# Castle Pines Homes Association
# Board of Directors

*Executive and Regular Meetings*

Castle Pines Homes Association
688 W Happy Canyon Road  Castle Rock, CO 80108
**Friday, September 19, 2014**

**ATTENDEES:** Directors Linda Battin, President; Terry O'Connor, Vice President; Chuck Skinner, Secretary; Len Jacob, Treasurer; Al Dugan, Director. Present from the CPHA staff: General Manager Mark Larson, Director of Emergency Services Rick Plotke, Accountant Carol Tilton, and Administrator Lisa Goodwin.

**OTHERS PRESENT:** Paul Dannels, Metro District General Manager; Jon Gray, Metro District Engineer; Residents: Jim and Pam Kelly, Gene Roberts, Carolyn Richens, Craig Sundquist, Brian Hebbard, Doug Cooper, Dr. and Mrs. Joseph Palma, Tim and Michelle Ostrowski, Ken Floyd, Bill Reilly, Jim and Marilyn Jepson, and Brian Zimmerman.

**EXCUSED**: N/A

**MEETING AGENDA**: See attached.

## I. CALL TO ORDER / MODIFICATION OF AGENDA

The general meeting was called to order at 8:10 a.m.

Mr. Larson requested a modification to the agenda: the North Meadows Extension update to be moved to an action item.

Director Dugan requested a modification to the agenda: the General Manager report to include a discussion on access for bicyclists.

Director Skinner requested a modification to the agenda: the General Manager report to include a discussion on the community fence project and an update on the Quiet Zone.

## II. CONFLICT OF INTEREST DISCLOSURE

Board members were requested to disclose any conflict of interest related to items on this month's agenda, or at any time during the meeting should a conflict of interest arise. No conflicts were identified.

## III. MINUTES

*(See Tab #1 of the September 2014 Board Package)*

**Motion** **Upon motion duly made and seconded, the Board approved the August 2014 Board of Director meeting minutes with corrections as noted.**

## IV. FINANCIAL REPORT

Mr. Larson presented the August 2014 Financial Report and reported the following: (*See Tab #2 of the September 2014 Board Package)*

- Regarding the Balance Sheet: we are below the FDIC limits for our Cash and Securities accounts.
- Regarding the Income Statement: the positive variance on the cluster lots is due to Adamo Builders acquiring several of the Paradise Villas lots per an earlier agreement. Adamo Builders has acquired six lots; we receive payment as they take ownership.
- Administrative Payroll Expense: the negative variance is due to summer help and a bonus done by the Board. This category is expected to come in on budget for the year.
- Computer Maintenance Expense: includes the cost for additional repair work done outside of the scope of the annual computer maintenance agreement.
- Emergency Services Labor Expense: this category is currently positive, however a Sergeant is leaving soon and the Director of ES salary will create a small negative variance that will start to show up in next month's financial statements.
- Equipment M&R Expense: includes work done on the vehicle detection loops at the gates.
- ES Operating Expenses overall will come in on budget for the year.
- Village Lake Fitness Center Expense: labor costs will come in on budget for the year; utilities will start to correct themselves once the pool is closed.

Director Dugan stated that last month the Board discussed approaching one of the major developers that owes us money as to when we can expect payment. Director Dugan stated he would like the Board to review the payment process and request a payment schedule from this developer or pursue legal action if need be. Mr. Larson responded the advice from legal counsel is that we are able to pursue additional collection efforts through the courts if the Board makes the decision to take those actions. Director Battin stated she will contact the developer to begin the discussion of a payment plan. Ms. Tilton reported the amount owed is approximately $80,000.

**Motion** **Upon motion duly made and seconded, the Board unanimously approved to accept the August 2014 Financial Report as presented.**

## V. HOMEOWNER'S REQUEST TO BE HEARD: Items not on the agenda

Resident Brian Zimmerman from 554 Remington Place was in attendance to ask the Board the status of the request to build a gate house at Gate 2.

Mr. Larson reported the Board went to the Metro District to ask for assistance on funding the construction of the gate house within the scope of their (Metro District)

service plan. The Metro board provided a proposal the Board is presently reviewing. Director Battin stated this has been a very important issue to the Board for several years, however the ability to fund it with all of the other projects currently before us, in particular the North Meadows Extension (NME) mitigation project, has taken priority. Now we are evaluating Gate 2. Director Battin added we are in negotiations with the Metro District, and are reviewing their proposal that was just received.

Mr. Larson reported it costs the Homes Association approximately $130,000 per year to operate a gate house. Director Dugan stated the Metro District is not participating in any of the operating expenses for the Gate 2 gate house.

Director O'Connor stated mitigation of the North Meadows Extension (NME) is very important to the Board; the NME project is complicated and with many impacts to our community. Director O'Connor added were it not for the NME, the Board probably would have been able to resolve the Gate 2 gate house issue by now.

## X. <u>INFORMATION/DIRECTION</u>

### A. North Meadows Extension Update
(Advanced on the Agenda)

Mr. Larson presented a slide show regarding the NME project (*see attached handout*). Mr. Larson provided a brief recap of the project.

Mr. Larson presented a slide entitled "Initial Suggested Cost Allocation" showing the allocation of money the CPHA will receive from Douglas County. Mr. Larson reported the following:

- Douglas County is voluntarily contributing $589,000 for mitigation efforts to our community.
- We are in negotiations with the Town of Castle Rock regarding the amount of money we will receive from the property that they acquired from us through the condemnation process.
- Mitigation along Santa Fe will include a wall structure, additional trees, landscaping berms and other screening elements.

Mr. Larson presented a slide showing the corner of Santa Fe and North Meadows Boulevard, making note of the area that is being evaluated for a wall structure. Mr. Larson reported the following:

- The wall will be 13 feet tall at its highest point.
- The raised overpass is 28 feet tall at its highest point over Santa Fe. An average of 8.5 feet from one side of the wall to the other.
- From inside the community you will not see the wall because of the trees and

berm on the Village side.

- The berm comes up to the wall structure. The existing trees and new trees are in the 16 to 22 foot range.

Mr. Larson presented a slide showing the proposed wall design. Mr. Larson reported the following:

- The requested design is similar to the wall near Cabelas.
- The ramp that is approaching Santa Fe now is at its highest point. Once it gets to Santa Fe it will start to come down and will be back at grade level when it reaches the first entrance to the apartment complex off of Castlegate Drive.
- We are exploring with the Town and County to see about raising the barriers on the off ramps from two feet to four feet to help mitigate vehicle head lights at the intersection of North Meadows Boulevard and Santa Fe.

Mr. Larson presented a slide showing the preliminary design for the 13+ acres. Mr. Larson reported the following:

- As you travel along Castle Pines Drive South, you will get to an area where our berm is nonexistent which is right where the North Meadows Boulevard moves away from the boundary of the Village.
- The 13+ acre parcel created by North Meadows Boulevard was originally zoned for high density residential and supporting commercial.
- The Town staff has acquired that 13+ acre parcel from the current owner as part of the condemnation process, and Town staff has agreed to work with us to put a Conservation Easement on that property to be managed by the Town, Douglas County and Castle Pines Village. Once agreed to by all parties, the Conservation Easement will prohibit virtually all future development on that property.
- The Village would like to construct several berms to help with screening where North Meadows Boulevard is closest to the Village. We want to take the dirt that is going to become available from the construction in order to complete this project.
- The wildlife protection plan created several years ago recommended another exit, in the event of a fire, for residents on the south side that does not use Happy Canyon Road (HCR). HCR could be used as a staging area by South Metro in the event of a fire, as it was during the Cherokee Ranch fire. This exit way would be built of turf blocks that allows grass to grow on top, but can also support a vehicle. This exit point would be permanently closed except for an emergency.

Director O'Connor reported over the course of the last couple of months both Douglas County and the Town of Castle Rock have stepped up to secure a "non-development" area for the 13+ acre parcel created by the extension. Director O'Connor added the

Board is very happy about this as we were concerned this could become a heavily commercially developed area.

Director O'Connor reported the I-25 exit, the 13+ acre parcel, and the center section at South Santa Fe are all areas that we need to mitigate. In response to a question Director Dugan added the engineering has not been completed to fully evaluate the benefit to the Village of proposed mitigation efforts along I-25. Director O'Connor stated "there is not enough money out there to be able to eliminate all of the issues; we can only focus on mitigation, not elimination. We are doing everything we can, and ultimately (as a non-governmental entity) we do not have any control over the NME project".

Mr. Larson reported we have not agreed to a final settlement on the condemnation property. Director O'Connor stated we are still in negotiations.

Director Jacob reported the Town of Castle Rock has agreed to place the 13+ acres in a conservation easement as a part of our negotiations for the value of the land condemned by the Town of the NME project. The cost to the Town of Castle Rock for the 13+ acre parcel was approximately $2M. Director O'Connor added at one point the Board considered the possibility of having to raise funds to buy the 13+ acres to help minimize the impact to the Village from development on that parcel.

Mr. Larson reported the timeline for construction of the berms on the 13 acre parcel could start in the near future as the dirt is going to become available soon. Mr. Larson reported the County has asked for our Board to approve the allocation of funds as shown in his presentation so they (Douglas County) can begin the formal planning phase of the project.

Director O'Connor stated that one of the frustrating realities we have to deal with is that we are not a governmental agency so we do not have much influence on what is going on outside of our boundaries; instead we are relying on Douglas County to assist us in this project.

Mr. Cooper expressed his desire for continued information from the Board, and the opportunity for input from the residents. Mr. Jepson thanked the Board for their presentation to the Village Lake sub association community and added that it was well received by the residents.

Director O'Connor stated the Board is planning to have a community meeting in the very near future in order to share information and to gain resident input.

Several residents that live on Tolland Court expressed their concern about noise and visual mitigation from I-25.

Several residents that live on McClure Lane expressed their concern regarding the visual and sound impact of the NME's off ramp onto Santa Fe. An additional concern

was presented regarding vagrants entering the Village where the retention pond empties out. Mr. Gray responded that the Metro District could put a screen on the culvert area and/or install fencing along the berm to keep trespassers out. The Board stated they would include McClure Lane as an agenda action item going forward.

Mr. Gray reported Metro recently received a notice for utility locates along the entire Santa Fe corridor. Mr. Gray reported by 2016, Santa Fe will be four lanes all the way to Daniels Park Road. South of Daniels Park Road Colorado Department of Transportation (CDOT) is waiting for the completion of the NME extension. Mr. Gray reported CDOT is also concerned about improving safety at the Happy Canyon Road intersection. Mr. Gray reported he will be coming back to the Board with recommendations for screening the homes along Santa Fe once the construction plans for the North Meadows Boulevard off ramps along Santa Fe have been completed.

**Motion**

**Upon motion duly made and seconded, the Board unanimously approved the allocation of money Douglas County will spend on our mitigation as outlined; $460,000 for mitigation on Santa Fe and $120,000 on the 13+-acre parcel bordering the Village.**

## VI. MANAGEMENT/LIAISON REPORTS

**A. Manager's Report** – Mark Larson, General Manager

Mark Larson, General Manager of the Castle Pines Homes Association presented the Manager's Report. (*See Tab #3 of the September 2014 Board Package*)

Mr. Larson reported he spoke with Don Somsky regarding the Quiet Zone. Mr. Somsky reported the County is still waiting on the Union Pacific (UP) to install their required signage. The UP said they will do it in two weeks and then it will take 21 days for the Quiet Zone permit to be approved by the PUC.

Director O'Connor stated, regarding the fencing along Happy Canyon Road, he is enjoying the drive down Happy Canyon Road and seeing the progress being made. Mr. Larson reported there will be some additional fencing at Gate 1 – the fencing will cut across the trail near Gate 1 and come down to the emergency entrance. Director O'Connor asked if it would be feasible to include fencing in front of Cielo and the fire department, and asked if it is worth contacting both parties to see if they would be willing to pay for the costs. Mr. Larson reported the Fire Department did not return his call, however he did speak with the owner of Cielo and they said they are satisfied with their current landscape wall as it is now. Mr. Larson reported the fence that leads up to Gate 3 is in good shape and relatively new so it does not need to be replaced. Mr. Larson reported at the north side of the Village there is an emergency access gate where the bicyclists are coming in and he has asked for a bid on fencing that area with

the same style fence as along Happy Canyon Road.

Regarding the issue of bicyclists entering the Village, Mr. Larson reported the Metro District is willing to help with discouraging bike entry at the gates. Mr. Larson stated we have nine miles of perimeter fencing, and added that he is concerned about the process of randomly stopping people in our community to confirm their residency.

Mr. Larson reported the Sheriff's Department will require that you first give a trespasser notice that they are trespassing and that they be allowed to leave; if they come back and you catch them, the Sheriff's office will then issue a summons for trespassing. Director O'Connor stated we should have very explicit signage requiring bicyclists to check into the gate and that trespassers will be prosecuted. Director Dugan stated that we are coming to the end of the season for bicyclists and should use the time between now and next spring to establish a plan for dealing with not only bicyclists, but all trespassers. Director O'Connor stated he would like to see a plan developed through Emergency Services and the Emergency Services Committee to be brought to us in the winter for implementation in the spring.

Mr. Larson reported the Board, in Executive Session, discussed having a community forum on the North Meadows Extension project on October 13th at Cielo. Mr. Larson reported he would include an article in the next Village Reporter and asked Ms. Goodwin to put a notice in the weekly email newsletter.

The Board discussed the issue of allowing our brand to be used on various items like shirts and hats. Director Dugan stated we need to be very protective of the brand and we should balance that against the benefits of allowing promotional materials to be produced with our logo on them. The Chair of the Communications Committee, Craig Sundquist, reported he will meet with Mr. Larson to discuss this further.

**B. Emergency Services (ES) Report** – Rick Plotke, Chief of Emergency Services

Chief of Emergency Services Rick Plotke presented the Emergency Services report. (*See Tab #3 of the September 2014 Board Package.)* Chief Plotke reported the following:

- ES is currently short two patrol officers; two new employees will be starting next week.
- ES responded to a fire two days ago on Hummingbird Drive. The resident put a cigarette into a potted plant outside, it smoldered, and she woke up in middle of night from the smell of smoke. The responding Officers Baker and Weaver were on site in less than three minutes and did a fantastic job. A large number of fire equipment came through our gates in under 15 minutes. Damage to the home was considerable.

Chief Plotke stated he joined the staff on August 18th and he is thrilled to be here. Chief

Plotke asked if there was anything else that the Board would like for him to address in his report at future meetings. Director Dugan stated the Board members look at the line items on the incident report and requested that the Chief provide some commentary if one of those is either too low or too high.

A. **Castle Pines Metropolitan District (CPMD) Items –**Paul Dannels, District Manager; Jon Gray, District Engineer.

Mr. Dannels reported the installation of the interceptor (sewer) lines down Happy Canyon Road will begin soon. Director Dugan asked if the Metro District has reached an agreement with the development company for the Lagae property regarding utilization for over capacity (i.e. sewer lines). Mr. Dannels reported the Metro District is in negotiations with the City of Castle Pines Metropolitan District on this issue, and not the developer.

Director Dugan asked why the need to install this line if it is intended to be a “dry” sewer line, and if there is going to be disruption on Happy Canyon Road during construction. Mr. Dannels responded that it is the developer's decision as to whether or not to install the line. Mr. Gray responded the construction will create significant traffic disruption; we can make a request for night construction only.

Regarding the details of the project Mr. Gray reported the following:

- Douglas County allowed the Metro District to be involved in their pre-construction walk through and they walked the entire corridor on Lagae to better understand the project.
- They will have to pump to where gravity will take over to flow to the waste water plant on Santa Fe.
- The project will start late next summer as they are out of time (due to weather) for this year. The project will take one month to complete. Equipment and materials will be staged off of Happy Canyon Road. The Metro District has made a request for two crews to start in the middle and work to each end to get it done faster.

Mr. Gray discussed Metro's current drainage work on the north and south side of the Village and reported the following:

- They are concerned with the Greens subdivision as their ponds fill up and they get flooding.
- They have contacted the Fairways to provide traffic studies regarding speeding around Ramshorn Drive.

Mr. Larson reported Metro did a traffic study on Ramshorn Drive and results indicated

that the speeds were too high. Mr. Larson reported ES traffic patrol was stationed on Ramshorn and started writing citations. Mr. Larson reported that he and Mr. Gray met with members of the Fairways sub association and agreed to write a letter to all residents on Ramshorn and Morgan Place. Mr. Larson reported, judging from the data and the times of the offenses, most of the speeding was attributable to residents. The letter stated there was a concern regarding residents speeding. Mr. Larson added that we removed ES speed patrol from the area and with the assistance of the Metro District are collecting data on speeds in that area. Mr. Gray reported that the residents indicated they would ask Metro for something to be done if there is a continued problem.

Mr. Gray reported the big storm over the summer caused sand from the golf course to wash down Haskins gulch, eroding the walls of the gulch. Mr. Gray reported that sand is difficult to remove but after some extensive engineering we found a way to eliminate the sand problem, and employed some creative solutions to rebuild the walls of the gulch.

Mr. Gray reported there is a flood plain easement that goes through the backyards of the properties that border I-25 and the Metro District is working with these folks to make sure that runoff water from the highway does not impact them. Mr. Gray reported that Saxon Place and Silbrico Way get quite a bit of water too after a heavy rain so they are doing design work there as well.

Regarding the status of the Gate 1 pond, Mr. Gray reported the following:

- Heavy summer rains have inadvertently created a wet land in that area. However, because the area is less than two acres oversight is by the Army Corps of Engineers and not the EPA.
- Metro's budget for next year will include the engineering pricing and costs to modify that area.
- The Metro District would like to have the pond dedicated to them so that if it floods we have better control and governmental immunity from lawsuits as a result of flooding.

## IX. <u>ACTION ITEMS</u>

### A. Capital Request Parks and Recreation Committee, Trail Maintenance
(*See Tab #4 of the September 2014 Board Package*)

Mr. Larson presented several slides (see attached handout) regarding the trails that are in need of maintenance. Mr. Larson reported the funds for the trails will come from reserve funds and are in accordance with the reserve study.

**Motion** **Upon motion duly made and seconded, the Board unanimously approved the Parks and Recreation Committee Capital request of $31,000 for trail maintenance as presented.**

**A. Capital Request Technology Committee, Computer Server Replacement**
(*See Tab #5 of the September 2014 Board Package*)

Mr. Larson reported we are combining our two current servers into a single server. This will remove the expense of replacing the ES server which comes up for replacement next year.

**Motion** **Upon motion duly made and seconded, the Board unanimously approved the Technology Committee Capital request of $11,750 for the computer server replacement as presented.**

**A. Capital Request Homes Association, General Manager Vehicle Replacement**
(*See Tab #6 of the September 2014 Board Package*)

Director Dugan made the recommendation that we provide the General Manager a new four- wheel drive vehicle and once the vehicle is two to three years old, pass it along to Emergency Services for their use. Director Dugan stated that we should be able to get 120k miles out of the car which would more than compensate for the additional operational costs involved with moving from a sedan to an SUV for the General Manger.

**Motion** **Upon motion duly made and seconded, the Board unanimously approved the Homes Association request of $26,000 for replacement of the General Manager's vehicle as presented.**

## XI. IMPORTANT MEETING DATES

Mr. Larson reported the October 2014 Board Meeting will be held on Friday, October 17, 2014 in the Castle Pines Homes Association Conference Room located at 688 W Happy Canyon Road; 7:00 a.m. Executive Session, 8:00 a.m. Regular Meeting.

The next Castle Pines Metropolitan District Board meeting will be held on Thursday, October 16, 2014 at 7:30 a.m.

The Board agreed to reschedule the November Board meeting to Wednesday, November 19, 2014.

## XII. ADJOURNMENT

**Motion** **Upon motion duly made and seconded, the Board unanimously approved to adjourn the September Board of Directors Meeting at 11:30 a.m.**

Respectfully Submitted by,

Lisa Goodwin