

CASTLE PINES NORTH



METROPOLITAN DISTRICT™

CASTLE PINES NORTH METROPOLITAN DISTRICT REGULAR MEETING MINUTES AUGUST 16, 2021 – 6:00 p.m.

HELD: Monday, August 16, 2021 at 6:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Pines, Colorado.

ATTENDEES: Directors David McEntire, Denise Crew, and Chris Lewis were physically present. Director Robert Merritt was present virtually. District Manager, Jim Worley; Ken Smith, Director of Communications; Corby Wise; Terrence Lovett of the Communications Team; and Brett Sherman, director of utilities for the City of Brighton were physically present. District Legal Counsel, Kim J. Seter, Esq.; Craig Miller, District open space manager; Amanda Castle, District finance director; and Brent Bartlett, special water counsel for the City of Brighton were present virtually.

CONFLICTS: None.

QUORUM: Present.

CONSIDERATION OF AGENDA OF THE AUGUST 16, 2021 MEETING OF THE BOARD OF DIRECTORS AND THE MINUTES OF THE JULY 19, 2021 MEETING:

Upon motion by Director Lewis and second by Director Crew, the agenda of the August 16, 2021 meeting and the minutes of the July 19, 2021 meeting were approved as presented.

PUBLIC COMMENT: Brent Bartlett, special water counsel of the City of Brighton, inquired whether the Board received Brighton's objections to the water shares bid from Aurora Water that the City of Brighton believes to be inappropriate. He discussed that Brighton believes that it was the highest bidder on one of the water rights for sale, and noted that Brighton may be forced to pursue legal action if the Board awarded the bid to the Aurora Water.

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Brett Sherman, director of utilities for the City of Brighton, discussed that the Board should follow the integrity of the bid process, and thanked the Board for its consideration of the matter.

OPEN SPACE MANAGER'S REPORT: Open space manager, Craig Miller, presented his report. He noted that they have begun the tree pruning, removal, and replacement project. He noted that he was pleased with the re-seeding effort of grass damaged from construction. He also noted that he was in favor of the board's proposed resolution to authorize fines for failure to pick-up dog waste. He noted the locations for potential new receptacles to dispose of dog waste and his preferred verbiage for the signs requesting dog owners to pick-up dog waste.

Mr. Miller, requested board authorization to deliver the seven selected dog waste pick-up reminder signs for markups to Fast Signs. Director McEntire affirmed that action.

Director Lewis thanked Mr. Miller for his work on re-paving the trails to limit hazards from cracked pavement.

FINANCE DIRECTOR'S REPORT:

Finance director, Amanda Castle, presented her report. She highlighted that the revenues in the enterprise fund increased due to increased water usage. She noted that she continues to track funds expended due to the water boil advisory. She discussed that they are now working on the 2022 draft budget. Upon discussion, a motion was made by Director Crew to accept the financial report as presented. The motion was seconded by Director Lewis and was approved 4-0.

The Board considered checks numbered 26163-26222 for approval/ratification. Pursuant to discussion amongst the Board, a motion was made by Director Crew to approve/ratify the current payables through the month of July 2021 as presented. The motion was seconded by Director Lewis and was approved 4-0.

LEGAL COUNSEL'S REPORT:

Legal Counsel, Kim Seter, presented the legal status report. He confirmed that the District received the City of Brighton's objection to one of the bids for the water rights from Aurora Water. He noted that the water rights sales have gotten ahead of the

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potential inclusion and recommended that award of the bids be postponed until at least the Board's October 18th meeting.

Mr. Seter also presented a resolution authorizing fines as a penalty for failure of dog owners to pick up dog excrement. Director McEntire suggested that the board table the consideration of the dog waste resolution until the next meeting to allow for further consideration and public comment, particularly regarding an appropriate fee amount.

Director McEntire noted that postponing the award of the bids until October would be in the best interest of the constituents of the District.

DISTRICT MANAGER'S REPORT:

The District Manager, Jim Worley, presented his report. Mr. Worley inquired whether the board wished to include a citation to the dog waste fine resolution on the signs. Director McEntire confirmed that he would like the resolution title and number to be displayed on the signs.

Mr. Worley discussed the proposal from Kennedy Jenks to complete the emergency response plan, as required by law. He noted that they have reached out to PWSD as they will likely be a part of the plan due to the potential inclusion. He requested a motion of the board authorizing Kennedy Jenks to complete the emergency response plan.

Pursuant to discussion amongst the Board, a motion was made by Director McEntire to approve the proposal of Kennedy Jenks to complete the emergency response plan as presented. The motion was seconded by Director Lewis and was approved 4-0.

Mr. Worley noted that the District has received complaints of cloudy water lately. He stressed that this is not a water quality issue and encouraged customers to contact the District if they notice a problem with the water.

Mr. Worley noted that there is a great FAQ sheet concerning the Castle Pines Parkway joint water line and road replacement project with the City of Castle Pines, but also reminded customers that they can always contact the District with any questions.

DIRECTORS' MATTERS: None.

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CLOSING PUBLIC COMMENT: Brent Bartlett noted that if there is an opportunity to meet City of Brighton representatives would be more than happy to discuss the water share sale.

Brett Sherman noted that the closing date for the water shares was originally September 16th with the deposit to be held until ten days after closing, and that a delay could create a hardship for other bidders. He noted that this was an unusual bidding process, and that Aurora Water's bid was inequitable in his opinion.

ADJOURN: With all other business to come before the Board having been addressed, Director McEntire moved that the meeting be adjourned at 7:06 p.m. The motion was seconded by Director Crew and was approved 4-0.