



RECORD OF PROCEEDINGS

EVERGREEN PARK & RECREATION DISTRICT REGULAR MEETING

August 22, 2023

1. CALL TO ORDER / ROLL CALL

Director Eggers called the regular meeting of the Board of Directors (Board) of the Evergreen Park & Recreation District (EPRD/District) to order at 5:01pm. The meeting was conducted in person at Wulf Recreation Center, and via Zoom.

Present for the Board were President Peter Eggers, Vice President Betsy Hays (via telephone), Second Vice President Don Rosenthal, Treasurer Mary McGhee, and Secretary Nina Armah. Youth Advisory Board Member Tyler Guyton was also present.

Staff in attendance included Executive Director (ED) Cory Vander Veen, Executive Assistant (EA) Maddy Evans, Recreation Manager (RM) Brian Tucker, Lake House Manager (LHM) Krista Emrich, Grants & Strategy Manager (GSM) Liz Cohen, Facility Operations Manager (FOM) Bob Schmitz, Recreation Supervisor (RS) Jeff Sweet, Outdoor Recreation Specialist (ORS) Klaire Funderburgh, Lake House Supervisor Jarred Lilyhorn, and IT Specialist (IT) Michael Coons.

Public in attendance were Charlie Cohen, Chris Dropinski, Becky Dunlap, John Dunlop, Ron Belak, Deb Brobst, Matt Buzas, Sandy Buzas, Byron Buzas, Walker Buzas, Bob Gottsman, Adam Hogan, Pete Jacobson, Cheryl Lydyard, Peg Lynn, Heather Miner, Brody Rosch, Janet Runes, Marc Vitelli, and two unknown individuals in attendance via Zoom.

2. ANNOUNCEMENTS & CHANGES TO THE AGENDA & CONFLICT OF INTEREST DISCLOSURE

No announcements, changes, or conflicts of interest.

3. JULY 25, 2023 REGULAR MEETING MINUTES

MOTION

Director McGhee moved to approve the July 25, 2023 regular meeting minutes as amended. Director Rosenthal seconded and it passed unanimously.

4. GENERAL PUBLIC COMMENT

District Resident John Dunlop thanked the Board and staff for their hard work and clear communication during the Evergreen Lake North Trail Project and the Strategic Plan.

District Resident Ron Belak provided comment on behalf of Evergreen Trout Unlimited (ETU). ETU is in opposition to the proposed "Buchanan Beach" the Board is considering on the lower Buchanan pond. He stated that EPRD is considering converting this pond into a beach environment with inflatables if voters approve extending the tax. ETU opposes because the placement is incompatible with maintaining a fishery there. They applaud the idea of EPRD placing a trail and dock in the upper pond, but they believe the upper pond is inferior for fishing and is inadequately managed. Another reason they oppose this is because they believe it would be a visual blight, and spoil the natural environment of the ponds, and also the waterfall and wildlife would be negatively impacted, such as various birds and elk. ETU strongly urges the Board to reconsider turning Lower Buchanan Bond into a mini Water World. District Resident Peg Lynn also spoke and added that she would like for us to keep this environment natural; she feels that we are not Denver, and it would be nice to have somewhere in Evergreen that doesn't look like Denver, especially with the growth the community has continued to experience.

District Resident Cheryl Lydyard spoke regarding the placement of an America 250 plaque in the Veterans Memorial in Buchanan Park. The U.S. will be observing the 250th anniversary of its founding this year. The Daughters of the American Revolution (DAR) are encouraging placement of commemorative markers for the Revolutionary War nationwide. They believe that the Veterans Memorial at Buchanan Park is an ideal location for this marker since it ties everything together from the beginning of our nation to today. The local DAR chapter and the American Legion Post 2001 will work together to have this placed at no expense to EPRD, to commemorate the founding of the U.S. and to participate in the state and national services. Director McGhee put together a template for the size of the requested plaque to see if font, metal, and style of plaque is compatible to other plaques there. An image was shown of the template on the requested location. Director Rosenthal supports this plaque in the memorial as long as it is a similar size and dimension as the plaques from the other wars, but the template and site that were proposed for this plaque are not. The rock is larger and more symbolic and centralized than the other rocks. Director Rosenthal originally stated that the other plaques are around 14" by 10", but in review of these minutes, he noted that their actual size is about 5" by 11". The proposed plaque is 24" by 24" which is substantially bigger than the other plaques. The proposed



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placement is also out of place since the other wars are placed on smaller and lower rocks, and are shaped as small rectangles. Director Rosenthal would like to see a more consistently sized bronze plaque on a lower boulder like the others, but putting a 24" by 24" inch plaque on the larger rock does not seem aligned with the design and context of the memorial. The subcommittee will meet offline to discuss other potential locations for the large plaque around the District. Cheryl thinks it would be great to have the plaque anywhere, even if not at the proposed site. The Board decided that the subcommittee will meet prior to the next Board Meeting to discuss alternatives, and then the Board will vote on this at the next meeting.

District Resident Matt Buzas spoke on behalf of the Evergreen Skatepark Coalition. Their mission is to raise funds and awareness to construct a modern skatepark in Evergreen that is visible, accessible, and inclusive. The Coalition had a booth set up at the last EPRD Summer Concert. They had 56 people sign in, and spoke to over 75 people about their mission. They saw a lot of support from concert attendees. Matt shared visuals on how much space a 12,000 square foot skatepark would take up in Buchanan Park for two proposed locations. According to the Tony Hawk foundation, a skatepark of this size could allow for 80 people using it at a time. Skateparks allow for people to set their own schedules to use it, so you will typically see people using it throughout the day. It ends up being a good return on investment since it is a highly utilized park feature, and has low maintenance and operation costs. Matt showed sample renderings of other skateparks of this size with a variety of feature types, including street features and transitional features, which they believe our current skatepark is lacking. He emphasized that features in this kind of skatepark are not moveable and do not get changed; it is pour in place concrete and it will be the way that we construct it for 20-30 years for the lifetime of the skatepark. Matt recognized that the livelihood of the Evergreen Skatepark Coalition depends greatly upon the passing of the tax extension in November, and he let the Board know the Coalition is in great support of that, as are their hundreds of supporters who plan to vote in favor of the extension. He plans to get out and promote their support of the tax extension in the coming months. Matt closed by sharing that he and the Coalition attendees at the meeting were now going to do a park trash cleanup around the skatepark and surrounding areas at Wulf.

5. BYLAW REVISIONS

ED Vander Veen and EA Evans reviewed several revisions that were made to the EPRD Board of Directors Bylaws. Most of the changes made were related to formatting, since the document was converted from PDF to Word file. There were also revisions made to the Election of Officers occurrences, procurement thresholds, and ability to conduct emergency meetings virtually if needed.

MOTION

Director Armah moved to approve the revised Board of Director Bylaws for EPRD. Director McGhee seconded and it passed unanimously.

6. EVERGREEN LAKE NORTH TRAIL UPDATE

There has been a lot of progress since the last meeting. All of the concrete is in, aside from details on each end. The site is still closed and will remain closed beyond when the detour is removed. The Lower Trail is going to be wider than the initial width that was designed. They were able to broaden that to accommodate more users. There are two systems of rails between the curb and gutter and the traffic and trail itself. It is a post and cable system. The posts are in and the cables will be laid next week. The detour removal will happen before Labor Day and is on schedule. It will take a couple of days to remove the detour, and then the road will be open for traffic. The project won't be done, but the detour itself will be removed and allow two-way traffic with alternating lane traffic closures as needed while the last details get finished. The trail is projected to be completed sometime in October. This project is being completed twice as fast as the time the contractor was allotted. There is also now water flowing through the pipe that was installed, after 6 weeks of bypass. The retainage that was held back from the contractor until completion of the project requires a lot of paperwork and other requirements that need to be compliant in order for the contractor to be reimbursed for that retainage. There are quality control and assurance testing going on right now, and so far, all of the quality reports are meeting CDOT and federal standards. The reporting is a big piece of the closeout. The warranty period varies depending on different levels of different parts of the project; many are 1 year. ED Vander Veen was given praise for his efforts on this project, which he credited to his team as well.

7. STRATEGIC PLAN



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Becky Dunlap and Chris Dropinski from BerryDunn were in attendance online. Staff discussed how they would like to receive feedback from the Board on the first draft of the Strategic Plan. Becky explained that as they work to finalize the Strategic Plan document, a lot of the process was focused on the different packages, the decisions behind the priorities, and the projects and initiatives. They wanted to outline the process that happened, the different criteria that were developed, add some background, what they heard from engagement, the key findings and the key themes, and all of this evolved into the packages, which EPRD staff and the Board helped contribute to. Chris added that this document is intended to be digestible to not only the Board, but also the public. The framework they used was to describe the preparation and foundation for the project, the discovery of all of the data and information that was generated along the way, what the District currently has to work with, the expectations and desires of the community, and the envisionment of what the future direction is.

Director Eggers feedback was that all of the themes are organized well and appropriately. He thinks there is a lot of deferred maintenance and taking care of what we have. He believes it is important to prioritize that as we move into the Strategic Plan, even to the extent that if the bond question passes, moving things up and spending money on these things ahead of time knowing that it can be reimbursed with the passed tax extension. A lot of this plan is predicated on the question being passed. The onus is on the District to help the public understand what these challenges are and what they will cost. Regarding expanding service and facilities, Director Eggers feels that once the first two themes of the Strategic Plan are in progress of being addressed, then the long term expansions will be easier to achieve.

Director Hays thinks the document is very clear, including how things will get done. The complexity of how this is communicated is very clear.

Director Rosenthal feels that it is generally good and clear, and well written. It is largely serving the purpose of describing the process and getting reasonably specific at the end. His suggestions for improvements are to include info about the public's feedback of how they would like to see money spent given the reality of limited funds. In the priority items section, he feels they come out of nowhere, and an explanation of why some of the updates and repairs are needed would be helpful. He thinks that it would be useful to provide an analysis as to why these things are priorities, even if it is a short sentence or two. He would also like to see a timeline on the packages and initiatives, so there is atleast some sequencing of timeframe on when they are projected to be implemented.

The Board and staff discussed that the question of what comes first, second, or last depends on the passing of the tax extension. Director Rosenthal suggested that we make recommendations based on the assumption that it passes, and the proposed sequencing given that. ED Vander Veen also noted that the sequencing can change based on different occasions, such as receiving grants, fund availability, equipment donations, etc. Some of the Board felt it is most important to listen to staff, since staff is closest to these problems, than listen to themselves to try to make these judgements and decisions. The Board can be given options, but the staff needs to give them these options. They also recommended providing general timeline windows, such as 0-3 years, and 0-7 years, this way it doesn't commit staff to timelines for projects, but provides an estimate to give the public some idea.

Director McGhee agrees with Director Eggers statements, and is glad that land acquisition and additional park expansion made page 28. Most of the Board is pro-acquisition if the opportunity arises to purchase land. The Board and staff would like to have the Strategic Plan finalized before the election. The Board thinks prioritizing a small offleash dog park is something the community supports and that would be low cost, so it could be worth including in Package 1. They agreed to move this into Package 1, however, they would like to see a map of Buchanan Park and all of the new facilities being proposed to go in that park to understand how it will all fit. Director Hays feels that people enjoy having some open space in this park.

BerryDunn recommends getting the Strategic Plan document in front of the public as soon as possible, even if it is just a draft, so that they can see it and understand what they are voting on, and provide comment. This will hopefully encourage the public to come out and vote. The Board agreed that it is a good idea to give an opportunity for the public to provide comment. Staff feedback will also be valuable in this. Initially the Board designated a 30 page limit for the final Strategic Plan document, but the Board is okay with



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increasing that limit a few pages to incorporate some of their feedback and comments that will give more context to the public in this document.

Staff is starting to prepare friends groups and advocates to help support these priorities along with the packages, so the more clarity the Board can give with additional priorities will help gain support from the friends and advocacy groups. BerryDunn suggests getting public input and continuing to move forward as soon as possible; they recommend finalizing it before the election in November. Getting feedback in the next week or two would allow a more revised draft of this plan in time for the next Board Meeting on September 6th. BerryDunn recommends posting it on our website, and they can assist with providing a system for collecting feedback online. Collecting it this way will gather more feedback than if we were going to request public feedback during a public in-person or virtual meeting. Director Eggers suggested having each Board Member email the staff project team with what projects they think should be prioritized, and then to have staff consolidate and identify the priorities this way, and update the next draft of the Strategic Plan with that info.

BREAK FROM 7:00PM-7:10PM

8. OLD BUSINESS & UPDATES

This was moved to after the Executive Session due to scheduled time with EPRD's legal team.

ED Vander Veen requested feedback from the Board regarding changes to gym schedules for different activities. There are competing interests and needs from different groups that staff is trying to balance. We are aiming to formalize this process more and create a criteria for offering time fairly. The Board gave feedback that some time can be spared by moving programs out of the gym that do not need to be in the gym and can be held elsewhere. There are various needs and staffing requirements for different programs and activities, which are also considered when scheduling. The District caters to youth, especially during peak times. Director McGhee noted that youth typically have access to the gyms in their schools, while adults only have access to the gyms at the Recreation Centers. Different user groups and interest groups have been complaining about not having enough time in gyms, and the schedules changing frequently. The District is trying to understand their pains and create standards for scheduling while also communicating limitations to the public effectively. Director Armah suggested adjusting communications so that groups are aware of changing schedules and holiday scheduling. Setting up expectations that things change frequently can help mitigate this.

9. EXECUTIVE SESSION MOTION

Director Eggers moved, Pursuant to C.R.S. Section 24-6-402(4)(b), for a conference with an attorney to receive legal advice on specific legal questions. Director McGhee seconded and it passed unanimously. The topic discussed was ballot issue options.

10. ACTION ITEM: APPROVAL OF INTERGOVERNMENTAL AGREEMENT & RESOLUTION

On behalf of the EPRD Board of Directors, Director Eggers presented Resolution #2023-004, calling for a November 7, 2023 special election; authorizing an election on the question of extending the District's expiring tax levy; and appointing a designated election official.

MOTION

Director Rosenthal moved to accept Resolution #2023-004. Director Armah seconded and it passed unanimously.

11. INITIAL DRAFT OF THE SEPTEMBER 6, 2023 BOARD MEETING AGENDA

America 250 Plaque Action Item, Strategic Plan, Ballot Language Action Item, Facility Update, Finance Update, Cybersecurity Update

Director Armah moved to adjourn the August 22nd Board of Directors meeting. Director Rosenthal seconded and the meeting was adjourned at 8:45pm.

Respectfully Submitted,
Madalyn Evans
Executive Assistant

EVERGREEN PARK & RECREATION DISTRICT

RESOLUTION NO. 2023-004

**A RESOLUTION CALLING FOR A NOVEMBER 7, 2023
SPECIAL ELECTION; AUTHORIZING AN ELECTION ON
THE QUESTION OF EXTENDING THE DISTRICT'S EXPIRING
TAX LEVY; AND APPOINTING A DESIGNATED ELECTION OFFICIAL**

WHEREAS, the Evergreen Park and Recreation District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, C.R.S.; and

WHEREAS, the Board of Directors of the District has determined and hereby determines and declares that the interest of the District and the public interest and necessity require that the District extend its expiring property tax levy authorization of \$1,350,000 annually, authorized by the voters in 2005 for debt service purposes and expiring in 2025, for ongoing general operating and necessary capital repair and replacement purposes to continue to have needed revenue sources for such purposes, pursuant to the provisions set forth in Article X, Section 20 of the Colorado Constitution ("TABOR") to carry out the objects and purposes of District; and

WHEREAS, in order to keep up with ongoing increases in costs for general operations and to allow for delayed maintenance to be completed, it is necessary to submit to the eligible electors of the District the question of extending its expiring property tax levy, and the Board hereby determines that such question should be presented to the District's eligible electors at the election to be conducted on November 7, 2023 ("Election"), in accordance with the provisions of the Special District Act ("Act"), the Uniform Election Code of 1992 ("Code"), and TABOR (the Act, Code and TABOR being referred to jointly as the "Election Laws"); and

WHEREAS, the Election is required to be conducted as a coordinated election, and the Jefferson County Clerk and Recorder ("County Clerk") is the Coordinated Election Official for the Election and shall be responsible for mailing the notice required pursuant to TABOR ("TABOR Notice"); and

WHEREAS, the District is required to enter into an Intergovernmental Agreement with the County Clerk regarding the conduct of the Election and mailing of the TABOR Notice on or before August 29, 2023; and

WHEREAS, the District intends to cooperate with the County Clerk to provide all necessary ballot title and notices and various agreements with the County Clerk for the conduct of the Election and mailing of the TABOR Notice.

NOW, THEREFORE, be it resolved by the Board of Directors of the Evergreen Park and Recreation District in the County of Jefferson, State of Colorado that:

1. A special election of the eligible electors of the District shall be held on Tuesday, November 7, 2023.

2. The Board hereby designates Madalyn Evans as the Designated Election Official for the conduct of the Election on behalf of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of Election Laws or other applicable laws. The Election shall be conducted in accordance with the Election Laws, and other applicable laws. Among other matters, the Designated Election Official shall arrange for the required notices of election, including the TABOR Notice, and direct that all other appropriate actions be accomplished.

3. The Board hereby approves and authorizes the Designated Election Official or Board officers to execute and enter into the Intergovernmental Agreement with Jefferson County, Colorado, on behalf of the District, regarding the conduct of the Election and the mailing of the TABOR Notice. The Election and mailing of the District's TABOR Notice shall be in accordance with the provisions of such Intergovernmental Agreement.

4. The Election shall be conducted in coordination with the Jefferson Clerk and Recorder in accordance with all relevant provisions of the Code. The County Clerk is the Coordinated Election Official for the Election and shall be responsible for mailing the TABOR Notice.

5. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five (5) days after the title of the ballot issue or ballot question is set.

6. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

7. Any and all actions previously taken by the Designated Election Official or the officers of the Board of Directors or any other persons acting on their behalf pursuant to the Election Laws or other applicable laws, are hereby ratified and confirmed.

8. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

9. The provisions of this Resolution shall take effect immediately.

ADOPTED this 22nd day of August, 2023.

EVERGREEN PARK AND RECREATION
DISTRICT

By:



Peter Eggers, Chair

ATTEST:



Nina Armah, Secretary