

**Castle Pines Homes Association
Board of Directors**

Executive and Regular Meetings
Castle Pines Homes Association Building
858 Happy Canyon Road, Suite 160
Castle Rock, CO 80108
Friday July 20, 2007

ATTENDEES: Directors Jerry Raskin, President; Mike McClurg, Vice President; Dan Roth, Treasurer, and Director Ed Will. Present from the CPHA Staff were: General Manager Mark Larson, Design Review Administrator Jerry Winkelman, Accountant Carol Tilton, Emergency Services Chief Don Day, Emergency Services Access Control Supervisor Katherine Parks and Administrator Lisa Goodwin.

ABSENT:

OTHERS PRESENT: Residents Len Jacob, Al Dugan, Kim Higgins, Jeff Homel, Jim Walker, Nick Gilida, Monica Flinner-Ross, Linda Battin, Sandra Alinger. Also in attendance was Ed Ehmann from the Metro District.

MEETING AGENDA: Attached

I. EXECUTIVE SESSION

The Board of Directors met in an executive session on Thursday July 19, 2007 and discussed legal advice with respect to various issues in the Village.

II. CALL TO ORDER

The general meeting was called to order at 7:30 a.m.

III. MINUTES

Motion Upon motion duly made and seconded the Board unanimously approved to accept the June 15, 2007 Board of Director meeting minutes as presented.

IV. FINANCIAL REPORT

Kim Higgins presented the Financial Audit. The Auditor, Guy Andrus CPA, issued a clean opinion as to the financial statements of the CPHA having been presented fairly and in accordance with the Generally Accepted Accounting Principles (GAAP). The Board discussed that a change to one of the notes would be required. The Board recognized Carol Tilton for her hard work in the completion of the financial audit.

Motion Upon motion duly made and seconded the Board unanimously approved to accept the Financial Audit Report with the changes discussed.

Al Dugan of the Long Range Planning and Finance Committee presented the June Financial Report.

Motion Upon motion duly made and seconded the Board unanimously approved to accept the June 2007 Financial Report.

V. HOMEOWNERS REQUEST TO BE HEARD: Items not on the agenda

Resident Jeff Homel of 6147 Windom Peak Way requested to be heard on the issues of residents parking in front of his mail box, and the landscaping of the common areas at the Summit. Mr. Homel stated that he has been unable to receive a return phone call from the Homes Association office about the Summit landscaping, however Don Day has responded quickly in regards to the parking issue. Chief Day stated that 'no parking' signage will be installed as soon as Metro receives it from the sign company. The Board stated that Toll Brothers has been working with Unique Landscaping to complete landscaping in the common areas however the property is still Toll's until such time as all landscaping has been completed to the satisfaction of the CPHA and then the appropriate documents are prepared to transfer ownership of these areas from Toll Brothers to the CPHA. The Board also stated that they received a letter signed by a dozen residents from the Summit. The Board is prepared to take action as a part of an overall plan to ensure that the work is completed, and will also be seeking legal advice on this issue.

Resident Nick Gilida of 840 Swandyke Court, requested to be heard on the issue of a dispute between him and his neighbor over property lines and the placement of an electric dog fence. Mr. Gilida stated that the landscaper hired by his neighbor trespassed onto his property and with their landscaping equipment accidentally cut the lines to his electric dog fence. The County Sheriff's office informed him that it was not criminal trespass so he would have no legal course of action through the Sheriff's office. He requested that the Board enforce upon his neighbor the CPHA rule stating that Homeowners are responsible for the actions of their contractors. Jim Walker from the DRC stated that all pets within the Village are considered "house pets" and are not to be left outside all day; electric dog fences are to follow the same rule as for dog runs in that size is limited and screening from neighbor's view must be provided. Mark Larson stated that he would be willing to mediate a solution between both parties.

VI. DEPARTMENT REPORTS

A. Management Report--Mark Larson

Mark Larson, General Manager of the Castle Pines Homes Association, presented his Management Report. *See attached report.*

B. Design Review Committee Report--Jerry Winkelman

Jerry Winkelman, Design Review Administrator, and Jim Walker Chair of the DRC presented the Design Review Committee (DRC) Report. One correction to the submitted report: the Watercolor project will not be back in front of the DRC until September. *See attached report.*

C. Emergency Services Report

Chief Don Day presented the Emergency Services report. There were several resident calls on 7/3 at 6:30 am concerning a helicopter flying low over homes on the golf course. The helicopter was filming areas of the golf course for the Altitude TV channel. The helicopter was flying over the Village for approximately 30 minutes. *See attached report.*

VII. NEW BUSINESS

A. Confirmation of Email Vote

Motion Upon motion duly made and seconded the Board unanimously approved to accept the document to authorize Jerry Raskin to execute loan documents with 1st Bank of Parker for the purpose of obtaining a permanent loan for the new Homes Association Building as provided in the letter of Loan Commitment dated May 18, 2007. *Document attached.*

B. Investment Discussion--Len Jacob

Len Jacob discussed with the Board investment strategies for the funds received from the new building loan. The Board approved the investment plan with one modification.

C. Access Control Initiatives--Chief Don Day

Chief Day introduced Katherine Parks, a current employee of Emergency Services, who has been promoted to the new position of Access Control Supervisor. Katherine's responsibilities will be to supervise the gate officers, conduct training programs and establish guidelines for gate responsibilities and performance standards; she will also be handling the general maintenance and repair of the gates including upgrades, all transponder sales, acting as a liaison for contractors entering the Village, and all other activities related to access control within the Village. Chief Day stated that Katherine was wearing the new uniform that they would like to have both the dispatch staff and the gate officers wear. The new uniforms were selected with the intention of creating an appearance that is more approachable and customer service oriented, and to also look more in tune with the nature and style of the Village. A Uniform Change Proposal was distributed to all Directors. The Board indicated their approval of the new "look" for access control. Chief Day also stated that he would be assigning permanent gate positions to the gate officers. Gate officers would now be called Ambassadors. Temporary passes will now be available directly at the gates.

Motion Upon motion duly made and seconded the Board unanimously approved to authorize the expenditure of \$1,485 to outfit the gate officers with new shirts.

D. Waste Management Discussion--Jim Walker

Jim Walker, of the Trash Committee, stated to the Board that the trash removal process is integral to the appearance of the Village. After a discussion with Waste Management (WM) earlier this month it was determined that the solution to removing garbage quickly from the Village is to provide pick up for ½ the Village on Mon & Fri and the other ½ on Tuesday and

Thursday; WM stated that they can do this at no additional cost. It was determined that the Village be split in half using Happy Canyon as the divider between North and South. This new trash & recycling schedule would begin after Labor Day. The Trash Committee also discussed the issue of "vacation garbage disposal", recommending that a designated dumpster or roll-off be available somewhere in the Village for residents to drop off their garbage before leaving for vacation.

E. Salary Benchmarking Update

The Board discussed commissioning either Peliton or Terra Firma for an updated report for the purpose of benchmarking salaries. It was determined that Peliton do the report as they have the expertise, and since they did our last report they would not have to start from scratch. The new report would also determine the cost of labor increase by position and an updated benchmarking survey on our current benefits package.

F. Capital Requests

(1) Village Lakes Fitness Center

The Parks and Recreation Committee requested that the kitchen area in the Fitness Center be remodeled for additional exercise space. All appliances have been removed and placed into the new CPHA building. The projected cost would be \$11,500. The Board deferred this issue to a later meeting in order to obtain a better explanation as to why this remodel would be needed.

(2) Emergency Services Light Bars--Chief Don Day

Two units are presently not working; their repair would be costly and parts/supplies are becoming increasingly difficult to find. The new light bars would be transferable. It was requested that 5 new emergency light bars be purchased for a total cost of \$12,500.

Motion Upon motion duly made and seconded the Board unanimously approved to authorize the expenditure of \$12,500 for the purchase of 5 new light bars.

VIII. OTHER BUSINESS

A. CPHA Building Update

The contractor for the CPHA building, Pirnack-Walters, is presently going through some of the remaining punch list items. The Board of Directors approved the requested payment to the General Contractor, Pirnack Walters. At the next Board meeting Mark Larson will provide a complete detail on all expenditures related to the building.

Motion Upon motion duly made and seconded the Board unanimously approved to authorize the payment of \$94,690 to Pirnack-Walters for the CPHA building.

B. Canyon Club Building Update

The final CO will not be received until all work is completed on the main building. The landscaping is almost done.

Motion Upon motion duly made and seconded the Board unanimously approved to authorize the payment of \$59,607 to Pirnack-Walters for the Canyon Club.

C. Summit Club

Toll has submitted plans to the County and has received comments back. The plans will be on the next DRC agenda for review. The Board discussed that they would send a letter to Toll restating our position with respect to the type and nature of the facility; that the building retain all of the originally designed amenities and aesthetic plan at the budget it was originally planned for, and at no expense to the CPHA. Specifically, that the plan retain the size and use capability of the pool as originally accepted by the Parks & Recreation Committee. That the building be completed at the earliest possible date and no later than Memorial Day of 2008. And that this is a "stand-alone" project and is in no way related to any other project in the Village. As to the future of the project the Board stated that we will consult legal counsel and the letter to Toll will also indicate a timeline for progress and completion. Toll's plan has exceeded the \$1.1M budget, and the Board stated that we believe Toll has substantially delayed the construction of the building and it is because of their delay that they have exceeded their budget.

D. 2 Borealis Way

At the hearing in June for injunctive relief, and upon having received a court decision in our favor, the CPHA attorney was required by the court to write the court order. It was then sent to the Rassbach's attorney for review at which point he disagreed with the court order, and instead of working with our attorney, wrote and submitted their own court order. The Board stated that we will need to ask our attorney to request a hearing on this issue, and to request legal fees incurred as a result of having to contest this issue.

E. Water Conservation--Ed Ehmann

Ed Ehmann from the Metro District requested to speak to the Board on a road issue, and the issues of bollard placement for the purpose of preventing further damage to road edges throughout the Village. The Metro District has studied different devices used by other Metro Districts and Homes Associations. A 6 x 6 wood bollard with reflector 2' feet off of the pavement is recommended. Homeowners would be required to remove boulders and all other delineation devices which are presently considered road hazards; this will take a coordination effort between the DRC and Metro. There are areas in the community where you cannot avoid running off of the pavement so additional asphalt would be needed. Shoulder striping can also work in certain areas. Drainage is another problem that can be addressed by adding curbs. Curbs can also catch debris that comes off of the big trucks. Without curbs in certain areas the growth of grass and other landscaping will be severely limited or entirely impossible. Another option for shoulders would be gravel which can be parked on, preserves landscaping and is more aesthetically appealing than bollards.

F. Incorporation Update--Bill Sanko

Changes have been made to the petition map to remove items including: the overlap with Castle Pines North, the overlay into a very small piece of property that is actually a part of Castle Rock, the Lagae Road and Castle Pines North commercial areas, the Golf Club property (as a 40+ acre parcel), the Country Club property (as a 40+ acre parcel), Aslan Riverdell property (one 40+ acre parcel). There has been discussion and dispute as to the definition of what constitutes a 40+ acre parcel. It is the recommendation of the Incorporation Committee that we work to keep those 40 acre parcels included in the petition map. The Board approved the recommendation of the Incorporation Committee to proceed with Incorporation and a map along those lines.

Additional Discussions

(1) Train Noise

A meeting was held at the CPHA office which included Board Directors, Mark Larson, Tony Lane Chief of Police for CR and the Traffic Engineer for the City of CR. The noise level of the passing train horns has become intolerable for the residents living near Santa Fe. Chief Lane informed the CPHA that the Homes Association could request from the Railroad companies that they remove the "whistle posts" at the private crossings; the whistle posts require the conductors to blow their horns. Under recent legislation municipalities have the power to enact quiet zones with respect to train noise, but this does not include HOA's. Since we are not a municipality it would be necessary to work with the County. The Board requested that Mary Woodard be engaged to speak to County Commissioner Hilbert on our behalf. The County Sheriff may also be involved.

(2) The Appearance of the Village

A meeting was held at the CPHA office which included the Board of Directors, members of the Design Review Committee, representatives from the Metro District and CPHA staff. Discussed were both short term and long term measures at improving and maintaining the overall appearance of the Village. Also discussed at length was a letter received from residents at the Summit with respect to issues that principally involved specific areas of the Summit, including common areas and private property where the landscaping, or lack thereof, does not adhere to the CPHA covenants. There was also note made of landscaping issues at homes that are in foreclosure and the property is not being maintained.

The Board stated that the issues of train noise and the appearance of the Village/landscaping were to be given high priority, and that the Board is presently dealing with both of these concerns.

IX. IMPORTANT MEETING DATES

The August Board Meeting will be held in the Castle Pines Homes Association conference room located at 688 Happy Canyon Road, Castle Rock on Friday, August 24 , 2007 7:00 a.m. Executive Session, 7:30 a.m. Regular Meeting.

X. ADJOURNMENT

Motion Upon motion duly made and seconded the Board unanimously approved to adjourn the July Board of Directors Meeting at 11:05 am.

Respectfully Submitted by,

Lisa Goodwin
Administrator