

**CASTLE PINES NORTH METROPOLITAN DISTRICT
SPECIAL BOARD MEETING MINUTES
MAY 28, 2024 – 6:00 p.m.**

HELD: Tuesday, May 28, 2024 at 6:00 p.m.

ATTENDEES: Directors Jason Blanckaert, Leah Enquist, Jana Krell (via Zoom), James Mulvey and Tera Radloff were present. Nathan Travis, District Manager; Kim Seter, Legal Counsel; Jay Blackburn, Level Engineering; Bailey Budnick, Elara Creatives; and Andrea Manion, CRS (via Zoom) were also present.

CONFLICTS: None.

QUORUM: Present.

CALL MEETING TO ORDER: The special meeting was called to order at approximately 6:00 p.m.

CONSIDERATION OF AGENDA OF THE MEETING OF THE BOARD OF

DIRECTORS: Director Blanckaert moved to amend the agenda to include “Consider Parks IGA concerning cost splitting for parcel transfers” as an item under the District Manager Report. Upon motion by Director Radloff, second by Director Enquist and unanimous vote, the amended agenda was approved.

CONSIDERATION OF PAST MEETING MINUTES: Upon motion by Director Blanckaert, second by Director Enquist and unanimous vote, the Board approved meeting minutes from the April 17, 2024 study session and the April 22, 2024 special meeting, subject to the non-substantive, grammatical changes proposed by Director Radloff.

PUBLIC COMMENT: There was no public comment.

MAY 15TH BOIL WATER ADVISORY INCIDENT REPORT: Mr. Travis provided the Board with a summary of the events leading up to and following the boil water advisory, noting that it remains unclear why the affected portion of the waterline was having pressure-related issues. Mr. Travis assured the Board that he would be working closing with TW Summit, the District’s valve contractor, to resolve the issue, although the work cannot begin until after the District’s system is fully reinstated. Director Radloff emphasized that, while unfortunate, the incident was not the result of neglect and occurred while executing a project meant to save money for the community. Director Radloff commended the extensive efforts taken to notify the community immediately following the incident, noting that “the notification was posted on our website, an email blast was sent out, press releases were sent to all major local media, Douglas County Emergency Management Services were notified, a code red (reverse 911) was sent out, traffic sign boards were posted to all entrances and exits of the District, and notifications

were posted on all of our social media accounts.” Additionally, Director Radloff echoed the remarks made in the “Final Thoughts” section of the incident report and thanked each of the partners who helped navigate the emergency. Director Mulvey complimented the District’s response and discussed potential areas for improvement, particularly with regard to the ongoing mapping project.

Mr. Travis addressed the numerous requests he has received for compensation related to the incident, emphasizing that the District is a not-for-profit entity and therefore has no profits to pull from to compensate community members. After discussion, the Board agreed to provide adjustments to the tiered rate structure for individuals who exceeded their limits as a result of the incident.

PARCEL TRANSFER UPDATE: Mr. Blackburn provided the Board with an update regarding the District’s parcel transfer project. Mr. Blackburn identified 105 parcels owned by the District and of those, nine were given the highest priority level and will require land survey plats. Title work has been ordered for 99 parcels. Additionally, Mr. Blackburn estimated that the project will be completed for far less than the \$1.9 million originally budgeted for it.

Mr. Seter recommended recording parcels individually rather than in blocks to avoid confusion in the future. Mr. Travis and Mr. Seter will ensure the District’s insurance is updated accordingly as properties are conveyed.

SSO VIOLATION SUPPLEMENTAL ENVIRONMENTAL PROGRAM OPTIONS: Mr. Blackburn discussed the settlement offer received from CDPHE giving the District the option to either pay the approximate \$130,000 fine in full or apply those funds toward a supplemental environmental project. Mr. Blackburn discussed potential projects the District could pursue, most notably restoration projects associated with East Plum Creek and the Butterfly Pavilion. Upon discussion, the Board directed Mr. Blackburn, Mr. Seter and Mr. Travis to pursue a supplemental environmental project further in lieu of paying the fine.

EXECUTIVE SESSION: At approximately 7:15 p.m., upon motion by Director Radloff, second by Director Mulvey and unanimous vote, the Board entered into executive session as allowed by Section 24-6-402 (4) (a) and (e) (1) of the Colorado Revised Statutes regarding possible renewable water partnerships and agreements.

The Board reconvened from executive session at approximately 8:11 p.m. The discussion was limited to the possible renewable water partnerships and agreements and no action was taken.

Upon reopening the public meeting, the Board directed Mr. Travis to pursue matters discussed in executive session with a not-to-exceed amount of \$40,000.

COMMUNICATION DIRECTOR'S REPORT: Ms. Budnik provided an overview of the District's current communications and marketing efforts, particularly with regard to emergency communications planning. Ms. Budnik and Mr. Travis agreed to pursue outreach efforts to ensure renters in the community receive District communications.

FINANCE DIRECTOR'S REPORT: Ms. Manion from CRS presented the financial report. Upon motion made, seconded and unanimously carried, the claims were approved and ratified for checks numbered 28533 through 28622 and electronic payments issued from April 18, 2024 through May 20, 2024, for a total of \$2,024,326.64.

Mr. Travis reported that the District began its 2023 audit process earlier that day.

LEGAL COUNSEL'S REPORT: Mr. Seter presented the Board with his written report, noting that the only outstanding legal action items for the Board at this time are listed as topics for discussion under the District Manager's report.

DISTRICT MANAGER'S REPORT: Mr. Travis delivered the District manager report.

Consider IGA with Douglas County regarding GIS Mapping Imagery Use: Mr. Travis informed the Board of a GIS mapping software, Eagle Eye, a more thorough and efficient alternative to the Google Earth mapping system the District currently relies on. Mr. Travis explained that Eagle Eye will allow the District to use the software for free as an entity wholly contained within the boundaries of Douglas County, one of Eagle Eye's partners. Douglas County agreed to allow the District access to its Eagle Eye mapping software for no additional charge so long as an IGA between the District and Douglas County exists to ensure the District abides by the appropriate Eagle Eye terms and conditions. Upon motion by Director Radloff, second by Director Blanckaert and unanimous vote, the Board approved an Intergovernmental Agreement with Douglas County regarding GIS Mapping Imagery Use.

Consider Plum Creek Water Reclamation Authority Amendment #7: Mr. Travis explained to the Board that the purpose of the amendment is effectively to eliminate payment to Plum Creek Water Reclamation Authority Board members that are employed by the various special districts represented on its Board. The amendment will still allow citizen Board members to collect payment for their service. The approval of the amendment is contingent upon the cumulative approval from the Board of Directors of Castle Pines North Metropolitan District and The Village at Castle Pines and the Town of Castle Rock City Council. Upon motion by Director Blanckaert, second by Director Mulvey and unanimous vote, the Board approved the Plum Creek Water Reclamation Authority Amendment #7.

Discussion of 2021 Past Due Invoice from PCL Construction: Mr. Travis reported that the District recently received an invoice from PCL Construction ("PCL") for work completed in 2021 regarding a backwash reclaim tank. Mr. Travis explained that there were two pay applications done for the project, but that the District had only received

one. After speaking with PCL, Mr. Travis confirmed that the invoice had simply fell through the cracks and was not written off by PCL as an unpaid debt. Mr. Travis informed the Board that PCL will allow the District to delay payment until 2025 so that the District may budget for it properly. Director Mulvey requested Mr. Travis and Ms. Manion confirm that the amounts paid and owed match what was originally agreed to in 2021. Mr. Travis stated that the total amount due was the amount originally estimated and that the District has made one payment, which has been deducted from the amount the District is currently being asked to pay. The Board then directed Mr. Travis to delay payment until 2025.

Update regarding Interconnect Pump Station Electrical Equipment Evaluation: Mr. Travis provided an update regarding the interconnect pump station electrical equipment evaluation, noting that the work has been completed and that he is awaiting final results. Mr. Travis reported that it is unlikely Kennedy Jenks will recommend the District conduct drive replacement, but that cable repairs may be necessary. Director Mulvey inquired about cost estimations for the project and Mr. Travis remarked that he has not received any final number yet, but that he expects \$100,000 on the high-end.

Consider Parks IGA concerning Cost Splitting for Parcel Transfers: Mr. Travis explained that the Second Amendment to the IGA codifies that the City of Castle Pines and Castle Pines North Metropolitan District will split the costs for the parcel transfer study 50/50. Upon motion by Director Radloff, second by Director Blanckaert and unanimous vote, the Board approved the Second Amendment to the Intergovernmental Agreement with the City of Castle Pines regarding Operations, Maintenance and Transfer of Recreation Properties.

Mr. Travis informed the Board that the District will soon be releasing its consumer confidence report. The recent boil water notice will not officially be included in the report, but there will be instructions on it for accessing further information about the notice.

DIRECTOR'S MATTERS: Mr. Travis stated that a study session will likely be needed to conduct an additional executive session regarding regional water planning matters and to discuss potential engineering and construction options with the filter pilot program. The Board directed Mr. Travis to send out a poll to confirm the date and time for the next study session.

ADJOURN: The special Board meeting adjourned at approximately 8:53 p.m.