

CASTLE PINES NORTH METROPOLITAN DISTRICT

SPECIAL MEETING MINUTES

October 8, 2007

HELD: Monday, October 8, 2007 at 6:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Rock, Colorado.

ATTENDEES: Directors Mark Shively, Bruce Thompson, Ted Lohr, Carl Lowman and Cortney Brand were present. Also in attendance were District Manager Jim McGrady, District Administrator Janet Burnham, and District Counsel John Hayes. Chris Fellows and Dave Boten of HF Holdings and their attorney, Lee Sachnoff were present, as well. Approximately 11 residents also attended.

CONFLICTS: None

QUORUM: Present

Chris Fellows et al. addressed the Board regarding three issues to be resolved in finalization of the Lagae parcel inclusion agreement. The three items and their resolution included:

1) the agreement, as drafted, included wording that favored the District with regard to repayment of costs and fees in the event of a dispute. HF Holdings is requesting that the language be changed to favor the "prevailing party".

District response: While Counsel Hayes does not generally recommend "prevailing party" clauses, he does not believe the District is likely to have much exposure in this particular agreement and, therefore, is not opposed to changing the language. The Board concurred.

2) HF Holdings had requested that invoices presented to them by the District be payable in 180 days. The parties reached a consensus that 60 days would be acceptable.

3) the District had included language specifying park land dedication. HF Holdings felt that, as part of an inclusion agreement, this was not appropriate since the District does not have authority to specify land use. The Board concurred that this language was, indeed, out of step with the intention of the agreement and agreed to the existing language which specifies a dedication of at least 10 acres as "Dedicated Park Land."

Pursuant to the parties' ability to reach accord on the language of the agreement, the Board confirmed that a public hearing on the inclusion would be scheduled as part of the regular Board meeting on October 15th.

MINUTES OF SPECIAL MEETING
BOARD OF DIRECTORS
CASTLE PINES NORTH METRO DISTRICT
October 8, 2007

In response to a question from Director Shively regarding the amount and timing of tap fee revenue that the District might be able to expect, Fellows stated that if approval of the development was processed through the proposed new city, as opposed to the County, construction permits and their attendant tap fees might be realized as early as sometime in 2008.

ACTION ITEMS:

Director Thompson made a motion to approve the award of bid to Horizon Landscape for a landscaping project in the North Lynx subdivision in the amount of \$24,660. Of that amount, \$9,785 is anticipated to be spent in 2007 and the remaining \$14,875 will be appropriated in the 2008 budget for expenditure as early as is practical, given weather conditions and contractor availability, in that year. The motion was seconded by Director Lowman and was approved by all.

DISCUSSION ITEMS:

Director Lohr inquired about the FAQ's that were compiled from questions received by the District from residents with regard to the proposed incorporation of Castle Pines North. The FAQ's, which are strictly factual in nature, will be posted to the District's website in the next day or two. It was discussed that the Board's, and hence the District's, position with regard to incorporation is neutral. The responses to the residents' questions in the FAQ's take no position, pro or con, to the proposed incorporation.

Discussion was held regarding the various neighborhood associations that have come forward over the years to request assistance with landscaping projects, as had the Arco Iris association. The Board concurred that the development of a master parks and open space landscape plan would help to ensure that such requests were addressed equitably and in a manner appropriate to each neighborhood.

All business to come before the Board having been addressed, the meeting was adjourned at 7:15 p.m.