

**MINUTES
CARBONDALE PARKS & RECREATION COMMISSION
November 9, 2022**

Hollis Sutherland called the meeting of the Carbondale Parks & Recreation Commission to order at 7:02 p.m. at Carbondale Town Hall on November 9, 2022.

ROLL CALL

The following members were present for roll call:

Members:	Hollis Sutherland, Chair Rose Rossello, Vice-Chair Ashley Hejtmanek, Member Leslie Keery, Member Susan Rhea, Member Drew Sorenson, Member Brian Soby, Alternate Misha Logan, Youth Representative
Town Staff Present:	Eric Brendlinger, Parks and Recreation Director Margaret Donnelly, Recreation Center and Programs Manager Kolton Morrison, Aquatics Facility Manager and Health and Wellness Coordinator Jared Barnes, Planning Director Kae McDonald, Boards & Commission Clerk
Guests:	Stephanie Gianneschi, Aspen Community Foundation Philanthropy Director

CONSENT AGENDA

Motion Passed: Susan Rhea *moved* to approve the minutes from the October 12, 2022, meeting. Leslie Keery *seconded* the motion, and it was *unanimously approved*.

ITEMS FROM CITIZENS PRESENT NOT ON THE AGENDA

Jared Barnes, the recently hired Planning Director for the Town of Carbondale, introduced himself.

INTRODUCTION OF KOLTON MORRISON, AQUATICS FACILITY MANAGER AND HEALTH AND WELLNESS COORDINATOR

Hollis welcomed Kolton Morrison, the recently hired Aquatics Facility Manager and Health and Wellness Coordinator.

Kolton explained that he used to own an athletic training facility in Phoenix but was able to save enough money to make the move to Carbondale two years ago. He added that he has always been drawn to Carbondale and is looking forward to working for the Town. He noted that while he still owns a finance company, he has staff that runs the business so he will be able to devote his full attention to his position at the Rec Center.

Rose asked if he still owned the athletic training facility in Phoenix.

Kolton replied that he sold the business to move to Carbondale.

AQUATICS FACILITY MASTER PLAN – COMMISSIONER’S QUESTIONS REGARDING AN ASPEN

COMMUNITY FOUNDATION NON-ENDOWED ORGANIZATIONAL FUND

Hollis reminded the commission members that she and Eric had met with the Aspen Community Foundation in the summer. They invited Stephanie Gianneschi, the Director of Philanthropic Services, to meet with the commission members to answer questions regarding the establishment of a fund to raise money for the pool project.

Stephanie acknowledged the interest of the Commission to establish a fund to aid in raising funds for the new Aquatic Facility. She explained that the Aspen Community Foundation (ACF) was established in 1980, currently has assets of approximately \$60,000,000.00 and in addition to their own unrestricted funds they hold 179 funds that include Donor Advised Funds, Memorial Funds, Field of Interest Funds, Scholarship Funds, Organization Funds, and Designated Funds. Stephanie added that the Aspen Community Foundation is a 501(c)(3) – nonprofit – organization that is overseen by a 20-member Board of Directors and a staff of 7.

Susan Rhea asked who comprised the Board of Directors.

Stephanie replied that the Board of Directors represents the community that they serve and is comprised of residents that live from Aspen down to Rifle. She added that the Directors can be donors, leaders in the valley, or community members that believe in the current mission of the Foundation which is a cradle-to-career initiative. She noted that ACF is not allowed to make grants to individuals, but they do support local social and human services programming – especially early childhood education. Stephanie explained that ACF also worked with Pitkin, Eagle, and Garfield Counties during Covid to disburse CARES Act funding.

Stephanie referred the commission members to the meeting packet for a detailed description of each type of fund, but her recommendation would be for the Commission to consider a non-endowed organization fund which will allow more frequent withdrawals without penalty. She highlighted pertinent details regarding setting up a fund with Aspen Community Foundation (ACF):

- The Town of Carbondale Parks & Recreation Commission as a government unit if the funds are designated for a public purpose.
- A \$100,000.00 deposit is required to establish a non-endowed organizational fund and ACF charges an all-encompassing 1% administrative fee. Stephanie explained that the donors receive a tax benefit when they give money to ACF and the burden of administration (which includes acknowledgement letters, tracking of funds, disbursement requests, quarterly statements, and Internal Revenue Service reporting requirements) is relieved from the organization. She noted that ACF has been accredited by the Council of Foundations and a 1% fee is the industry standard.
- The fund can either be put into a money-market account or the ACF-pooled investment account.
- There is no limit to withdrawals for a non-endowed organizational fund. However, ACF doesn't write checks to vendors – they give the requested amount to the organization (For example, the Town of Carbondale) who then disburses payment to vendors.
- While any donation to an account set up by the Parks & Recreation Commission is considered an asset to that organization, the funds are the property of ACF for reporting requirements. A benefit to money held by ACF is the perceived separation of the funding from a government organization. ACF regards donor intent a paramount feature and that is a primary feature of their tracking system.
- Once the fund is established anyone can donate any amount at any time.

Hollis asked how long it takes to receive the money after a disbursement request has been made.

Stephanie replied that it is usually within a week.

Susan asked that if the fund is put into the investment account, must the investment be sold before the organization gets their requested disbursement. She also asked if the organization funds are at risk given the current volatility of the stock market.

Stephanie replied that the funds are always available regardless of which account the money is located in. She pointed out that ACF strives for long-term investment growth.

Brian commented that the purpose of the fund to construct the pool would be short-term in nature and so there isn't an expectation of any accrual. He asked if ACF has worked with other government entities in holding capital for construction projects. He commented that because the money will be spent in the shorter term, that it more like a regular budget expenditure and less like "treasury funds" that Stephanie seems to be describing. Hollis added that although the initial focus will be on raising money to facilitate the pool construction, she personally would like the fund to serve a longer-term purpose to fund other parks and recreation projects.

Brian commented that as he understood it, government entities qualify to receive tax-free donations, and asked if that is the case, why not let Town staff administer the donated funds.

Stephanie replied that the money isn't entered into the pooled investment fund unless specified. She pointed out that the organization fund is considered a liability on ACF books, not an asset.

Brian asked whether there are any protections that exist to prevent the money held in a Parks & Recreation Commission account being used for other purposes by Town management.

Stephanie replied that that is usually outlined in the agreement and that the Town's attorney would need to answer that question.

Brian persisted in asking questions regarding the benefits of the 1% fee and whether there was any assurance that the donated funds would be spent as intended.

Hollis pointed out that donors may feel uncomfortable giving money directly to the Town, regardless of whether there is a tax benefit or not.

Eric agreed with Hollis and explained that because the Town will be expending funds to pay down the note on the pool, there will be fewer funds to facilitate other maintenance needs and capital projects in the coming years and the proposed funding mechanism would be a great way to build a "nest egg" for these other projects.

Ashley asked how funds donated for a specific purpose will be tracked to ensure they get spent on that purpose. She also asked how the \$100,000.00 can be accumulated for the initial account deposit.

Stephanie replied that there are many ways to accumulate the initial deposit. She noted that the \$100,000.00 isn't a static amount -- just the minimum to establish the account -- but there isn't a minimum balance required to maintain the fund.

Hollis added that the \$100,000.00 can't be from taxpayer funds but thought that that would be a good topic to explore if they get to that point. Hollis noted that the purpose of this agenda item was for Stephanie to answer questions raised at previous meetings so the commission members could determine if this course of action warranted further meetings with Town staff and the Board of Trustees.

Eric asked why other nonprofits might use non-endowed organizational funds -- is it merely a holder for future projects or because a donor wanted to fund a specific organization.

Stephanie replied that many of the funds have been held by ACF for more than ten years, but many aren't particularly active. She noted that a recently added Aspen Valley Ski Club account was because of a donor and another fund for Trees, Water and People was established by one of their trustees that lives in the valley and wanted a vehicle for visibility.

Eric asked if the Town could apply for an ACF grant.

Stephanie responded that it depended upon the request -- ACF doesn't fund capital projects -- but they might consider a funding request for programming that filled a human services need (providing scholarships for swimming lessons, for example).

Drew commented that another benefit to an ACF fund would be the appeal to non-local donors looking for a good cause.

Stephanie agreed with Drew and noted that part of ACF's mission is to connect donors to common needs. She added that they have recently revamped their newsletter to add more grantee/donor opportunities. She noted that in the last year they have brought in \$21,000,000.00 and granted out \$17,000,000.00. Brian asked if Stephanie could demonstrate whether that \$21,000,000.00 was linked to outreach efforts by ACF.

Stephanie replied that the \$21,000,000.00 was all-inclusive of ACF's efforts, but she committed to finding out how much of the money brought in could be linked to outreach efforts.

Eric commented that if ACF's donor network was able to raise money beyond what the Town could do on its own, it is worth the 1% fee.

Ashley acknowledged that ACF's granting mechanism wouldn't help the pool project at the outset, but she agreed with Eric that the benefit is reaching donors outside the Carbondale community.

Hollis asked the group if they were interested in continuing to pursue a fund with ACF.

Ashley asked if it would be possible to compare the donation process for the Town against that of ACF. She wondered if the Town Manager, Town Attorney, and the Town's Finance Director would be available to attend an upcoming meeting.

Eric thought it best to draw up a list of questions for Town staff that they could answer.

Brian agreed that he would like to see a comparison of the Town process versus the ACF process and evaluate the costs and benefits of both.

Susan thought it was worth continuing the conversation.

COMMISSION INTERNAL OPERATIONS: STAGGERED TERMS DISCUSSION. CODE CHANGES PROPOSAL FOR THE TIMING OF APPOINTMENT CALENDAR AND REMOVAL OF NEED FOR SPECIAL MEETING

Hollis explained that the packet attachment laid out her reasoning for staggering one regular member term, to be achieved by limiting one to two years in the upcoming 2023 cycle. She also reminded the commission members that in the event of a vacancy, the appointment only fulfills the remainder of the term.

Susan commented that Hollis' explanation was sound, and her proposal seemed reasonable.

Rose added that she appreciated Hollis' extra effort.

Motion Passed: Ashley *moved* to alter one of the voting/regular member terms expiring in 2023 to be a two-year term that will expire in 2025. Thereafter, the appointment of that term will be for three years. Susan *seconded* the motion, and it was *unanimously approved*.

Hollis asked the commission members to consider eliminating the requirement for a special meeting to interview prospective candidates.

Motion Passed: Susan *moved* to eliminate the special meeting requirement for applicant interviews. Leslie *seconded* the motion, and it was *unanimously approved*.

Hollis asked that the commission members consider changing the timing of the member appointment calendar from September 1st to May 1st to provide new members with the opportunity to participate in the parks tour and budget/capital improvement projects discussions that occur in the summer months.

Misha supported the change, noting that it would be easier for students interested in the youth position to apply while school was still in session.

Eric asked when students decide on their capstone projects.

Misha replied that it was usually in the middle of the student's Junior year.

Brian suggested adjusting the Youth Representative's term to best coincide with school project requirements.

Leslie pointed out that Senior Capstone projects must be completed by December.

Ashley wondered if the Youth Representative appointment could be different than the regular/voting member appointments. She thought it made sense to have the regular/voting member terms begin May 1st.

Misha pointed out that not all Youth Representatives will use the Commission appointment for their Capstone project. He thought that students could work around the Commission appointment calendar.

Motion Passed: Susan *moved* to adjust the timing of the member appointment calendar to May 1st and align the requisite advertisements and interviews with that date. Ashley *seconded* the motion, and it was *unanimously approved*.

UPDATE ON DOG PARK SIGNAGE RULE CHANGE PROPOSAL FOR HENDRICKS, GLASSIER AND NATURE PARK OFF-LEASH DOG AREAS

Susan commented that there have been a lot of emails circulating and new issues raised regarding the language on the dog park signage. She explained that based on what she has learned there isn't a one-to-one correlation between non-neutered dogs and aggression. She added that she will continue to work with Eric, the Police Chief, and the Code Enforcement Officer to find consensus on proposed rules. She asked Eric if the new signage would be included in the upcoming budget cycle and when the new signage might be installed.

Eric replied that the signs will be part of the park maintenance budget. He explained that they will include the skills of a graphic artist for the signs, so he will need the sign information by early spring.

Susan committed to have proposed elements ready for a decision in January. She pointed out that Carbondale doesn't have a lot of staff for code enforcement and Hendricks Park seems to be the location with the most dog issues. She added that the actions of one person are at the center of one issue and the other issue is dog behavior in general.

Brian questioned the need for rule changes if the actions of one person were at the heart of the issue.

Hollis suggested asking the Code Enforcement Officer to step up patrolling if they know there is a problem.

REPORT & UPDATES: STAFF AND COMMISSION MEMBERS

Eric Brendlinger, Parks and Recreation Director:

- The Red Hill picnic shade shelter is complete, and the landscaping has begun. Unfortunately, rockfall destroyed the port-a-potty structure. They will also be compiling data from the Red Hill Trail counters for an end-of-year report.
- They have begun pulling together the data on the 2022 weed mitigation efforts to develop 2023's efforts. That proposal will be on an upcoming agenda.
- The Request for Proposal for the pool construction owner's representative has been advertised. Once the owner's representative is hired, a second RFP/RFQ will be advertised for a design/build company. Eric encouraged anyone interested in serving on the pool design committee to let him know. He pointed out that while there isn't a lot of work to be done now, there is a large time commitment expected as the project moves forward.
- Hendricks Playground equipment replacement has been delayed until November 28th, but the project is anticipated for completion prior to deep winter.
- The Carbondale Age Friendly Community Initiative received a grant for two benches to be installed at the Ramey-Harvey Park.
- A Public Information Announcement will be advertised informing Carbondale residents of the need to remove elm trees at the 4th Street Plaza Park.

Susan noted that there were a lot of solar activated lights at the cemetery and wondered if that was permitted.

Eric replied that that was tied to the recent Dia de los Muerts event and he felt that even though it isn't permitted in the long term, that it was important from a community perspective to allow that practice for the short term.

Margaret Donnelly, Recreation Programs and Facility Manager

- The Recreation Center Staff is participating in weekly Monday meetings to share information, so everyone is on the same page.
- Her short-term goals are to obtain assistance for each of the coordinators and to explore ways to bring in more income for the facility.
- She noted that volunteers for the Turkey Trot are needed. She anticipated that the time commitment would be approximately one to one and one-half hours.

ADJOURNMENT

The November 9, 2022, meeting adjourned at 9:10 pm. The next regular meeting is scheduled for December 14, 2022, at 7:00 pm.

Respectfully submitted,
Kae McDonald