

**GENESEE FOUNDATION  
BOARD MINUTES  
December 12, 2007**

The Genesee Foundation Board of Directors met on Wednesday, December 12, 2007 at 6:02 p.m. in an Executive Session to discuss legal matters of concern with our Attorney, Scott Albertson. The regularly scheduled meeting was called to order by President Gary Anderson at 7:12 p.m.

**Attending:** Barbara Actor, Gary Anderson, Jerry Hintz, Scott Jacobs, Anita Livingston, Cliff McRae, and Anne Sherwood

**Also Attending:** Carla Andrews, Community Manager and Ryan Babcock, Open Space Manager

**APPROVAL OF MINUTES**

Gary Anderson moved approval of the October 31, November 8 and November 29, 2007 Board meeting minutes. The motion was seconded by Anita Livingston and unanimously approved.

**BOARD COMMUNICATIONS**

*Anne Sherwood submitted a written report.*

Anne reported that since the last October 31, 2007 Board meeting, no resident communications to the Board have been received.

**MANAGEMENT REPORT**

*Carla Andrews submitted a written report and highlighted orally the important points.*

- The County will require a resolution naming one person authorized to testify on the Foundation's behalf on any county land use hearing.  
Barbara Actor made a motion that Gary Anderson, the President of the Genesee Foundation Board, is named as the spokesperson to represent the Board in regard to any Jefferson County land use issue. The motion was seconded by Anita Livingston and unanimously approved.

Galen Knickel suggested that we need to impress the County that our spokesperson represents a large body of their constituents. Gary Anderson agreed and said that he could think about how that would be conveyed.

- Carla informed the Board that a banking resolution is needed on our general, reserve and improvements fund accounts. This resolution is needed to add the name of our new treasurer.

Anne Sherwood moved approval of a resolution authorizing name changes on 3 fund accounts with UBS, allowing transfers on our corporate banking accounts. The motion was seconded by Cliff McRae and unanimously approved.

- The I-70 culvert erosion plan by the County is budgeted and in their scheduled work plan for completion.

## **BOARD DISCUSSION/ACTION ITEMS**

**Board Goals/Initiatives:** *Gary Anderson submitted a written report.*

Gary proposed that the board consider the following set of measurable goals for 2008:

### **VISION INITIATIVE**

- Create a Vision Brochure, similar to the GEM brochure of 2005.

Scott Jacobs stated that he felt this represents a good approach toward a goal.

- Complete an assessment of Foundation facilities.

Gary Anderson informed the Board that \$500,000 has been earmarked for specific projects for the next 3 to 4 years. A decision needs to be made if we are going to maintain, remodel or do something new with our facilities.

Jerry Hintz asked if we are putting something together to go the community. Gary Anderson said that this is a community driven plan and the 2009 Board will be the one to reach out to the community.

Galen Knickel said that there is a need to coordinate with the other districts. The Water and Sanitation District will be going to the community for an increase in mill rate and that it is important that the Board be realistic on their goals.

### **PRIVATE DRIVE INITIATIVE**

- Work with the Foundation, Genesee Fire & Rescue, private homeowners and Bjorn Dahl, to create a minimum of 3 and a maximum of 5 model private drives where emergency access has been enhanced.

Gary Anderson views this as an important approach to show the community how a modest sum of money can be spent to lessen our fire danger.

Bruce Stand advocated there be a pro active management by the foundation in regard to its easements and what we legally control. Galen Knickel said that we must be

realistic on how many people are willing to give nonexclusive easement control to the Foundation in order to accomplish this goal.

Anita Livingston asked if any funding is available to aid in this project. Gary Anderson stated that we are not talking about widening and paving any drives. Repaving of private drives will take place in 2010. Staff, on down time, will be used to remove trees.

- Complete the walk through inventory of high hazard private drives without an adequate turn around within the Foundation and document what can be done practically to enhance emergency access.

Gary Anderson reported that 20 private drives have been completed and there are 43 yet to be assessed. But even on drives that don't have any opportunities; it is important to reduce the ladder fuel.

#### COMMUNITY WILDFIRE PROTECTION PLAN (CWPP)

- Develop a strategy to solicit community participation in both the survey and the community meetings for the CWPP.
- Provide community education and implement measures identified by the CWPP for reduction of ignitability hazards to structures throughout Genesee.

The Board felt a number of 15% of all households in attendance at the community meetings would show success. Also, pizza should be provided for all community meetings. Barbara Actor informed that Board that \$1,000 is in the 2008 budget for community education under the private drive initiative.

#### SIGNAGE

- Develop a signage standard for roads, private drives, homes and Foundation buildings.

Gary Anderson stated that this is a project that will be undertaken by ARC, Vision and Private Drive Safety. Our current signs are too small and not reflective enough at night. Carla Andrews is doing research and will have recommendation by the end of February to present to the Board.

#### OPEN SPACE

- Engage an environmental consultant to do a study of the Streamside area, the proposed integrated open space site for 2009.

Anita Livingston asked if we need to do anything about land development and the Ralston property. Gary Anderson said that that is out of our control but we will continue to work with the developers when possible. It is important to the community and we owe it to our residents to stay on top of this issue.

Anne Sherwood said that she will put the goals in a format form that will make it possible to do checks during the year and completion check at the end of the year. Gary Anderson stated that Board members need to take leadership roles of the different goals.

Anne Sherwood made a motion that we adopt these as Board goals for 2008. The motion was seconded by Anita Livingston and unanimously approved.

## **BOARD REPORTS**

### **STANDING COMMITTEES**

**Finance:** *Anita Livingston submitted a written report.*

- Audit Contract Update and Approval: Anita Livingston asked the Board to approve the firm of Wagner, Burke & Barnes, LLP as auditing firm for audit, review and tax preparation. It was the Finance Committees recommendation based on:
  1. Extensive Non-profit and Special District Experience
  2. Cost
  3. FIRM bid rather than an “anticipated” bid of \$7,600
  4. Local firm
  5. Very good references from two committee members, Bruce Strand and Dan Wenzinger. This firm also does work with the Genesee Water Board.

Anne Sherwood asked about the hiring of third-party service providers to serve our account from time to time; as stated in the contract on page 3. Anita will get back to the Board regarding how we ensure our confidentiality if third party service providers are used to service our account.

Anita Livingston moved approval of the selection of Wagner, Burke & Barnes, LLP as the auditing firm for audit, review and tax preparation for the years ended December 31, 2007, 2008 and 2009. The motion was seconded by Gary Anderson and unanimously approved.

- Waiver Policy Recommendation: The current policy adopted in 1991 allows one waiver of late fees and finance charges on assessments. The Finance Committee

- recommends to the Board that residents be allowed one waiver of late fees and finance charges every 10 years if necessary, making it more “resident friendly.” The resident must request this waiver, as it is not automatic.

Gary Anderson brought up that the policy should say one waiver of late fees and finance charges every 10 years. Anita and Carla Andrews will work on the proper language.

Anita Livingston moved approval of a new policy allowing one waiver of late fees and finance charges every 10 years. The motion was seconded by Cliff McRae and unanimously approved.

- Committee Members: The Finance Committee charter specifies that there shall be three Board members and four community members appointed by the Board to the committee. Therefore, there is a need to recruit a fourth community member. An announcement for the position has been placed and the mailboxes and will also be on our web page and cable channel. There is a deadline of January 1, 2008. If more than one candidate should apply, the committee will meet with the candidates on the January 7 meeting. The selected candidate will be recommended to the Board for approval at the January 9, 2007 Board meeting.
- Schedule of Finance Committee meeting: The Committee has put together a list of meeting dates and times, which will be posted and also published in the *Genescene*. Anita was commended for putting this schedule together.
- Investment Update: There was a fee on the October statement and Dan Wenzinger will look into this to see why we are being charged fees. Nick Jones will be asked to come to the January 7, 2008 Finance Committee meeting to go over Genesee’s investments and give his recommendations for investing in the future.
- Community Reports: The committee decided a *Genescene* article should be written on a regular basis by the Finance Committee. These articles will give the community information on Genesee’s current financial situation, audit review, and any future expenditure that may affect assessments.

**GEM:** *Anne Sherwood submitted a written report.*

- Preliminary Review and Approval of 2008 Open Space Report

Ryan Babcock, Open Space Manager, was in attendance to comment on the 2008 Open Space Report and answer any questions. Anne Sherwood reported that the planning

process is on schedule and will be presented to the community in February or March. She thanked Ryan for the report and setting the baseline for 2008.

Ryan spoke that in the past, open space projects have been implemented in separate locations through the community. The 2008 activities will be concentrated into a ten-acre area near Stonecrop (Bear Trail over to Bitterroot). Eight activities are included with a total budget of \$84,050. Bids are being taken and walk through will be done shortly.

A dwarf mistletoe containment project will take place in the Tamarac and Northridge areas. The strategy, as developed by GEM, is to address private lots and get residents involved. The 4<sup>th</sup> of July mistletoe presentation has brought a lot of telephone calls from residents regarding mistletoe on their private property.

Scott Jacobs asked how the community will address pine beetle, if it becomes more of an issue. Ryan said we do have some pine beetle in the community and we are presently treating it by solar wrap. Anne Sherwood said that maybe the pine beetle issued needs to be part of the plan so residents know that we are looking at the issue. Ryan will begin to do more research into the area. and revise Section I of the 2008 Open Space Managers Report.

Anne Sherwood offered a resolution that the Board grant preliminary approval of the 2008 Open Space managers report. The motion was seconded by Anita Livingston and unanimously approved.

**Communication:** *Barbara Actor submitted a written report.*

## **INITIATIVE COMMITTEES**

**Private Drive Public Safety:** *Gary Anderson submitted a written report.*

Gary Anderson reported that the following members will be on the Private Drive Committee.

- Representing the Foundation Board: Gary Anderson, Anita Livingston and Cliff McRae
- Fire District Board and Operations: Bjorn Dahl, Fritz Ihrig and Bill Easterling
- ARC: Pat Strand
- Ad Hoc Community Member: Bill Cole

Gary Anderson moved approval of a resolution that the Board authorizes the continuation for one more year of the Private Drive Safety Committee to fulfill the purpose and scope

as outlined in the charter presented to the Board. The motion was seconded by Jerry Hintz and unanimously approved.

**Genesee Vision:** *Anne Sherwood submitted a written report.*

Anne Sherwood informed the Board that Anita Livingston chaired the final meeting of the 2007 Vision Committee. She thanked the past Chair Gary McKay and committee members for their efforts to lay a foundation in the creation of a Genesee vision.

Anne Sherwood moved approval of the continuation of the Genesee Vision Committee, whose purpose and scope were outlined in a charter presented to the Board. The motion was seconded by Gary Anderson and unanimously approved.

**Security Patrol:** Gary Anderson spoke on the new patrol contract for 2008. He reported that the county was willing to add the amendments to the contract that were requested by the Foundation Board.

Gary Anderson moved approval of a resolution authorizing him to sign the 2008 security patrol contract; barring any unseen circumstances. The motion was seconded by Anne Sherwood and unanimously approved.

## LIAISONS

### ARC

- ARC Reappointments – Volunteers

Jerry Hintz reports that there are 2 people interested in serving as volunteers on ARC and have submitted letter of intent.

Anne Sherwood moved approval to appoint George Kane and Pat Strand to serve one year terms on the Architectural Review Committee. The motion was seconded by Anita Livingston and unanimously approved.

- Refer to legal – Covenant Violation: *Anne Sherwood submitted a written report.*

Mike Sparks of 1124 Snowberry Dr. requested to speak to the Board regarding a letter he received from the Board concerning a trailer parked in his driveway. This issue was brought to the Board's attention in September, when the Board received communication from Nichol & Michael Sparks requesting that the Board make a covenant exception to allow the parking of a trailer on their property. The Board declined to make the exception requested and gave the Sparks 60 days to find an alternative location for the trailer. The 60 day extension expired on November 19, 2007.

Mr. Sparks came before the Board to ask for an exception to the covenant. The trailer, which is parked on a 3<sup>rd</sup> pad next to his garage, is used in his job. He sells medical equipment and the demonstration lasers are stored in his house. He needs the trailer 2 to 3 times a week and it is not convenient for him to park the trailer elsewhere.

Gary Anderson stated that Mr. Sparks needs to rent a spot to park his trailer or find an alternative solution. Mr. Sparks needed to contact that Board in the last 75 days or start the process to build a garage extension and did not do so. Mr. Sparks states he would like to build an addition to his garage but financially is unable to do so at the present time.

Barbara Actor can't understand why 200 lb. lasers can't be put in a trailer small enough to fit into his present garage. Mr. Sparks requested that we give him until mid January to find a solution to this problem. Gary Anderson stated that we intend to enforce our covenants.

Anne Sherwood made a motion to grant Mr. Sparks an exception to the covenants until January 15, 2008. If the trailer is not moved by that date the Board will resort to legal action. The motion was seconded by Scott Jacobs and unanimously approved.

**Land Development:** Gary Anderson reports that he may have something to discuss at our January Board meeting.

**Genesee Fire & Rescue:** *Gary Anderson submitted a written report.*

Gary Anderson announced that the Fire Department is having a meeting tonight and he will get a copy of the minutes.

- A long term financial study was presented which indicates that it will be prudent to ask the community for a mil rate increase in the May election of 2008. A study shows that the current modest district financial reserves will be exhausted in 2009 without a mil levy increase. A successful ballot issue on a mil levy increase in 2008 would not go into effect until 2009 thus it is important to get a decision on the ballot issue quickly. It will be important to successfully raise the mil levy to maintain the current levels of service.
- Current GF&R mil levy is 6, the proposed increase which would be presented to the community in the May, 2008 election, would authorize up to 9 mils with a plan to not actually raise the levy beyond 7 until 2011. From that point until 2012, the levy would be expected to remain at 7 and then increase to 7.5 or 8 mils as conditions require.
- GF&R currently has the lowest mil levy amongst its peer group in Colorado. A mil levy increase to 9 would still have the district below the average of 10.

- The new brush truck, in Indiana for final configuring, will be complete Dec 20<sup>th</sup> and picked up in January.
- Emergency medical response in the community is supported by 25-28 firefighters who are certified first responders or EMT (emergency medical technicians) out of the total department membership of 39. A high percentage of GF&R calls are medical in nature.

**Genesee Water and Sanitation:** *Gary Anderson submitted a written report.*

A significant item of business was receipt of the study from Spronk Engineering of the water supply and a yield analysis which was requested by the district. The study concluded that with the current base of customers, GW&SD now has the capability to serve its customers needs with back to back drought years equivalent to 2002 although restrictions on outside use would need to be undertaken in the second year

The district's service plan allows for a maximum of 1,748 customers and currently serves 1,584. It has commitments in place for an additional quantity of equivalent taps which raises the committed number to 1,613.

The preliminary indication is that a mil levy increase of 4-5 mils will be required to provide a reserve fund with a positive balance over the next 6-8 years. Bruce Strand informed the Board that this small mil levy increase will address an advanced filtration system and extra storage. All the monies that the district needs can't come from just tap fees or increasing fees.

Gary Anderson requested that Carla make copies of the Spronk Engineering study for all Board members.

**OLD BUSINESS:** None

**NEW BUSINESS:** For our information Carla reported that Ryan Babcock and David Sinn are in the new rookie class at the Genesee Fire Department. Jim Anderson is also considering rejoining the Fir Department.

Anita Livingston asked if we wanted to discuss Dianne Davies' offer from Xcel Energy. Several members said they had not received the information and requested that it be forwarded to them. A decision was made that more time was needed to discuss this issue and it would be done at a later date.

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**ADJOURNMENT:** There being no further business the meeting was adjourned at 9:30 p.m.

Barbara Actor  
Board Secretary