

**CASTLE PINES NORTH METROPOLITAN DISTRICT
REGULAR MEETING MINUTES
April 18, 2022 – 6:00 p.m.**

HELD: Monday, April 18, 2022 at 6:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Pines, Colorado.

ATTENDEES: Directors David McEntire and Denise Crew were physically present. Directors Chuck Lowen and Chris Lewis were present virtually. District Manager, Jim Worley; Kim Seter, Legal Counsel; David Anderson, District parks, trails & open space manager; Nathan Travis, Water & Wastewater Operations Manager; Ken Smith, Communications Director; Corby Wise, videographer; and Terrence Lovett, live stream were present physically. Amanda Castle, District Finance Director, was present virtually. Approximately seven members of the public were present.

CONFLICTS: None.

QUORUM: Present.

CONSIDERATION OF AGENDA OF THE APRIL 18, 2022 MEETING OF THE BOARD OF DIRECTORS AND THE MINUTES OF THE MARCH 21, 2022 REGULAR MEETING: Upon motion by Director Crew and second by Director Lewis, the agenda of the April 18, 2022 regular meeting and the minutes of the March 21, 2022 regular meeting were approved as presented.

PRESENTATION FROM THE CITY OF CASTLE PINES REGARDING ITS NEW STORMWATER SYSTEM RESPONSIBILITIES IN THE CANYONS AND CASTLE VALLEY DEVELOPMENTS AND THE CITY’S DESIRE TO SECURE AN IGA WITH CPNMD TO ASSUME OPERATIONS AND MAINTENANCE RESPONSIBILITIES FOR THE COMMUNITY’S STORMWATER SYSTEM AND THE ASSOCIATED BILLING: STATUS OF INCLUSION ACTION ITEMS: Larry Nimmo, public works director, Joe Marencak, storm water coordinator for the City of Castle Pines, and Jennifer Keyes, Brightwater Engineers, presented a proposed storm water Intergovernmental Agreement. They discussed the MS4 program and requirements and related benefits of the proposed IGA. These stated benefits include:

1. CPNMD would no longer need a nonstandard MS4 permit;
2. The City would assume CPNMD’s permit responsibilities and accept storm water system in an “as-is” condition;
3. Community benefits with one entity responsible for storm sewer systems;
4. Consistent maintenance of operation of storm sewer system;
5. City has resources to properly manage the storm water program with dedicated storm water staff;
6. Uniform storm water fee structure throughout the City via a storm water enterprise.

Director McEntire discussed that legal counsel would be sending the District reviewed storm water IGA to the City for consideration of the District's comments to same.

STATUS OF EIGHT ACTION ITEMS PWSD CLAIMS ARE PREREQUISITES FOR INCLUSION OF CPNMD'S WATER AND WASTEWATER UTILITIES: Director McEntire discussed the status of the remaining inclusion action items. Mr. Seter discussed the resolution of the Brighton lawsuit and the proposed settlement terms. Director McEntire noted the completion or imminent completion of all outstanding inclusion prerequisites as further described on the April 18th meeting agenda.

STATUS OF DUE-DILLIGENCE DISCUSSIONS WITH OTHER (NON-PWSD) WATER PROVIDERS REGARDING POTENTIAL INCLUSION OF CPNMD'S WATER AND WASTEWATER UTILITIES: Director McEntire invited PWSD as a potential participant, but not the sole potential participant, to re-engage on the inclusion discussion.

PUBLIC COMMENT: There was no public comment at this time.

PARKS, TRAILS & OPEN SPACE MANAGER'S REPORT: Open space manager, David Anderson, presented his report. Director McEntire confirmed that Mr. Anderson was still working with Larry Nimmo from the City of Castle Pines on the Castle Pines Parkway construction contribution matter.

WATER & WASTEWATER OPERATIONS MANAGER REPORT: Nathan Travis presented his report. He discussed that the water plant should be fully operational by April 20th. He noted that there is a strong focus on security measures at the plant by studying FEMA guidelines and installing fencing and signage. He noted security cameras and security systems have all been upgraded and replaced.

Mr. Travis explained that the Forest Park odor mitigation appears to be a success. He explained that he has not received any complaints from homeowners recently.

FINANCE DIRECTOR'S REPORT: District Finance Director, Amanda Castle, presented the financial report through March 31, 2022. She noted that District revenues are trending high. She noted that the COPs have been called and are set to be paid in May. She also explained that she has been working with the auditors for the 2021 financial audit, which will be delivered to the Board in June. Upon discussion, a motion was made by Director McEntire to accept the financial report as presented and directed the District finance director to proceed in the process of calling and fully paying the District COPs. The motion was seconded by Director Crew and was approved 4-0.

The Board considered checks numbered 26810-26861 for approval/ratification. Pursuant to discussion amongst the Board, a motion was made by Director McEntire to approve/ratify the current payables through the month of March 2022 as presented. The motion was seconded by Director Crew and was approved 4-0.

LEGAL COUNSEL'S REPORT: Legal Counsel, Kim Seter, presented the legal status report. Mr. Seter offered to send Director Lewis the storm water IGA in the next day for review. He also noted that all Directors should supply comments to the IGA, if any, in the next day.

Director McEntire requested an update concerning the demand for payment to the Lagae Ranch developer. Mr. Seter stated he received a letter from an attorney for the developer and is waiting for an additional letter from the developer's counsel containing further explanation of the developer's position.

Director McEntire also inquired concerning the inclusion of Daniels Park into the City of Denver. Mr. Worley noted that he was told by Denver representatives that the inclusion was a "dead issue." Director McEntire requested that Mr. Worley reach out to the City of Denver one final time to determine interest in the project.

DISTRICT MANAGER'S REPORT: The District Manager, Jim Worley, presented his report. He discussed phase one of the Coyote Ridge Park project, the pickleball courts. Carol Henry of Design Concepts discussed the results of the bid openings and noted that the low bid came from Arrow J Landscape and Design in the amount of \$837,552, which was within one percent of the estimated cost for the project. She explained that there were six bidders invited and three bidders participated in the bidding process.

The Directors discussed the potential location of a new skate park. Ms. Henry explained that they have been focusing on obtaining bids for phase one- pickleball, but that they will turn their attention to locating a site for the skate park.

Director McEntire moved to approve the bid and contract of Arrow J Landscape and Design for the pickleball courts in the amount of \$837,552 and also the amount of \$32,568 for resurfacing of the parking lot and issue a notice to proceed for same, contingent upon receipt of the contract insurance certificates and bonds prior to contract execution. The motion was seconded by Director Lowen and was approved 4-0.

Mr. Worley announced that he will be retiring from his role as District manager, effective June 30, 2022. He thanked the Directors and staff for the opportunity to work on something new- the PWSD inclusion. The Directors thanked Mr. Worley for his tireless efforts on behalf of the District and service to the community.

DIRECTORS' MATTERS: Director McEntire noted the "Monday Mornings with McEntire" meetings discussing the inclusion efforts of the District and the termination of same.

Director McEntire discussed the source of the inflammatory and incorrect statements made concerning the discharge of radioactive materials. He inquired whether the Directors wished to pursue the matter further. The Directors determined to "turn the page" on this matter.

CLOSING PUBLIC COMMENT: There was no public comment at this time.

ADJOURN: With all other business to come before the Board having been addressed, Director Crew moved that the meeting be adjourned at 8:32 p.m. The motion was seconded by Director Lewis and was approved 4-0.