

**CASTLE PINES NORTH METROPOLITAN DISTRICT
REGULAR MEETING MINUTES
August 22, 2022 – 6:00 p.m.**

HELD: Monday, August 22, 2022 at 6:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Pines, Colorado.

ATTENDEES: Directors Denise Crew, Chuck Lowen, Tera Radloff and Jason Blanckaert were present. Chris Lewis absent and absence excused. Nathan Travis, Interim District Manager was present as well as Kim Seter, Legal Counsel; David Anderson, District Parks, Trails & Open Space Manager; Corby Wise, videographer; and Terrence Lovett, live stream technician, and Ken Smith, Communications Director were also present.

CONFLICTS: None.

QUORUM: Present.

CONSIDERATION OF AGENDA OF THE MEETING OF THE BOARD OF DIRECTORS AND THE MINUTES OF THE JUNE 20, 2022 STUDY SESSION: Upon motion by Director Radloff and second by Director Blanckaert, the agenda of the August 22, 2022 regular meeting was approved and the minutes of the June 20, 2022 Study Session were approved as amended. The July 25, 2022 minutes were postponed to the September meeting.

PUBLIC COMMENT: District resident, Tom Crane expressed dismay about the grass and landscaping at the north entrance to the community on Monarch and that the contractors need to be held accountable as the area is a disgrace. Councilman Chris Eubanks visited the treatment plant and noted that Interim Director Travis did a great job addressing resident's questions. Martin Olsen enquired about the status of the renewable water efforts. Laurie Bald from HOA No. 1 thanked Director Radloff for her attention to detail and noted that inclusion into PWSD is still desirable but evaluating other possibilities is good, including moving parks and recreation facilities to the City which would allow the Board to focus on the water.

INTRODUCTION OF CHIEF ENGINEER, GREG SEKERA/KENNEDY JENKS: Mr. Sekera noted that Kennedy Jenks has provided the district's engineering services since 1999 for water, sewer, stormwater and parks and trails. The main contacts are Greg, Lisa Schwien and Alex Page. Mr. Sekera provided some history of projects. Director Lowen enquired about the Coyote Ridge well project and Mr. Sekera described the history of the well bore and the current difficulties. The State Engineer is likely to require its abandonment. Mr. Sekera will be looking at other projects to include in the budget to address the lift station issues that will be a multi-year process.

PARKS, TRAILS & OPEN SPACE MANAGER'S REPORT: Open space manager, David Anderson, presented his report. There has been some vandalism the last few weeks at the Daniel's Gate restrooms. The sheriff is our only security and vandalism occurs constantly. Repainting of the restrooms will be required. Director Lowen requests information concerning timed locks for the restrooms.

At Mr. Anderson's request, Mr. Travis addressed resident Crane's concern regarding the north entrance on Monarch. The City is working on the Northern Monarch right of way but there is no timeframe. Director Lowen enquired if the City Manager has said the City had addressed the issue in the past. Mr. Travis indicated Mr. Anderson has been working with our contractors to do clean up, fix irrigation lines and get some hardier plants. We do not have a hard timeline. The entry monuments will also be addressed. You should see some equipment moving in the next couple of weeks.

Mr. Anderson advises of a September 5 start date for the pickle ball courts with a November completion. Landscaping and irrigation will be last install. Mr. Seter notes the hiatus issue is not addressed but a new drainage permit allows the project to move forward. He has contacted Xcel's land person and a surveyor that is working on a survey of the site.

Director Radloff enquired about the location for the skatepark which was heavily used. Mr. Anderson noted that the skate park location will be part of the phase 3 work on the facilities after the pickle ball courts are completed. The plan was to relocate the skate park when the pickle ball courts are completed. Director Radloff notes that there are people wondering where it will go and we need to get some transparency. Director Lowen notes it will not get dropped and will remain on the agenda. Perhaps it could be added to the second phase instead of the third.

FINANCE: COMMUNITY RESOURCE SERVICE INTRODUCTION: CRS has employed two new individuals who were present by via Zoom: Phyllis Brown and Sadie (last name unknown and not on the website). Ms. Brown noted that Sadie will be taking over the project and they will be working the next couple weeks to transition the work. Director Lowen asked when we can expect a financial statement. Ms. Brown noted that a 6 month recap by the September meeting is the goal followed by the budget preparation.

LEGAL COUNSEL'S REPORT: Legal Counsel, Kim Seter, presented the legal status report. The hiatus property report was just discussed. As for the Lagae Lift station, we have received a notice of completion and request to accept ownership. This was not anticipated. Mr. Seter will follow-up on litigation to obtain the repayment. Mr. Seter discusses the FAML insurance program and the potential for "opting out" and requests direction to schedule the hearing for opting out as allowed by statute. The hearing can be held at a work session. The board directed notice to be given for the hearing at the September study session without any action to be taken. The Stormwater IGA is underway and Mr. Travis has been working with the City to get the information it required. During the last meeting Mr. Seter had mentioned moving the parks over and

his belief the City was not interested; but, the City has now advised that it is and always was interested. This would make the conveyance of easements and other property rights much simpler and less expensive. We should discuss moving that park conveyances forward. Director Lowen agrees we should look at this and have the discussion. Director Radloff suggests having the City attend and discuss at a work session. Director Lowen asks whether we will also need to consider the mill levy aspect? Mr. Seter states that will likely be required and could involve using the City like a contractor paid to be responsible for the parks. Mr. Seter notes that doing this now could reduce the amount of work and moving parts involved. Mr. Travis enquired whether the easement could be dealt with at the same time to define utility easements; we have the existing data geo-rectified in our GIS System, at least the line locations.

Director Radloff asks about the letter to PWSD last May asking them to re-engage? Mr. Seter noted that we did receive a response that PWSD did not want to restart discussions until the Brighton lawsuit is resolved, the new board members are seated etc. But now there has been communications desiring to meet regularly to discuss the status of matters.

As for Board training matters, I have attempted to watch for legal matters to bring to your attention. Mr. Seter discussed that the power and authority is vested in the Board and not any Director. It is important to utilize the staff to obtain information and pass it on to the Board and not act independently.

INTERIM DISTRICT MANAGER REPORT: Nathan Travis introduced Will Parker who will backfill Mr. Travis' former operations manager position. Mr. Parker presented his written report and gave some history about Semocor. He will provide some additional background in future reports to assist the Board and can prepare the report however the Board would like to see it. Mr. Parker will be attending future tours to help answer questions from the residents. The transition has been very good and all projects are moving forward appropriately. There will be some new projects in the works that you will see in the Semocor and/or manager's report. Semocor serves as the ORC for both the collection and distribution systems. Director Blanckaert asked about water quality reports which are provided pursuant to the Colorado Code of Regulations. Samples are taken frequently and results can be provided if the Board would like to see them. Director Blanckaert gets questions from residents about taste or color. Mr. Travis notes that residents should contact the District office because it is a good tool for the District to be notified and address any concerns.

Mr. Travis thanked Mr. Parker and added that he will attend the Special District Association conference to look for grant writers to relieve residents of some costs. We received a compliance notice concerning lift stations and the sanitary sewer overflows we have experienced. It requires a written response and we are addressing the operating procedures for emergencies, the ORC and long-term plans to address the issues. The plan is being prepared with the assistance of Kennedy Jenks. Director Radloff was assured we will meet the deadlines required.

Austin Hamre, Esq., the water attorney has offered to meet with the Board to provide information about the District's water rights. The Board chose to schedule this possibly in January 2023.

DIRECTOR'S MATTER: Director Radloff stated that she was intimidated by a staff member and moved to terminate the CoMega One communications contract and give the contractor the thirty-day notice required by the contract. Director Blanckaert seconded. After discussion and hearing Councilman Eubanks' discussion of what he had observed, the Board discussed the demeanor of the Board members toward one another and staff. Director Lowen enquired of Mr. Seter if there is a provision in the contract for discipline. Mr. Seter advised that there is not; but, the contract can be terminated and that can be used to require changes in performance to continue the contract. Director Lowen expressed dismay but believes there are always two people involved in such matters and that he expressed that this kind of behavior cannot happen again and is inappropriate. He noted we all need to be less disruptive and argumentative and we need to work together with pride in what we have done so far. Director Lowen believes termination is not necessary. Director Radloff notes that Directors do need to work together and support one another, she stated she was not the cause of CRS initially backing out of the accounting contract and that she is simply asking questions to clarify and learn. Upon calling the question, the vote was 2 in favor and 2 against. Mr. Seter was queried concerning the tie vote and advised that the motion did not pass.

ADJOURN: With all other business to come before the Board having been addressed, Director Lowen adjourned the meeting at 7:44 p.m.