

**Castle Pines Homes Association  
Board of Directors**

*Executive and Regular Meetings*

Castle Pines Homes Association Building

688 Happy Canyon Road

Castle Rock, CO 80108

Friday December 21, 2007

**ATTENDEES:** Directors Jerry Raskin, President; Ed Will, Vice President; Dan Roth, Treasurer; Leigh Kahn, Secretary; Director Jim Walker. Present from the CPHA Staff were: General Manager Mark Larson, Standards Monitor Jo Lewis, Chief of ES Dan Solt, DRC Administrator Jerry Winkelman, Accountant Carol Tilton and Administrator Lisa Goodwin.

**EXCUSED:** Secretary, Leigh Kahn

**OTHERS PRESENT:** Residents Monica Flinner-Ross, Bill Sanko, Len Jacob, Al Dugan, Peter Cline, Linda Battin, Marti Jones, Jack Hummel, Cathy and Larry Covell, Hamid Zarrin, Craig Sundquist, Dave Cooper, and Jack Vickers III. Also in attendance was Paul Dannels, Metro District General Manager.

**MEETING AGENDA:** Attached

**I. EXECUTIVE SESSION**

The Board of Directors met in an executive session and discussed personnel matters and legal advice with respect to various issues in the Village.

**II. CALL TO ORDER**

The general meeting was called to order at 8:00 a.m.

**III. CONFLICT OF INTEREST DISCLOSURE**

Board members should 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.

**IV. MINUTES**

**Motion** Upon motion duly made and seconded the Board unanimously approved to accept the November 16, 2007 Board of Director meeting minutes as presented.

## **VI. HOMEOWNERS REQUEST TO BE HEARD: Items not on the agenda**

Residents Larry & Cathy Covell of 1079 Country Club Estates Drive requested to be heard on the issue of construction trucks parking on their property and the ensuing damage that has resulted. They stated that they have had to reseed their lawn 3 times in last 2 months due to the damage caused from cars parking on their property. They put up cedar posts with the intent of defining their property line and protecting their landscaping, and have since received a letter from the HA to have them removed. The Covell's are requesting that they be allowed to keep their bollards in place to protect their property. The Board stated that we recognize that this is a problem throughout the Village. We have been working with the DRC to establish a standard for road appearance and aesthetics, and we have discussed this issue at the last two board meetings. The issue being addressed is: how do we improve the appearance of the roadways in the Village when the roads are narrow, construction is still occurring in many areas and many residents are landscaping up to the road edge. In many cases, the use of the green post bollards recommended by the Metro District have worked successfully to discourage parking and if hit by a car will not cause property damage. The Board stated that we don't yet have a perfect solution until the Village achieves full build out and construction has ended. For traffic protection certain curves can have 6x6 posts to alert drivers to potentially dangerous areas. The Homes Association will continue to inform residents that bollards they have placed on the right of ways will need to be removed. Many of these bollard structures pose liability issues for the Homes Association and the Homeowner should an accident involving personal injury and/or property damage occur; and they are also potential hazards for Metro's snow plowing equipment. Paul Dannels from the Metro District stated that they are going to focus on maintaining the right of ways for that particular street as it is one of the worst in the Village for damage due to construction traffic. Chief Solt stated that we are also stepping up efforts to control speeding in that area which also contributes to damage of the right of ways. The Board asked that the Covell's call into ES when there is parking on their property or right of way in order give our enforcement team an opportunity to remedy the problem. The Board stated that the letter the Covell's received from the HA be reconsidered in light of this discussion. Jim Walker, Chair of the DRC, Paul Dannels and Jo Lewis will schedule a time to come out to their property to view the situation and work on a solution.

## **VIII. NEW BUSINESS**

C. Enforcement Committee Appeal--Hamid Zarrin

*Advanced on the Agenda*

Resident Hamid Zarrin requested an appeal of fines from an Enforcement Committee decision pertaining to dead trees left on his property. The trees have since been removed from the property by the Homeowner. The Board agreed to reduce the fine to \$1000. It was stated by the Board that sending enforcement notices and letters by regular mail is a legally acceptable method of notification.

## **VI. HOMEOWNERS REQUEST TO BE HEARD: Items not on the agenda**

Resident Peter Cline of 388 Titan requested the names of the candidates for the two open Board positions. Mark Larson stated that names would not be released until the candidates are reviewed by the nomination committee. An Association Nomination Committee will be appointed at this Board meeting, and it will be their task to review interested candidates.

## V. FINANCIAL REPORT

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

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

## VII. DEPARTMENT REPORTS

### A. Management Report--Mark Larson

Mark Larson, General Manager of the Castle Pines Homes Association, presented his Management Report. He and Chief Solt attended a first reading at the Douglas County Commissioner's meeting of a proposed ordinance to assess an annual fee of \$60 to all homeowners in Douglas County that have a residential alarm. Sheriff Dave Weaver requested from the Commissioners that this fee be waived for residents of Castle Pines Village as the County does not respond to alarms in the Village. There will be a second reading in January and the CPHA will be working with the Sheriff's Office to get language recorded that will permanently exempt our community from this fee. The Board thanked resident Norm Froman for bringing this issue to the attention of the Homes Association; and thanked Mark and Dan for quickly responding. *See attached report.*

### B. Design Review Committee Report--Jerry Winkelman

Jerry Winkelman, Design Review Administrator presented the DRC report. Cielo is expected to begin construction on the events center after the first of the year. There has been no activity on the Watercolor project. *See attached report.*

### C. Emergency Services Report--Dan Solt

Dan Solt, Chief of ES, presented the Emergency Services report. Additional radar units have been installed into the patrol vehicles and ES will be stepping up enforcing the Village speed limits. The Board stated that Gate Officers should only lift the resident lane gate if they see a resident sticker on the vehicle window. They also requested that the Gate Officers be provided snow melt or sand and shovels to remove snow and ice from around the entry lanes and code blue boxes; blowing trash in that area should also be picked up. *See attached report.*

## VIII. NEW BUSINESS

### A. Appointment of Association Nomination Committee

In the CPHA standards for conducting an election it is required that a Nomination Committee be appointed to review candidates qualifications to serve on the Board of Directors.

**Motion** Upon motion duly made and seconded the Board unanimously approved to appoint Directors Jerry Raskin, Ed Will and Jim Walker to the Association Nomination Committee for the election of 2 open Board positions to be held in 2008.

B. Road Delineation Discussion--Mark Larson

The issue: various Homeowners throughout the Village have installed along their property bollards, rocks, boulders, stakes, poles and other devices intended to prevent damage to their landscaping from vehicles parking on their property (typically construction vehicles), or from cars going off of the pavement onto their property due to speeding or not successfully negotiating curves or winding roads. Many of these devices have been placed on the "right of way", a setback from the road edge that is owned by the CPHA, not the Homeowner, and is maintained by the Metro District. These 'right of ways' exist as a shoulder or "bail out" area for the safety of motorists. The proposal currently before the Board was jointly crafted by the CPHA, Metro, and the DRC calls for a variety of standardized objects that would be controlled by Metro, approved by the DRC and enforced by the HA. These objects include a road delineation marker, snow removal reflectors, no parking signs and bollards placed for road safety. Additional options under consideration for the protection of the roadside include: curbing, road base, widening, pull off areas, finished landscaping, designated parking areas, and stricter enforcement of street parking. The Board stated that the issue of construction traffic will need to be addressed first before allowing temporary bollards to go up and that we are not yet comfortable with asking residents to remove their bollards at this time. The way ahead includes: notices to the community that obstructions in the right of way must be removed, the Metro District to remove bollards that they have installed that are not safety rated, and follow up notification to residents to remove obstructions within 60 days. The Board suggested that non-construction areas be addressed first to include a joint letter from the HA and Metro requesting voluntary compliance and then following up with mandatory compliance where necessary. The Board stated that we would not solve this issue today and a working session would be necessary to include Metro and the DRC to create a complete proposal that will meet all of the stated concerns. The Board stated that any current cases presently in front of the Enforcement Committee will require a visit to the property by the Standards Monitor and the DRC so that a decision can be made on a case by case basis.

**IX. OTHER BUSINESS**

C. Summit Club

*Advanced on the Agenda*

An agreement has been reached between the Homes Association, Aslan and Toll Brothers. Jack Vickers III has offered to raise his contribution to the project by an additional \$350,000 and Toll Brothers will turn over their contribution to Jack so that his development company, Aslan/Rivendell will now be the organization responsible for construction of the Summit Club. The target date for completion is Summer of 2008.

**Motion** Upon motion duly made and seconded the Board unanimously approved to authorize Jerry Raskin, as president of the Homes Association, to sign the Summit Club Construction Agreement as offered by Aslan through its principal Jack Vickers III.

A. Forest Stewardship Committee Update--Jack Hummel

Jack Hummel, Chair of the FS Committee, addressed the Board. The Board has been provided a copy of the draft CWWP and Ecology report to include a list of concerns about the report that were raised at one of the stakeholder's meetings. The FC would like to get Board approval to meet with Anchor to revise the plan as suggested. The Board stated that they have a problem with approving the current plan if Anchor does not take our recommendations. Furthermore, there are inconsistencies between some of the things in the report and the information in the appendices, and Anchor should review this first. Jim Walker stated that he would like to work with the FC and Anchor on reviewing the plan and potentially redefining the overall purpose of the study to better address the needs of the community.

H. Enforcement Committee Appeal--Juliya Ivanova

Advanced on the Agenda

Resident Juliya Ivanova of 6169 Massive Peak Loop appealed a decision of the Enforcement Committee levying a fine for failure to install landscaping in the required time. The resident requested from the Board more time to complete their landscaping due to lack of financing. The certificate of occupancy for the house was issued October 2006 and they have done no landscaping since then. The resident responded that they may be able to afford the landscaping project in May. The Board stated that there is presently no approved landscape plan with the DRC, and that the Enforcement Committee has made a correct judgment as to this case. However, the payment of the fines will be suspended, and no interest will accrue, until March of 2008 when this case will once again be reviewed by the Board. The Board suggested that the DRC work with the resident and their landscaper to get an approved plan.

**Motion** Upon motion duly made and seconded the Board unanimously approved to uphold the decision of the Enforcement Committee to assess a fine to the Homeowner at 6169 Massive Peak Loop for failure to install landscaping on their property according to the CPHA's covenants, rules and regulations. The resident will be responsible for securing an approved landscaping plan with the DRC and the collection of the fine will be held in abeyance until March 2008 when issue will be reviewed again by the Board.

E. Water Conservation--Paul Dannels

*Advanced on the agenda*

Paul presented an update on Metro's activities regarding water conservation. He stated that all of the Village will be subject to changing rates as the new multi-tiered rate structure will possibly go into effect. The current two-tiered structure will become a 4-tiered structure. Metro is still in the process of obtaining a pressure relief valve at the plum creek wastewater station.

D. 2 Borealis Way--Mark Larson

The Court has reaffirmed the initial decision requiring that the homeowner establish a bank account for the purpose of construction funding. No date has been set for setting up this account.

B. Canyon Club Building Update

**Motion** Upon motion duly made and seconded the Board unanimously approved two payments to Pirnack-Walters in the amounts of \$29,564 and \$6,609 for work on the Canyon Club project.

**VIII. NEW BUSINESS**

D. Enforcement Committee Appeal--Doug Daniels

*Moved on the agenda*

The homeowner was not in attendance. A letter sent to Mark Larson stated that he wished to appeal a decision of the Enforcement Committee levying a fine of \$100 for using garbage cans. And that they be allowed to continue using garbage cans--citing the Homes Association's rules and regulations requiring residents contain their garbage "in boxes or in containers with handles". The Board stated that there have been numerous articles in the Village Reporter clarifying this issue.

**Motion** Upon motion duly made and seconded the Board unanimously approved to uphold the decision of the Enforcement Committee and denied the request of the homeowner to use trash cans.

**IX. OTHER BUSINESS**

F. Incorporation Update--Bill Sanko

Over 200 signatures have been recorded on the petition for incorporation. We expect to be filing the petition early in 2008. The committee has been doing presentations at the sub association and neighborhood meetings.

G. Resident Reimbursement Request

The resident was not present. The resident is requesting that the HA reimburse him in the amount of \$1000 for fees he incurred in contracting with an architect for the expansion of his garage. Mark Larson stated he would contact the resident to see if he wished to present his issue at the January Board meeting.

**X. IMPORTANT MEETING DATES**

The January 2008 Board Meeting will be held in the Castle Pines Homes Association conference room located at 688 Happy Canyon Road, Castle Rock on Friday, January 18, 2008, 7:00 a.m. Executive Session, 7:30 a.m. Regular Meeting.

**XI. ADJOURNMENT**

**Motion** Upon motion duly made and seconded the Board unanimously approved to adjourn the December Board of Directors Meeting at 12:25 pm.

Respectfully Submitted by,

Lisa Goodwin  
Administrator