

**CASTLE PINES NORTH METROPOLITAN DISTRICT
REGULAR MEETING MINUTES
July 25, 2022 – 6:00 p.m.**

HELD: Monday, July 25, 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, Chris Lewis, Tera Radloff and Jason Blanckaert were present. Jim Worley, District Manager; Kim Seter, Legal Counsel; David Anderson, District Parks, Trails & Open Space Manager; Nathan Travis, Water & Wastewater Operations 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 JULY 25, 2022 MEETING OF THE BOARD OF DIRECTORS AND THE MINUTES OF THE MAY 16, 2022 REGULAR BOARD MEETING: Upon motion by Director Radloff and second by Director Lewis, the agenda of the July 25, 2022 regular meeting was approved.

Mr. Seter requested that the approval of the minutes of the June 20 meeting be carried over to the August meeting.

PUBLIC COMMENT: No public comment.

PARKS, TRAILS & OPEN SPACE MANAGER'S REPORT: Open space manager, David Anderson, presented his report. Director Crew enquired about a broken sawhorse apparatus. Mr. Anderson confirms that he attempting to fix it but has cordoned it off to prevent use. Director Crew requests it be removed as soon as possible.

Director Radloff enquires about the "Little Library" and whether any coordination is needed to replace it. Mr. Anderson states there is no library now. We are coordinating with her to find a location.

WATER & WASTEWATER OPERATIONS MANAGER REPORT: Nathan Travis presented his report.

Director Radloff asked about the backwash reclaim pumps and their function. Mr. Travis notes they have been on backorder for months. They will be included in future designs by Kennedy Jenks. Director Radloff also questions regarding the design of lift station improvements. Mr. Travis notes this involves a review of all pumping operations and possible elimination of some pump stations. It will not be completed until the end of the

year. Mr. Travis confirms for Director Radloff that rehabilitation of well DE-6 was in the 2022 budget because the District plans on two well rehabilitations per year. Director Lowen enquires about the well concerns and is advised that they are not in danger of failure but are showing a reduction in performance.

LEGAL STATUS REPORT: Mr. Seter stated there are three action items in the report. First, the board had requested an estimate of costs for litigation over the Lagae Lift Station which was provided. The Board discussed the options and Mr. Seter was directed to take all steps necessary to avoid suit by demand with a copy of a complaint. Mr. Travis discussed the four-to-five-year history of trying to get the lift station work completed. Mr. Seter described the amount of the cost recovery and the cost of litigation. The Board directed to make one more attempt and file when deemed appropriate.

There has been no change in the pickle ball court easement concern.

Finally, Mr. Seter reported that there is a lot of activity in the District. Someone needs to be authorized to serve on as Interim Director to be responsible to the board and to contractors. Director Lowen moves to approve a contract for Mr. Travis to fill the roll. Director Crew seconded the motion. Director Radloff understands the need but wants to ensure we look at the process and the job descriptions to ensure we are doing the right thing. For the interim position, Director Radloff agrees that Mr. Travis would be the best person. The motion was approved unanimously.

Mr. Seter notes that a person needs to be appointed to meet with the city manager and stormwater director to move toward a closing on the Stormwater IGA. Mr. Worley was in that position but is gone. Director Radloff questions who is the stormwater manager or operator now. Mr. Travis identifies Mr. Anderson 's predecessor. Director Lewis moves that the Interim Manager be appointed and he can determine to whom to delegate the responsibility. Director Crew seconded. Discussion ensued over the ability of Mr. Travis to do the work along with his other responsibilities. Mr. Travis indicated that he would appoint Mr. Anderson and just provide backup. Upon calling the question, the Interim Manager was unanimously appointed so serve as the District Representative under the Stormwater IGA.

Mr. Seter notes that the process and timeline was provide for the budget process as requested.

Mr. Seter notes that the process for considering a new district manager can proceed in any form the Board desires. The publication and other legal requirements were satisfied. Since there were no applicants, the board may proceed however it desires. Director Lowen asks if publication is required again and Mr. Seter states that all legal requirements for publication were already met. Nothing further is required but, if you do publish, you are now required by a new law to include a salary range.

Director Lewis notes that there were no results from the earlier process. Since we have qualified candidates within the district, he does not feel the need to go through the entire process again.

Director Radloff does not know the process followed and believes we should do more than the bare minimum. Director Radloff is also confused over the job description and desires to go through the entire process because our customers expect us to find the best candidate possible. She would like to do a request for RFPs for contractor and post the job opening in more places than simply the district website and newspaper. Director Lowen believes the best candidate is one from within and Mr. Travis fills that role. Mr. Worley did confirm that no resumes were received from the original process. He is still in favor of offering the job to Mr. Travis. Mr. Seter notes that the job description attached to the contract in the legal status report was the last one he had and there may have been a different final version. Director Blanckaert enquires of legal counsel regarding probationary periods. Mr. Seter notes the Board can make that period anything it chooses but that the contract is a one-year contract minimizing the need for a separate period. Director Crew talked to CRS and determined that the opening was well known in the community and she believes an internal candidate is the best. Director Lewis moves to table the question of appointing the district manager with the intent of evaluating the Interim District Manager over a period of 6 months. Director Blanckaert provided the second. In discussion, Director Radloff points out that she has not had an opportunity to interview the candidate and does not know his qualifications for this position. Also, the correct job description is not settled. Director Radloff received two call backs from companies that could provide some of the work required and the process should continue. Director Lowen stated that we will have six months to evaluate the Interim Director and determine whether he is suitable for the position. The motion passed 4 to 1 with Director Radloff voting "no." Director Lowen requests Ms. Radloff forward for evaluation any other candidates during the six-month period.

Mr. Seter asks about the salary blank in the contract which was stated by Mr. Worley to be \$125,000 annually. Director Lewis moves to approve the salary of \$125,000 annually to be reevaluated at the end of the probationary period. Director Blanckaert seconded. Director Radloff states her objection that she has no way to evaluate the salary. The Motion passed 4 to 1 with Director Radloff voting "no." The contract is approved as of July 1.

DIRECTOR'S MATTERS: Director Radloff thanked those who participated in the clean-up day. The area she worked was not in good condition. One of the individuals she spoke with organized a group to clean-up a park and in fact did so. If we are not able to keep the parks clean, we should speed up the effort to turn the parks over to the city. We also need to speed up the discussions for inclusion and she would like to see those discussions begin more diligently. She is also concerned about a communication from the District to a patron that suggests there is friction between the District and the City. Director Radloff would like to see the communications director's communications reviewed before being disseminated.

Director Lowen describes the meetings with Aurora and that dates have been proposed to meet with Centennial. They are interested in a master meter agreement but will discuss other matters. Finally, there is a meeting on the calendar for meeting with Parker Water and Sanitation District. Things are moving forward but it is not a simple matter and takes time.

Director Lowen asks Mr. Anderson if he has sufficient personnel to maintain Daniel's Ridge Park or needs more help. Mr. Anderson states it is all contract labor and he is in discussion with Mr. Travis regarding changing that situation.

Director Crew notes that we have always used the word "inclusion" but if you look at our core objectives, we don't necessarily have to proceed with an inclusion. Other operations agreements can meet those core objectives. Also, our system is older but we have had stellar improvements over the last year. We should not be so narrow minded that we only explore actual inclusion. Together we should just make the best decision. Director Lowen agrees and notes that Centennial and Castle Rock are both willing to consider something other than inclusion.

Director Lewis notes that water service is very good. The parks clean-up is a community project and there is an outstanding participation rate. That was its purpose. Director Lewis states that part of our object was to reduce government, so cooperating with the City is also important but may not be the best. Wants to be sure we are factual when we discuss these matters. Finally, Director Lewis would like to eliminate the study session. It was contentious and he moved to have future study sessions canceled. Director Crew seconded and discussed the need for study session communications but the tone of the meeting and the length need to change. Director Radloff noted there is a great deal of work to do and our entire infrastructure is aging and needs to be addressed. We needed assessments to know the condition of the assets. Mr. Travis described the maintenance that has been done on a regular basis and the design life of the pipes and assets. A report of the condition of the assets was prepared and received by Parker Water as part of the discussions.

The question was called to cancel the study sessions. The motion was defeated with Director Radloff stating that she wants to be on the record requesting Counsel to note and direct the Board as to legal meeting processes. Counsel discusses violations of the Open Meetings Laws by "daisy chaining" conversation or other means. Counsel notes also that any director can call a special meeting at any time.

The motion to cancel the scheduled study sessions was defeated 3 to 2.

Director Blanckaert requests to keep the study sessions to sixty minutes. Director Lowen notes that the study sessions will be specific in terms of topics and kept within the allotted time limits. Legal counsel notes that the agendas will provide for information to be provided for the board and no decision making.

Upon motion made second and unanimously carried the Board agrees to keep the study sessions to sixty minutes.

Director Crew notes that the individuals that served on the Board previously have a lot of experience and believe the District has been operating well. Director Radloff believes that information is not available. She has requested information but it has not been forthcoming.

Director Lowen noted the second public comment period was eliminated but Gary Jones, from Bristlecone Patio Homes was given an opportunity to comment. It was confirmed that there were job postings done on the home page and by publication. Mr. Jones asked whether the usual process wouldn't involve specialized publications. Mr. Travis notes the community is small and people in the industry knew about the vacancy. Mr. Jones observed the Boards responsibility is governance, policy and strategic direction. Don't get involved in the day-to-day operations. Cooperating with the City is good but he has not been impressed with the City. Finally, the body language and discussion of work sessions needs to get straightened out because the citizens need better representation.

ADJOURNMENT: The meeting was adjourned at approximately 7: 50 pm.