

**CASTLE PINES NORTH METROPOLITAN DISTRICT
REGULAR MEETING MINUTES
MAY 16, 2022 – 6:00 p.m.**

HELD: Monday, May 16, 2022 at 6:00 p.m. at the Castle Pines North Community Center, 7404 Yorkshire Drive, Castle Pines, Colorado.

ATTENDEES: Directors David McEntire, Denise Crew, Chuck Lowen and Chris Lewis were physically present. Newly elected directors Tera Radloff and Jason Blanckaert were physically present. 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 technician, 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 MAY 16, 2022 MEETING OF THE BOARD OF DIRECTORS AND THE MINUTES OF THE APRIL 6, 2022 SPECIAL MEETING AND APRIL 18, 2022 REGULAR MEETING: Upon motion by Director Lowen and second by Director Lewis, the agenda of the May 16, 2022 regular meeting and the minutes of the April 6, 2022 special meeting and the April 18, 2022 regular meeting were approved as presented.

PUBLIC COMMENT: District resident, Lorrie Ball, thanked Directors McEntire and Merritt for their service. She also requested District mowing of the native grasses within the District as soon as possible.

District resident, Marvin Tibbett, introduced the two newly elected directors and thanked Directors Merritt and McEntire for their service. He lodged a complaint concerning the order of the agenda as it relates to the swearing in of the new directors.

District resident, Jeff Huff, discussed the proposed pickleball courts and additional lighting. He noted that the contemplated lighting and the extension of hours will change the character and nature of the park. He requested that the District consult the North Lynx HOA and the Hidden Pointe HOA concerning the lighting as it relates to the Parks Authority Agreement. Legal counsel conveyed his legal opinion that the Parks Authority Agreement's provisions regarding lighting are not binding as to the District.

PARKER WATER & SANITATION DISTRICT'S RESPONSE TO CPNMD'S FORMAL INVITATION TO RETURN TO THE NEGOTIATION TABLE REGARDING THE

POTENTIAL INCLUSION: Director McEntire discussed the disappointing response from Parker Water & Sanitation District concerning the formal invitation to re-engage negotiations concerning an inclusion of water and wastewater services.

REVIEW REGIONAL COMPARISON OF RESIDENTIAL WATER AND

WASTEWATER BILLS AND PROPERTY TAX RATES: Director McEntire highlighted the comparison charts of residential water and wastewater bills and property tax rates.

PARKS, TRAILS & OPEN SPACE MANAGER'S REPORT: Open space manager, David Anderson, presented his report. Director Lowen commented favorably on the project with the Boy Scouts of America. Director Crew inquired as to the process of mowing to mitigate fire damage. Mr. Anderson explained that additional mowing will further dry out the native grasses and he recommended waiting until the customary time period of mid-August to mow.

WATER & WASTEWATER OPERATIONS MANAGER REPORT: Nathan Travis presented his report, noting that the water treatment plant construction is complete. Director McEntire commented that the public tours of the new water treatment plant were very exciting. Director Lowen and Mr. Worley thanked Mr. Travis for his tireless work regarding the new plant and remarked on the sophistication of the technology.

FINANCE DIRECTOR'S REPORT: District Finance Director, Amanda Castle, presented the financial report through April 30, 2022. She explained that the District had not received any specific ownership tax, until she inquired and the County remitted approximately \$25,000. She noted that the COPs have been called and were fully paid on May 11th. The early payment of the COPs results in District savings of approximately \$250,000 per quarter. Ms. Castle expressed how proud she is of the work that has been completed by the District board and extended her sincere gratitude for the opportunity to work with the District for ten years. Upon discussion, a motion was made by Director Lowen to accept the financial report as presented. The motion was seconded by Director Lewis and was approved 4-0.

The Board considered checks numbered 26862-26936 for approval/ratification. Pursuant to discussion amongst the Board, a motion was made by Director Lowen to approve/ratify the current payables through the month of April 2022 as presented. The motion was seconded by Director Lewis and was approved 4-0.

DISTRICT MANAGER'S REPORT: The District Manager, Jim Worley, presented his report. He discussed the recent hearing with the City of Castle Pines planning commission concerning the pickleball courts, and is hopeful all planning matters will be straightened out soon and the project will proceed after the next planning commission meeting on May 26th. He expressed frustration regarding the misinformation perpetuated on the NextDoor forum surrounding the termination of the inclusion.

LEGAL COUNSEL'S REPORT: Legal Counsel, Kim Seter, presented the legal status report. He announced that Tera Radloff and Jason Blanckaert had been elected as new Directors in the District with their terms running until 2025.

Mr. Seter recommended the Board consider resolution 2022-5-01 to authorize legal counsel to begin a condemnation action, if necessary, to remove the Excel easement that has been a barrier to the pickleball project. Director McEntire moved to approve resolution 2022-5-01 approving acquisition of certain property by condemnation. The motion was seconded by Director Lowen and was approved 4-0.

Mr. Seter discussed the status of the Brighton lawsuit, noting that the settlement has been approved by all parties. He also discussed the potential effects of the new law SB22-238. Ms. Castle offered to put together financial projections regarding the law to deliver to the Board.

DIRECTORS' MATTERS: Director McEntire thanked Jim Worley for his service as the District manager. Mr. Worley thanked the Board and other consultants for being a pleasure to work with. Director McEntire expressed thanks to everyone for the opportunity to serve as a District Director, noting that it has been an honor.

President McEntire administered the oath of office of director for Jason Blanckaert and Tera Radloff. Director Radloff noted that she wished to work diligently in the best interests of the District and its customers. She also requested that all former board members' District emails be disconnected as soon as possible.

Director Crew made a motion to propose the following slate of officers: Chuck Lowen as President, Chris Lewis as Vice President, and Denise Crew as Secretary/Treasurer. Director Radloff inquired as to the rationale for the proposed slate of officers. Director Crew noted the four-year tenure of the proposed slate and the experience gained from that tenure. Director Lewis noted that the goal of inclusion remains to reduce costs to continue to serve the community well. He noted that the slate wishes to serve as officers to continue working towards the inclusion efforts. The motion was seconded by Director Lewis and was approved 3-2.

Director Lowen discussed the process to fulfill the District Manager position upon the retirement of Jim Worley. The Board discussed setting a timeline of three weeks to accept applications. Next, the Board discussed the job description of the District Manager as written. Director Radloff provided comments and it was determined that all directors would provide redlines to the draft job description.

Director Lewis made a motion for staff to contact Parker Water & Sanitation District to convey continued interest in inclusion. Additionally, he moved for staff to formally contact other neighboring water providers regarding inclusion partnership. The motion was seconded by Director Crew and was approved 5-0. Director Radloff suggested the two boards, as they are now comprised, conduct an informal working session.

CLOSING PUBLIC COMMENT: District resident, Marvin Tibbett, suggested that the invitation to continue inclusion discussion with Parker Water & Sanitation District should be delivered at the PWSD Board meeting. He also stated surprise at the lack of progress in locating a replacement District Manager. He inquired whether David McEntire would apply for the position.

District resident, Gary Jones, expressed disappointment regarding the confrontational nature of comments by Director Radloff. District resident, Betsy Steelman, thanked the outgoing Directors for their efforts. She discussed the reliability and problems with the NextDoor platform and echoed the sentiments from Mr. Jones regarding the confrontational nature of Director Radloff's comments.

ADJOURN: With all other business to come before the Board having been addressed, Director Lowen moved that the meeting be adjourned at 8:25 p.m. The motion was seconded by Director Crew and was approved 5-0.