

CASTLE PINES NORTH METROPOLITAN DISTRICT

REGULAR MEETING MINUTES

March 19, 2007

HELD: Monday, March 19, 2007 at 7:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Rock, Colorado.

ATTENDEES: Directors Ted Lohr, Mark Shively, Bruce Thompson, Cortney Brand, and Jonette Brown Eyes were present. Also in attendance were District Manager Jim McGrady, District Administrator Janet Burnham, and District Parks and Open Space Manager Charlie Fagan. Accountant Jason Carroll was present as well as Communications Consultant, David Lichtenstein. Five residents also attended. In addition, Esperanza HOA manager Kim McGuire was present as well as weed management consultant Ray Sperger and landscape architect Brett Collins.

CONFLICTS: None

APPROVAL OF AGENDA: Approved, as amended

QUORUM: Present

The Board disclosed to the public their intention to enter into a contract to purchase water rights associated with the London Mine. Director Thompson moved to approve Resolution No. 2007-002 – Ratifying the execution of a purchase and sale agreement by District Manager James C. McGrady and approving the execution of an addendum to the purchase and sale agreement. The motion was seconded by Director Brown Eyes and approved by all.

PUBLIC COMMENT:

The residents of the Esperanza community and their HOA would like the District to assist in the improvement of District-owned land that makes up the S-curve in their neighborhood. Their request includes the granting by the District of a no-charge temporary water tap and approximately \$40,000 in landscaping. The HOA would take over maintenance of the area and would pay for all water used. By consensus, the Board agreed that they would like to tour the area in question and consider the request over the next 30 days.

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ACTION ITEMS:

Director Lohr moved to approve the minutes, as amended, of the special meeting held February 12, 2007. Director Thompson seconded the motion and it was approved 4-0 with Director Brand abstaining as he was not present at the meeting.

Director Lohr moved to approve the minutes of the regular meeting of February 20, 2007. The motion was seconded by Director Brand and was approved by all.

A motion was made by Director Brown Eyes to approve the February 2007 financial report. The motion was seconded by Director Thompson and was approved by all.

Director Brown Eyes moved to approve the February 2007 payables in the amount of \$264,320.91. Director Thompson seconded the motion and all voted in favor.

Director Brown Eyes had requested that the agenda be amended to include an action item regarding staffing. Concerning the ongoing employment of seasonal employee Mike McGrady, Director Brown Eyes moved to approve the hiring of a ninth employee. Following discussion, Director Brown Eyes restated her motion such that 1) no additional staff, other than seasonal temporary employees, is to be hired without the Board's prior approval and that 2) Mike McGrady could be kept on at his current hourly rate through September 30, 2007 and no longer. The motion was seconded by Director Thompson and the motion passed 4-1 with Director Shively dissenting.

A motion was made by Director Thompson to approve awarding the 2007 parks and open space maintenance contract to American Civil Constructors. Director Lohr seconded the motion. The Board proceeded to discuss their opinions of the contractors that had bid on the contract. Following discussion, the vote was called and the motion passed 3 -2 with Directors Shively and Brown Eyes dissenting. Director Brown Eyes made a motion stating that all landscape related projects not covered by the maintenance contract are to be presented to the Board for their determination of which contractor should be hired. The Board reached a consensus that Board involvement at that level would be too time consuming and that staff should try some of the other contractors on these other projects at their discretion. Director Brown Eyes withdrew the motion.

The Board determined to hold a special meeting on April 2, 2007 to review water project funding options with consultant Gene Andrist.

Director Brown Eyes had requested that the agenda be amended to include an action item regarding a management review. Because no determination had been reached regarding the hiring of an impartial company to perform the review, Director Brown Eyes made a motion to approve the previously presented contract with Mulhern MRE for that

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purpose. The motion was seconded by Director Shively and the motion failed 3-2 with Directors Brand, Thompson, and Lohr dissenting.

DISCUSSION ITEMS:

Parks and Open Space Manager Charlie Fagan and consultants Ray Sperger and Brett Collins discussed the Community Center xeriscape project. The bids came in higher than anticipated. Contractor T2 will work with Fagan, Sperger, and Collins to reduce costs where possible in order to be more in line with the budgeted allocation for the project. Director Brown Eyes made a motion to approve the T2 proposal in the amount of \$120,392.42. The motion was seconded by Director Thompson and all voted in favor.

It was noted that Parks Authority Board President Sandy Colling would not be addressing the District Board pending more research being needed on issues regarding the Lagae parcel development and its impact on District parks.

Parks and Open Space Manager Fagan presented the Board with plans for improvements to the Retreat Park, including new playground equipment. Fagan will confirm with Counsel John Hayes that the project does not require going to bid because the components are consistent with existing equipment in other District parks and having to go to bid could create undue hardship and expense as no other contractors of the desired equipment are located in Colorado. By consensus, the Board granted staff permission to proceed with the project.

Parks and Open Space Manager Fagan presented the Board with information regarding toilets for the parks. Existing state lottery funds at the District's disposal currently total \$117,000. Installing vault toilets in all three parks would cost approximately \$90,000 while installing flush toilets would be prohibitive due, in part, to the need to run water and sewer lines into the park restroom locations. A motion was made by Director Shively to install the vault toilets. The motion was seconded by Director Lohr and all voted in favor.

The management and staff updates included the following:

- Construction on the East-West Trail being constructed by Douglas County is slated to begin March 26th and is expected to be completed prior to the scheduled ribbon cutting ceremony on June 2nd;
- Red Oak Consulting has completed a wastewater rate study and is planning to make a presentation to the Board at the special meeting on April 2nd;
- The draft Environmental Impact Study (EIS) for Rueter Hess Reservoir should be completed by the end of the month;
- An inclusion agreement for the Lagae parcel has been sent to the developer, HF Holdings.

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Communications Consultant David Lichtenstein informed the Board that the April-May newsletter was almost ready for publication. He also provided the Board with information regarding the publication costs for newsletters of various page counts.

At 9:50 p.m. Director Brown Eyes moved to go into Executive Session under §24-6-402(4)(e), C.R.S. (negotiations). The motion was seconded by Director Lohr and was approved by all.

The regular session was reconvened at 10:51 p.m. and forthwith adjourned.