

**CASTLE PINES NORTH METROPOLITAN DISTRICT  
REGULAR MEETING MINUTES  
June 20, 2016 – 6:00 p.m.**

**HELD:** Monday, June 20, 2016 at 6:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Rock, Colorado.

**ATTENDEES:** Directors Keith Dodd, Kathy Rosenkrans, Eric Anderssen, Eric Edwards and Stephen Allen were present. Also present were District Manager Jim Nikkel, Parks & Open Space Manager Craig Miller, and District Administrator Janet Burnham. Also in attendance was district legal counsel Joan Fritsche. Seven residents were present, as well.

**CONFLICTS:** None

**QUORUM:** Present

**APPROVAL OF AGENDA:** A motion was made by Director Allen to approve the agenda. The motion was seconded by Director Rosenkrans and was approved unanimously.

**PUBLIC COMMENT:** CPN HOA 1 board member Doug Gilbert addressed the Board regarding the fencing along Castle Pines Parkway that has fallen in to disrepair. Gilbert explained that the fencing does not belong to the HOA. Director Dodd responded that the fence does not belong to the District either and the District does not have responsibility to maintain it. Two other residents addressed the Board regarding the mill levy, taxes, and street repair.

**ACTION ITEMS:**

A motion was made by Director Anderssen to approve the minutes of the regular meeting held May 16, 2016. The motion was seconded by Director Allen and was approved 4-0 with Director Edwards abstaining since he was not present at that meeting.

A motion was made by Director Rosenkrans to approve the minutes of the special meeting held June 13, 2016. The motion was seconded by Director Edwards and was approved unanimously.

Finance manager Amanda Castle of Pinnacle Consulting addressed the Board via telephone regarding the financial statements. She informed the Board that the audit was done and a draft from the auditors is expected soon. Amanda stated that Eric Harris will be filling in for her while she is on maternity leave. She also reviewed the 2017 budget process which she expects will begin in July. Pursuant to discussion, a motion was made by Director Anderssen to accept the financial report. The motion was seconded by Director Edwards and was approved unanimously. At that point, with her presentation concluded, Amanda's telephonic participation in the meeting ended.

A motion was made by Director Dodd to approve/ratify the payables in the total amount of \$911,466.96 which includes \$64,352.04 for the General Fund/Debt Service and \$755,205.31 for the

Enterprise Fund (check numbers 21895 through 21943) and all electronic payments (totaling \$91,909.61). The motion was seconded by Director Rosenkrans and was approved unanimously. Manager Nikkel addressed the Board regarding District irrigation clocks for which the North Lynx HOA has been paying the electric bills. The District's clocks are tied in with an electric meter belonging to the HOA. The HOA is asking the District to reimburse them for the last two years at 20% of the charges they paid and, going forward, pay half of the base charges and 20% of the usage charges. If the Board approves, an agreement memorializing the arrangements would be drafted. Pursuant to discussion, a motion was made by Director Dodd to approve the reimbursement to the HOA and provide half of the base charges and 20% of the usage charges going forward. The motion was seconded by Director Allen and was approved unanimously.

Parks and Open Space Manager Craig Miller reviewed his monthly report and addressed questions from the Board. He specifically sought final Board approval on the median filler material being sampled and the Board concurred that it was satisfactory.

Manager Nikkel reviewed his monthly report and provided the Board with updates on various issues including the nearly complete repairs to Pond 12, his deposition for the A & A lawsuit, and the Chatfield Reallocation Project for which a determination by the court on the Audubon lawsuit is being awaited.

Legal counsel Joan Fritsche informed the Board that she has been working on the A & A lawsuit, helping Manager Nikkel prepare for his deposition. She has also been working on research into PERA requirements regarding Board members and a comprehensive review of the employee manual.

At 7:14 p.m. a motion was made by Director Dodd to go in to executive session pursuant to §24-6-402(4)(b) and (e), C.R.S. to confer with an attorney for the purpose of receiving legal advice on specific legal questions, and to instruct negotiators concerning advice related to the District being named as a "Counterclaim Defendant" by A and A Investments in a lawsuit filed against A and A by R.I. Tulsa Management, LLC, and to instruct negotiators on settlement negotiation strategy. The motion was seconded by Director Anderssen and was approved unanimously.

At 9:10 p.m. the Board came out of executive session and reconvened the regular meeting.

With all other business to come before the Board having been addressed, the meeting was adjourned.

**CASTLE PINES NORTH METROPOLITAN DISTRICT**

**ATTORNEY'S STATEMENT RE:  
MINUTES OF THE EXECUTIVE SESSION  
OF THE BOARD OF DIRECTORS**

**June 20, 2016**

I, Joan M. Fritsche, herewith make the following signed statement in accordance with C.R.S. Section 24-6-402(2)(d.5)(II)(B):

1. I am an attorney serving as general counsel to the local public body of the Castle Pines North Metropolitan District, Douglas County, Colorado (CPNMD).
2. The Board of Directors of CPNMD met with Jim Nikkel and me in executive session during its regular board meeting on June 20, 2016 pursuant to C.R.S. §24-6-402(4)(b) and (e) to confer with an attorney for the purpose receiving legal advice on specific legal questions, and to instruct negotiators concerning advice related to the District being named as a "Counterclaim Defendant" by A and A Investments in a lawsuit filed against A and A by R.I. Tulsa Management, LLC, and to instruct negotiators on settlement negotiation strategy.
3. The executive session lasted from approximately 7:14 p.m. to 9:10 p.m. The executive session was not recorded based upon my opinion that the discussion constituted privileged attorney-client communication.

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Joan M. Fritsche  
Attorney for CPNMD

As President of the Board of Directors of CPNMD, I attest that the portion of the executive session that was not recorded was confined to the topic authorized for discussion in an executive session pursuant to C.R.S. subsection (4)(b) and (e) of Section 24-6-402.

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Keith Dodd, President of Board of Directors  
Castle Pines North Metropolitan District