

**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, March 25, 2021

Via Video Conference

ATTENDEES: Directors - Doug Cooper, President; Chuck Skinner, Vice President; Frank Jacobsen, Treasurer; Wendy Ingraham, Secretary; Al Notary, Assistant Treasurer. Present from the CPHA staff: General Manager and Assistant Secretary Mark Larson, Accountant Margie Cheatum, Compliance Coordinator Kevin Olsen, and Executive Assistant/DRC Administrator Linda Matthews.

OTHERS PRESENT: Metro District - Burt Knight. Residents – Arlene Raskin, Jerry Raskin, Beth Westberg, Bonnie Kazemi, Carl Pendleton, Cici Holbrook, Cynthia Costello, Patricia Fiske, Cynthia Kristensen, Dan Hainault, Daniel Fox, Don Hansen, Edith Wilkin, Gary Murphy, Geri DeGruy, Hiemi Haines, Jackie Sundquist, Jan Friedlander, JC Heinen, Jeremy Lee, Joyce Paloma-Kinsey, Kaye Sullivan, Kristen Olsen, Lawrence Patzelt, Lucia Patzelt, Len Jacob, Linda Guiberson, Lyn Krause, Phil Almon, Lilli Almon, Robert Schwartz, Victor Pluto, Annette Lucero, William Alpin, Michael Hance, Tammy Overacker, Chuck Schlosser, Persus Schlosser, Michael Hayes, Elise Hayes, Patricia Kincaid, and Elaine Thorndike.

EXCUSED: None.

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 8:02 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, 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.
- The Board would like to hear comments and questions in real time; therefore the chat function has been disabled for today's meeting.

III. ELECTION OF BOARD OF DIRECTORS OFFICERS

Motion

Upon motion duly made and seconded, the Board unanimously approved the election of the following Board Officers: Doug Cooper, President; Chuck Skinner, Vice President; Wendy Ingraham, Secretary; Frank Jacobsen, Treasurer; Al Notary, Assistant Treasurer; and Mark Larson, Assistant Secretary.

IV. FEBRUARY 2021 MEETING MINUTES

(See Tab #1 of the March 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.

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

No homeowners requested to be heard by the Board.

VI. ACTION ITEMS

A. Nominations for Homes Association Committee Membership

Mark Larson reported there are no new members for committee membership, however JC Heinen of the Marketing Committee has been nominated to serve as the chairperson of the Marketing Committee.

Motion

Upon motion duly made and seconded, the Board unanimously approved the appointment of JC Heinen as chairperson of the Marketing Committee.

B. Capital Request – Timber Wall Replacement

(See Tab #2 of the March 2021 Board Package)

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

- This Capital Request will replace the timber wall barriers at the Canyon Club that surround the play equipment identified in the Reserve Study for \$24,000.
- Global Landscape, who fits within our purchasing policy and has worked for the CPHA in the past, has provided a bid.
- Global Landscape will replace the barrier with new wood posts and beams along the two playgrounds.
- The project is to be completed in April 2021.
- Total cost of the project is \$23,100 including 10% contingency from Reserve Funds.

Chuck Skinner commented that he agrees Global Landscape meets the procurement policy, but Chuck would like to see the CPHA go back out for bid, though not for this Capital Request, but for the future.

Motion

Following discussion by the Board and upon motion duly made and seconded, the Board unanimously approved the Timber Wall Replacement Capital Request for the Canyon Club at a cost of \$23,100 including 10% contingency from Reserve Funds as presented.

C. Emergency Services Committee Access Control Enhancements

(See Tab #3 of the March 2021 Board Package)

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

- Access Control Enhancements have been discussed for some time including at the Annual Meeting and at the Emergency Services Committee (ESC) meeting after the Annual Meeting.
- The Board and the ESC have listened to comments and addressed issues that have been raised.
- The Visitor Control Enhancements include improved security cameras at Village entrance gates to capture 95% of license plate numbers entering the Village,

and improved visitor verification at Village entrance gates through driver license verification.

- Visitor verification enhances safety and security for Village residents by helping to prevent entry by people masquerading as an invited guest; acts as a deterrent to unlawful behavior; aids in law enforcement investigation; and prevents entry by drivers with suspended or revoked licenses.
- It is not uncommon to be required to show a driver license; local schools require visitors to show a driver license, as do hospitals, TSA and other gated communities nationwide.
- Existing DwellingLive system already includes option for driver license scanning at no additional cost to the Village.
- Added benefits outweigh perceived negatives.
- Visitors to the Village will be required to show a valid driver license for entry.
- Only the name and address on the license will be scanned and saved by DwellingLive.
- Visitor (if not the driver) must show an ID (not necessarily a driver license) or be cleared by the homeowner.
- Regular delivery services (USPS, FedEx, UPS, etc.) are exempt.
- The program begins April 1 with a two-month phase in period when no one will be turned away.
- Program enforcement begins June 1.
- The program will be evaluated with resident input through the year with adjustments made as appropriate.
- The data are stored and secured through DwellingLive and contracted to a third party called RackSpace Technology which is a 20+ year company.
- The new procedure does not subject the CPHA to State requirements concerning personal information and identity theft because ES is collecting only name and address from the driver license which is not considered “personal identifying information” under Colorado privacy laws.
- Only visitors entering the Village through a staffed gate will have their driver license scanned.
- The Emergency Services Committee (ESC) recommends that the Board of Directors adopt the Access Control Policy as presented.

Doug Cooper stated that much of what is in the Access Control Policy has been practiced for years, though there was no written policy. The ESC created the new Access Control Policy document to capture the new procedures and existing policies. Mr. Cooper continued that there are emails that have been requested to be read into the minutes. Rather than being read, the emails will be attached to the Board minutes.

Emergency Services Committee comments:

Jackie Sundquist, Chair of the ESC – With the current political climate and riots in Denver, our community is more at risk. Jackie believes the new Access Control Policy, including validating visitors, will add another layer of protection and security to the Village.

Beth Westberg, ESC member – Thank you to the Board for having this discussion and to Jackie for her work. Beth is glad residents' comments have been heard and comments addressed. While not everyone is happy, Beth believes the enhanced Access Control Policy reflects best practices for our community.

Doug Cooper opened the meeting to questions and comments from members and asked that each person keep their comments to three minutes.

Persis Schlosser – concerned about the number of transponders every family will want. Mark Larson responded that normally family members and nannies utilize transponders. The ESC is evaluating who can qualify for a transponder and the idea of requiring transponders to be renewed. The ESC will evaluate the intended and unintended consequences of the changes.

Chuck Schlosser - concerned about human error in collecting just name and address from the license. If more data are collected, the CPHA could be subject to the data protection act and opening the CPHA to liability. Mr. Larson responded that affirmative action would need to be taken to change the data collected, more than an error. Furthermore the CPHA will modify the procedure in ES for residents purchasing transponders with regards to taking copies of driver licenses.

Geri DrGruy – concerned that the large number of transponders that might be put in use would decrease safety. Ms. DeGruy does not support denying access to a visitor that refuses to have their license scanned.

Tammy Overacker – concerned about data collected of residents. Mr. Larson responded that the practice of copying resident licenses and keeping a copy in the file will stop. The files will be purged of all driver license copies. Tammy also questioned how the policy is being advertised. Mr. Larson responded that there will be signage at the gates, flyers will be handed out to visitors, and Gate Officers will tell visitors. For the residents, the Village Weekly will have articles about the policy and there will be signage at the gates. Ms. Overacker volunteered to assist with the evaluation procedure.

Jerry Raskin – question about identification of passengers in a visitor’s car. Doug Cooper responded that the driver will produce a driver license which will be scanned. If the driver is not the guest, the Gate Officer will ask if the guest is in the vehicle. If not, the car will be turned away. If the guest is in the vehicle, they will need to produce some form of identification. Jerry also asked about purging driver license information after 30 days. Mark Larson responded that DwellingLive provided incorrect information about deleting information on a 30-day basis. The data will actually be kept for seven years.

Cindy Kristensen – concerned that the bluebird monitors who do not live in the Village will not have access to the bluebird boxes. Mr. Larson assured Ms. Kristensen that the bluebird monitors will continue to be allowed into the Village for monitoring. Cindy was also concerned that the Gate Officers would receive verbal abuse with the new policy.

Annette Lucero – believes crime has increased and wonders what we have given up by decreasing the information scanned from driver licenses. Mr. Larson responded that we have given up only the driver license number and stated we take three pieces of information as a visitor enters the Village. The camera at the gate records interaction between driver and Gate Officer, the license plate of the vehicle is processed with a time stamp, and name and address of the driver is captured. Mr. Larson stated he spoke with the Douglas County Sheriff’s office who said this information would be helpful if a situation arose.

Elise Hayes – questions about making sure the scan is just name and address. Ms. Hayes would like Emergency Services to check periodically to verify what is being scanned. In addition, Ms. Hayes is concerned about DwellingLive selling driver license data and wonders what would happen if we terminate our contract. Mr. Larson stated DwellingLive cannot disclose confidential information.

Patricia Fiske – thanked the Board for listening to concerns of the community and commends fellow residents for raising these questions. Ms. Fiske asked Mark Larson if the insurance and registration information, along with the driver license copies in ES files will all be destroyed. Mr. Larson stated ES will begin shredding these documents on file and will no longer copy and maintain this information on residents. Ms. Fiske concluded by saying she does not support the visitor driver license verification and believes it is going to create traffic issues at the gates.

Patricia Kincaid – concerned that family transponders are activated for just the side of the Village the resident lives on. Would like guest transponders to be activated for both sides of the Village. Also asked about cost associated with the new policy. Mark Larson responded that there is no increased cost in the software or storage.

Hiemi Haines – thanked the Board for working on this and stated she feels heard. On the collection of addresses of the guests, Ms. Haines thinks the homeowners should have to provide the name and address of guests and stated all guests should have to enter through a staffed gate.

Phil and Lilli Almon – wanted to hear more about the recent murder in the Village. Mr. Larson provided a full explanation.

Kaye Sullivan – has concerns that in this time of Covid, driver licenses are not always being renewed on time and would like this to be taken into consideration. Also, Kaye has concerns about storing of the information. Mr. Larson responded we are storing only the name and address from the driver license and cannot collect the picture.

Elaine Thorndike – question about phasing in process. Doug Cooper responded that the Access Control Policy will be voted on at this Board meeting today. The ESC and Board will evaluate the program over the coming months. Residents are welcome to attend the monthly ESC and Board meetings and send suggestions to Mark Larson.

Lawrence and Lucia Patzelt – thanked the Board for their work and stated they love living in the Village.

Not seeing any more residents with comments, Doug Cooper thanked everyone for their comments and concerns. Frank Jacobsen asked if the intent is to scan driver licenses of guests that enter the Village for an open house. Mr. Larson responded yes; this will give ES a record of who comes in for open houses with a time frame. Al Notary thanked the ESC for their work. Chuck Skinner noted that this could have been divisive for the community and thanked everyone for their comments.

Motion

Following discussion by the Board and upon motion duly made and seconded, the Board unanimously approved the Access Control Policy submitted by the Emergency Services Committee effective April 1, 2021 as presented.

VII. INFORMATION/DIRECTION

A. Homes Association Annual Meeting Recap

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

- The Annual Meeting was held on Monday, March 8 from 7:30 p.m. to 9 p.m. via Zoom video conference.
- 148 residents registered to attend; 108 accounts logged in to the meeting.

- 456 members were needed for a quorum; 634 proxies were returned, and two votes were cast in person.
- On the Amendment to the Homes Association Bylaws, 365 Votes in favor, 130 Votes opposed.
- Board of Directors Election results – Wendy Ingraham received 432 votes, Chuck Skinner received 436 votes and ten individual residents received one vote each.
- Five Coffee with the Manager Events were held leading up to the Annual Meeting on topics including: Survey Presentation, Parks and Recreation, Fiber Installation, Metropolitan District, and Village Development.

VIII. MANAGEMENT/LIAISON REPORTS

A. Metropolitan District Items – Burt Knight

Mr. Knight reported that Metro has four wells in rehab with three wells to be drilled. The roadway packages are out for bid and Metro plans to do some surfacing and potential substantial work on Village roadways this summer.

B. General Manager – Mark Larson

(See Tab # 4 of the March 2021 Board Package)

CPHA General Manager Mark Larson reported the following:

- The State has come out with a revised process for Covid restrictions. Beginning next week, the CPHA can go back to full staffing.
- Gate monuments are staked, and Douglas County permits have been obtained. The monument at Gates 1 and 2 will start soon followed by the monument at Gates 3 and 4.
- We have received approval from Douglas County for the new tennis court and construction will begin next week.
- The Village Lake Fitness Center remodel is approved by Douglas County and will begin after Labor Day 2021.

C. Emergency Services – Mark Larson

(See Tab #4 of the March 2021 Board Package)

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

- February had 96,000 resident entries into the Village and 31,000 visitors were processed at staffed gates.
- ES is presently staffed at 34 with three patrol officers in the hiring process.
- ES has seven EMT trained Patrol Officers and five non EMT Patrol Officers.

- The job description for the ES Chief has been sent out.
- ES responded to 1399 incidents in February.
- 82 traffic citations and 25 NOV citations for improper parking were issued.

IX. FINANCIAL REPORT: February 2021

General Manager Mark Larson presented the February 2021 Financial Report giving an overview of the Actual\Budget\Projected. *(See Tab #5 of the March 2021 Board Package)*

Mark Larson reported the following:

- The Capital Projection report shows the Canyon Club Timber Wall capital request.
- On the Balance Sheet, 1st Bank of Parker was over but payroll was coming due.
- Charles Schwab provides more protection; Treasury Bills and protected by the Federal Government.
- Due to robust construction in the Village, Design Review Fees is running at a positive variance.
- Comcast rebate contract automatically renews every year. Will get revenue so will see positive variance going forward.
- Administration Labor and Operating – negative variance is a timing issue.

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

IX. REVIEW OF BOARD DIRECTIVES

- Ensure Drive License Validation rolls out smoothly.
- Add Driver License Validation to ES Committee meetings agenda every month.
- Add Driver License Validation to agenda for June Board meeting.

Frank Jacobsen thanked Mark Larson for his work on the Driver License Validation program commenting it was a difficult issued that was worked through to a good solution.

X. IMPORTANT MEETING DATES

(See Tab #6 of the March 2021 Board Package)

The next CPHA Board meeting will be held on Thursday, April 22, 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 the pandemic restrictions.

The next Metro Board meeting is scheduled for Wednesday, April 28, 2021.

XI. ADJOURNMENT

Motion Upon motion duly made and seconded, the Board unanimously voted to adjourn the March 2021 Board of Directors meeting at 10:35 a.m.

Respectfully Submitted by,
Linda Matthews
Executive Assistant/DRC Administrator