

**Castle Pines Homes Association  
Board of Directors**

*Executive and Regular Meetings*

Castle Pines Homes Association  
688 W Happy Canyon Road Castle Rock, CO 80108

**Thursday, February 25, 2021**

**Via Video Conference**

**ATTENDEES:** Directors - Doug Cooper, President; Frank Jacobsen, Treasurer; Wendy Ingraham, Secretary; Al Notary, Assistant Treasurer. Present from the CPHA staff: General Manager and Assistant Secretary Mark Larson, Compliance Coordinator Kevin Olsen, and Executive Assistant/DRC Administrator Linda Matthews. All attendance was via video conference.

**OTHERS PRESENT:** Metro District: Burt Knight. Residents: Daniel Fox, Patricia Fiske, Cici Holbrook, Steven Singer, Robert Schwartz, Victor Pluto, Beth Westberg, Doug Lacy, Cynthia Kristensen, Matt Mathes, Jackie Sundquist, Barb Brophy, Christian Solay, Persis Schlosser, Chuck Schlosser, Matt Stamey, Susan McGuinn, Hiemi Haines, Geri DeGruy, Jerry Raskin, and Susan Cooper.

**EXCUSED:** Chuck Skinner, Vice President. Mr. Skinner was travelling was able to listen to most of the meeting but not able to participate in the meeting.

**MEETING AGENDA:** See attached.

**EXECUTIVE SESSION:** The Board of Directors met in an Executive Session and discussed legal and personnel issues.

**I. CALL TO ORDER / MODIFICATION OF AGENDA**

Doug Cooper called the general meeting to order at 8:03 a.m. and noted the following: this meeting is being held by video conference due to the COVID-19 pandemic and all directors are on the call, except Chuck Skinner who is traveling and will attempt to join, and each of the directors can see and be seen and hear and be heard by the other directors.

No modifications were made to the agenda.

**II. CONFLICT OF INTEREST DISCLOSURE**

Mr. Cooper stated that Board members are 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.

Mr. Cooper stated that the CPHA's Conduct of Meetings policy states that video and/or audio recording of Homes Association meetings is not permitted without consent. Board of Director meetings are open to property owners and guests only.

Doug Cooper shared the following guidelines for the meeting:

- All participants are to keep their microphone on mute when not speaking.
- If you wish to speak, raise your hand virtually and wait until recognized to speak.

### **III. JANUARY 2021 MEETING MINUTES**

*(See Tab #1 of the February 2021 Board Package)*

**Motion**

**Following discussion by the Board and upon motion duly made and seconded, the Board unanimously approved the January 2021 Board of Director meeting minutes as amended.**

### **IV. HOMEOWNERS REQUEST TO BE HEARD: Items not on the Agenda.**

Resident Patricia Fiske addressed the Board regarding the new policy by the Emergency Services Committee and the CPHA Board to validate and scan visitor driver licenses as they enter the Village. Ms. Fiske stated she is particularly concerned about invasion of privacy and the driver license information being kept on file. She continued that there is no need for this policy, and she is concerned about backups at the gate. Mark Larson responded that this process handles our visitors just as we do our residents since all residents' driver licenses are copied when a transponder is purchased. Mr. Larson does not think the new process will create unreasonable backups at the gates. The program is to begin April 1, 2021 and will be phased in over the first 60 days. If a visitor arrives during that time without a valid Driver License, ES will contact the resident that cleared them to make sure the clearance is valid. After 60 days, visitors without a valid driver license will be turned away. Doug Cooper added that family and guests that visit frequently can obtain an RFID sticker and use the resident lane. The Board thanked Ms. Fiske for her comments. The statement read by Ms. Fiske is attached to the meeting minutes.

### **V. ACTION ITEMS**

#### **A. Nominations for Homes Association Committee Membership**

Mark Larson reported the Technology Committee has nominated Phil Marie as a candidate to the Technology Committee.

**Motion**

**Upon motion duly made and seconded, the Board unanimously approved the appointment of Phil Marie to the Technology Committee**

**B. Capital Requests**

*(See Tab #2 of the February 2021 Board Package)*

**1) License Plate Reader Cameras**

Mark Larson showed a slide (see attached handout of slides) and reported the following:

- This Capital Request will replace the current license plate cameras at Gates 1, 2, 3 and 4 with higher resolution cameras.
- The selected model camera has been installed at Gate 5 for over a year with positive results.
- The higher resolution camera provides a better record of vehicle license plates entering the Village.
- The Long-Range Planning and Finance Committee voted to use Reserve Funds for this project.
- Total cost of the project is \$46,625 in Reserve Funds.

**Motion**

**Following discussion by the Board and upon motion duly made and seconded, the Board unanimously approved the License Plate Reader Cameras Capital Request for Gates 1 ,2 ,3 and 4 at a cost of \$46,625 from Reserve Funds as presented.**

**VI. INFORMATION/DIRECTION**

**A. Homes Association Annual Meeting Update**

Mark Larson presented a series of slides (see attached handout of slides) and reported the following:

- The Annual Meeting of the Members is scheduled for March 8 via Zoom video conference.
- The proxies are coming in very slowly. A Village Weekly will be sent out asking residents to either mail their proxy by this Friday or drop it off at the CPHA Proxy Box. Gate signs asking residents to return their proxy will be posted as well.

- The agenda was shared, and the invitation is out for people to sign up for the meeting.
- There are two items for consideration. 1) Election of two Board members.  
2) Proposal for Amendment of Bylaws regarding quorum requirements, from 25% to 10%.
- Two voting options available. 1) Vote by proxy. 2) Vote a ballot in person the evening of the Annual Meeting. The proxies are directed proxies meaning the proxy must vote for who they are directed to vote, and the proxy may not cast a vote if the resident providing the proxy form has not indicated a vote.
- Five Coffee with the Manager events are replacing the social hour prior to the business meeting. Four have been held with the last one scheduled for March 1 on development in the Village.

## **VII. MANAGEMENT/LIAISON REPORTS**

### **A. Metropolitan District Items – Burt Knight**

Mr. Knight thanked the CPHA for allowing him to participate in the Coffee with the Manager events and stated the Metropolitan District has been busy with projects including the rehabilitation of two wells that will be completed by irrigation season this year, along with an additional two wells to be rehabilitated. Three additional new wells are out for bid currently. Metro is also working on the best ways to communicate with the community.

### **B. General Manager – Mark Larson**

*(See Tab # 3 of the February 2021 Board Package)*

CPHA General Manager Mark Larson reported the following:

- Due to their first responder status Emergency Services EMTs are eligible to receive their COVID vaccinations through Tri-County Health.
- There have been no additional COVID-19 cases in the Homes Association/Emergency Services staffs since November 2020.
- The CPHA is staffed at 50% so staff is rotating working in the office.
- The Village Lake Fitness Center is open and staffed. Reservations are required.
- Frigid weather froze and broke several pipes in the Fitness Center causing it to be closed for a week. Repairs have been made.
- The Summit Club also suffered frozen/broken pipes in the equipment room causing 1' to 2' of standing water where the boiler and chemical control equipment are housed. The extent of damage to the boiler is unknown at this time. The insurance company has been contacted but

the boiler will be fired up early to see if we need to file an insurance claim.

- The Marketing Committee has been led by Janice Wright for the last couple of years. She has sold her house and is moving to Arizona.

Doug Copper suggested water detection devices be purchased and added to the Summit Club, Canyon Club and Village Lake Fitness Center.

### **C. Emergency Services – Mark Larson**

*(See Tab #4 of the February 2021 Board Package)*

General Manager Mark Larson presented the Emergency Services Report and stated the following:

- ES responded to 1394 incidents in January including nine medical events and nine other agency assists.
- There were 32,117 visitors processed at staffed gates.
- South Metro Fire Rescue was to offer an EMT class in May however it has been cancelled. ES is looking for other options for where to send our officers for training.
- ES will start to advertise the checking of visitor Driver Licenses soon. Gate signs will be posted, and flyers will be handed out at the gates. Patrol Officers will help at the gates the first week in April to minimize backups at the gates.

## **VIII. FINANCIAL REPORT: January 2021**

General Manager Mark Larson presented the January 2021 Financial Report giving an overview of the Actual\Budget\Projected. *(See Tab #4 of the January 2021 Board Package and attached handout of slides)*

Mark Larson reported the following:

- Mr. Larson reported that January expense and revenue were within budget. A projection for the year is not completed until the end of the first quarter of the year.
- Mr. Larson provided an overview on Capital Projection, how we spend capital and two types of capital.
- A spreadsheet is kept that identifies every project planned for the year.
- Projects that may have been expected to need to be done by the Reserve Study may be deferred if the project does not need to be done.

**Motion** Upon motion duly made and seconded, the Board unanimously accepted the January 2021 Financial Report as presented.

#### **IX. REVIEW OF BOARD DIRECTIVES**

- Explore the use of Water bugs for the CPHA facilities.
- Conduct the Homes Association Annual Meeting of the Members in accordance with Homes Association Governing Documents and State of Colorado statutes.
  
- ES to monitor how the Driver License scanning process goes and schedule a review of the new procedure. The Emergency Services Committee will keep this as an agenda item for future meetings to monitor the impact of this program on Village visitor access.

#### **X. IMPORTANT MEETING DATES**

*(See Tab #5 of the February 2021 Board Package)*

The Annual Meeting of the Members will be held on Monday, March 8, 2021 via Zoom video conference.

The next Coffee with the Manager event will be held on March 1, 2021.

The next CPHA Board meeting will be held on Thursday, March 25, 2021 at 8:00 a.m. via video conference or in the Castle Pines Homes Association Conference Room located at 688 W. Happy Canyon Road depending on what the pandemic restrictions.

The next Metro Board meeting is scheduled for Wednesday, March 24, 2021.

#### **XI. ADJOURNMENT**

**Motion** Upon motion duly made and seconded, the Board unanimously voted to adjourn the January Board of Directors meeting at 9:50 a.m.

Respectfully Submitted by,  
Linda Matthews  
Executive Assistant/DRC Administrator

## Addendum to the Board Minutes

Comments made by Patricia Fiske regarding Driver License Verification, item 5.2 of the proposed Access Control Policy at Tab 3 of the March 25, 2021 Board Packet.

“Checking Driver’s License To Begin in April”. Homeowners concerns.  
HOA Board meeting 2/25/2021

Hello,

Thank you for giving me the time to speak with you today.

I want to address an article that appeared on page 7 of the Feb/Mar Village Reporter with the definitive headline “Checking Driver’s License To Begin in April”. Not having heard or read anything about this, I followed the advice in the article to call EMS. During that call I learned that the policy came from the HOA Board and the article was incomplete. The policy will be to not only check every driver’s license every time they enter the village but will scan and store the information on the license.

My next call was to Mark Larson who assured me that the Board and EMS worked together to determine this demanding policy. He filled me in on your reasons.

Foremost, was the very serious incident that happened when a man using another’s name on the permanent guest list was allowed to enter the village and was killed by the visited homeowner.

and, secondly

Assurance that drivers actually have a drivers license when driving in the village.

Mark also spent a lot of time to assure me that all information stored has adequate Personal Identity Information Protection.

When I asked for the data on problems in the village I was delighted to learn that there were very few problems to report. Those mentioned by others are teen entries which seem to me to be a problem for parents to resolve and the unsolved vandalism at the CC and at Metro which have not been traced to anyone entering through the gates. It seems there is no data to support this added layer of scrutiny.

After contacting other homeowners, it became clear that Homeowners want to be consulted before the HOA Board/EMS make decisions that affect us, our families and our friends. We have concerns about scanning the driver’s license of each and every vehicle entering the village.

1. We already submit for clearance the names of everyone we invite into the village.
2. What this Board/EMS considers another layer of security, owners consider an invasion of individual privacy. Our own privacy and the privacy of our guests and members of our families.
3. We feel it is an embarrassment to us and an insulting imposition to friends and family, who perhaps have been visiting for many years, that they will now need to show and allow their drivers license to be scanned.
4. In this time of increasing need to protect our personal identities, this seems to be a violation of the safeguards that many of us are taking. I suspect that many of our visitors will feel the same.
5. Currently we do not post signs at the gates indicating that your license plate and other visitor information is maintained for 30 days. The plan does not call for permanent signage to be at the gates advising visitors that a valid driver license is required for entry. Let alone that it will be scanned.
- 6 We are concerned about back-up at the gates as these extra steps will certainly slow down the time it takes to enter the village.
7. And we all know that if anyone really wants to enter the village it's easy to spot the holes in this added layer of intrusion and inconvenience.

We do not consider there is a need for drivers license checking, scanning and retention of information. We question if a 'once in a blue moon' entry using another's name, that resulted in his killing by a known person following an altercation warrants the invasion of privacy and inconvenience to the family and friends of the nearly 5,000 people who live here. If there have been other instances of issues caused by unknown entrants driving into the village, it is essential that the HOA/EMS keep us aware of the dangers so that we can be alert along with you.

Bottom line, homeowners are aware that we are only a gated community. We are not a secured community. However as there is no data that shows we are an unsafe community; nor data to show that checking, scanning and retaining drivers license information will add to our safety, we think that this is an overreach by the HOA/EMS.

I am not litigious, but I do wonder if this is actually legal. Can EMS prevent a person I have cleared for entry who does not wish to have his/her drivers license scanned from visiting me in my home?

Inasmuch as the policy has not been written and approved, we first ask that the HOA Board withdraw this demand on the families and guests that visit homeowners in the village.

We will appreciate your timely response.

I would like this entire presentation to be recorded as part of the minutes of this meeting.