of fencing. Discussion followed regarding Split Rail's policy on public versus private pricing.

Neighbors said noxious weeds were an issue.

Discussion followed. Director Buchalter said they'll direct JBK to cut weeds twice in the year. **Upon a motion by Director Wilson with a second by Director Adams the Board voted 4-0 to direct Mr. Shepherd to work with the homeowners and will call Split Rail to ask if \$22.14 per lineal foot was accurate with the fencing installed on private property.** Owners would have the option of upgrading at their own cost.

Dedication

Mr. Shepherd suggested tying the dedication of the trail in with the Murphy celebrations on August 24, 2013. He said that the District needs to order two signs from Arapahoe County acknowledging the Open Space grant contributions. He said he will contact the organizers of the Murphy day celebration and coordinate with them.

Financial Matters: Claims

Mr. Shepherd presented the Claims in the amount of \$180,418.28 for the period to May 31, 2013. **Upon a motion by Director Wilson with a second by Director Gehris, the Board approved the payment of Claims on a 4-0 vote.**

Financial Statements

Ms. Schilling presented the Financial Statements for the period ending May 31, 2013. The various governmental funds have the following fund balances: General Fund \$117,335; Fence Fund \$22,237; Debt Service Fund \$441,066; Debt Service Fence Fund \$278,886; and, the Capital Projects Fund (\$44,615). The Pool Enterprise Fund has a fund balance of \$68,303. Discussion followed. **Upon a motion by Director Wilson with**

a second by Director Adams, the Board accepted the financial statements.

Ms. Schilling presented the Financial Statements for the period ending December 31, 2012. The various governmental funds have the following fund balances: General Fund \$71,048; Fence Fund \$4,551; Debt Service Fund \$300,469; Debt Service Fence Fund \$196,889; and, the Capital Projects Fund \$252,961. The Pool Enterprise Fund has a fund balance of \$33,795. Discussion followed. Both Director Buchalter and Wilson suggested ways to increase revenues. A request for a mill levy increase on the 2013 ballot was discussed. **Upon a motion by Director Wilson with a second by Director Adams, the Board accepted the end of year financial statements and authorized the Audit to be filed with the State.**

Discussion followed regarding the financial situation in the general fund and fence fund. It was determined that the District needs to go to an election to ask voters for a mill levy increase to support both funds.

Legal Items

Election

Ms. Shepherd distributed an election calendar and sample ballot questions. Discussion followed on whether or not to hold a coordinated election with the county or conduct an independent mail ballot election. Ms. Schilling presented a spreadsheet to show what the approximate impact would be if the voters approved a 1 (one) mill increase. Director Buchalter suggested asking the voters to approve a 1 – 1.5 mill increase. Director Adams suggested a two mill increase was necessary. Director Wilson concurred with Director Adams.

Upon a motion by Director Gehris with a second by Director Buchalter, the Board designated Ms. Shepherd to be the Designated Election Official. The Board opted for ballot language in the first example provided, determined it will seek approval for an independent mail ballot election and asked Ms. Schilling to provide information in more up-to-date detail regarding the present and future financial needs of the District.

Landscape Report

Mr. Plouffe reported on the contracted services. He said there are dead shrubs. He will pull them, ID locations, and provide the District with a list for replacement in 2014. Water use calculations for 2013 indicate that the District is significantly under budget for the year to date. Discussion followed. He understands that Denver Water may be revising their water restrictions to allow greater use. Director Buchalter suggested we

continue to subscribe to the lower use to save money. Directors Buchalter and Gehris reported dead trees and asked JBK to replace warranted trees.

Administrative & Manager Items:

Minutes of May 16, 2013

The Board noted some duplications in the text of the minutes. Director Gehris said he had abstained on the Relish This contract. Buchalter said he had asked for bollards. Upon a motion by Director Wilson with a second by Director Gehris, the Board approved the May 16, 2013 as amended.

Pool, Park & Open Space:

Park Maintenance Items

Mr. Shepherd said Poo-Free-Parks reported they had serviced all of the dispensers last week. Director Gehris identified two locations they hadn't gotten to.

The Handy Store repaired the utility box screen.

Pool Management Report

Mr. Chambers reported Membership Revenues to date in the amount of \$160,050. He said Tri-County Health inspected the pool and found that flow meters need to be replaced. He recommended replacing the existing meters with durable flow meters at \$400/meter. The Board chose to purchase the less expensive meters at this time. He said new tennis key replacements are going well. The conversion will be completed at the end of July. Graffiti was discovered in the park. Mr. Shepherd asked Mr. Moscariello to repair the damage. The graffiti was reported to the Sheriff.

Board Member Items:

none.

Adjournment:

Upon a motion by Director Adams with a second by Director Wilson, the meeting was adjourned at 9.02 p.m. The next meeting of the Cherry Creek Park & Recreation District is scheduled to be held on June 20, 2013 at 9300 East Belleview Ave., St. Peter's Lutheran Church, Greenwood Village, CO 80111. The meeting is open to the public.

Secretary for the Meeting:

Conner W. Shepherd