

**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, June 17, 2011

ATTENDEES: Directors Al Dugan, President; Jim Walker, Vice President; Len Jacob, Treasurer; Linda Battin, Director. Present from the CPHA staff: General Manager Mark Larson, Chief of Emergency Services Drew Grant, Accountant Carol Tilton and Administrator Lisa Goodwin

OTHERS PRESENT: Tom Kahn, Metropolitan Board of Directors, Paul Dannels and Jon Gray from the Metropolitan District; Jake Schroeder from Jack Vicker's office; Residents: Don Somsy, Monica Flinner-Ross, Lydia Roberts, and Kyle Hansen

EXCUSED: Kim Wagner, Secretary

MEETING AGENDA: See attached.

I. EXECUTIVE SESSION

The Board of Directors met in an executive session and discussed legal and personnel matters.

Director Dugan reported there was discussion during the executive session regarding the possible modification of the color, size and style of house numbers for the purpose of enhancing recognition by emergency services personnel when looking for or identifying a particular home. Director Dugan reported the issue was then remanded to the Forest Stewardship Committee and the Emergency Services Committee for further recommendation.

II. CALL TO ORDER

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

Mr. Larson stated there would be a modification to the agenda; section 9, Information/Direction, adding as Item A, "Discussion on the Potential Annexation of the Lagae property"

III. 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.

IV. MINUTES

Motion Upon motion duly made and seconded, the Board approved the May 20, 2011 Board of Director meeting minutes with corrections as noted.

V. FINANCIAL REPORT – Director Jacob (See Tab #3 of the June 2011 Board Package)

Director Jacob presented the May 2011 Financial Report.

Director Jacob reported:

- Regarding the Balance Sheet, prepaid health and dental shows a negative balance due to having been overcharged by Terra Firma but will be recovered over time. A memo entry has been included on the balance sheet that this account will be reduced. The offset will be recorded under prepaid expenses.
- Administrative Labor Expense should be approximately \$30,000 positive for the year.
- Other Services Expense includes \$2,800 as the second installment paid on the reserve study.
- Administrative Operating Expense is expected to come in on budget.
- Emergency Services Labor Expense shows a negative variance under payroll expense due to having paid for the vacation accrued by two employees that separated from the organization.
- Total ES labor expenses are expected to come in at negative \$15,000 for the year.
- A negative variance under Lease Expense is due to the HBE settlement.
- Vehicle Fuel Expense continues to be negative due to increased fuel costs.
- Emergency Services Vehicle Maintenance & Repair Expense includes the cost for a water pump, repair to the heating a/c controls and replacement of tires needed for the ES vehicles.
- Emergency Services total operating expenses are expected to be a negative \$10,000 for the year primarily due to the lease write off.
- Village Lake Fitness Center Labor Expense is expected to be \$3,000 positive for the year.
- Canyon Club Operating Expenses are expected to be \$14,000 positive for the year due to Mr. Larson having renegotiated the pool maintenance contract.
- Summit Club Operating Expense is expected to be \$12,000 positive for the year.
- Overall expenses are anticipated to be \$114,000 positive for the year less the \$72,000 for loan interest on the CPHA building.

Motion Upon motion duly made and seconded, the Board unanimously approved to accept the May 2011 Financial Report as presented.

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

There were no homeowners requesting to be heard.

VII. MANAGEMENT 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 June 2011 Board Package)

Mr. Larson reported Sean Owens was in attendance to provide an update on the train whistle issue. Mr. Owens reported the County is now pursuing a full quiet zone instead of a partial quiet zone, and the \$300,000 contributed to the project would be used to put in four gates from the sewer treatment plant all the way to Sedalia. Mr. Owens reported the crossing at Sedalia is already quiet zone ready, however additional curb and gutter will be needed, and a nearby building will need to be moved to the north to change the access to the crossing by 60 feet, in order to be considered a full quiet zone. Mr. Owens reported there would be approximately \$250,000 to \$300,000 in additional costs to create a full quiet zone depending upon where the gates will go. Mr. Owens recommended that local businesses and the County's economic development council be asked to contribute funds to support the creation of a full quiet zone. Mr. Owens reported the original plan would have most likely been rejected by the PUC because there are currently no partial quiet zones in Colorado. Mr. Owens reported it was 90-95% probable the PUC would approve a petition for a full quiet zone. Mr. Owens reported they are still planning to complete this project by next spring. The Board asked Mr. Somsky to begin discussions with local business owners that are affected by the train whistles in order to gauge their interest in supporting this action

Director Walker provided an update on the Sedalia landfill issue. Director Walker reported the Coalition to Preserve Douglas County met with County Commissioner Jill Repella. Director Walker reported Waste Connections has withdrawn their application however they continue to operate a construction waste dump site. Director Walker asked the Board to approve an additional \$5,000 in funding, to be spent at a later date, for the purpose of hiring consultants. Director Walker stated when the funds were needed he would come back to the Board with complete details on how the money would be spent.

Motion Upon motion duly made and seconded, the Board unanimously approved to spend an additional \$5,000 on the effort to prevent the development of a full service dump site at the Sedalia landfill, contingent upon Director Walker's report to the Board as to what the funds will be used for.

Mr. Larson reported the pools opened on May 27th and the Canyon Club pool has been extremely busy.

B. Design Review Committee (DRC) Report – Director Walker

Director Walker reported there are two houses under construction, one on Northwood and one on Silver Leaf Way; and there is also a paired patio home under construction in Chateau Ridge.

Director Walker reported Mr. Vickers presented to the DRC plans for the development of parcels 47 and 49. These parcels are currently zoned as R4, or a maximum density of four homes per acre. Director Walker reported Mr. Vickers is working with a builder to develop an alternative community plan for 53 homes on this parcel, or approximately 2 homes per acre. Director Walker reported there are several open space areas on these parcels including a detention pond that is owned by the Metro District.

The Board directed Mr. Larson to begin the process of communicating to the residents surrounding this parcel and impacted by the construction. Director Walker added these residents are most likely fully aware these parcels would be developed at some point. Mr. Larson reported we will invite local residents in for a discussion with Mr. Vickers regarding the project.

Director Walker reported the home prices will be about \$550,000 with additional upgrades valued at \$100,000 or more. Director Walker reported the DRC has not yet seen any house models. Ms. Flinner-Ross asked if the foot path trail currently in existence there, but not on our trail map, would be allowed to continue through the parcel. Mr. Walker asked that Ms. Flinner-Ross work with Mr. Larson on this issue.

C. Emergency Services (ES) Report – Drew Grant, Chief of Emergency Services (ES)

Chief Grant presented the Emergency Services report. (*See Tab #3 of the June 2011 Board Package.*)

Chief Grant reported:

- The total number of incidents has gone up. There were three medical assists in May.
- Traffic violations have remained consistent with more complaints on the north side regarding speeding. Mr. Dannels reported the area near Indigo and the Golf Club came up as an area of concern in their traffic study, as people speed in that area and there is also a blind corner.
- Barking dog complaints have gone up significantly.
- The number of guests entering the Village continues to go up; over 3,000 access codes were used at unstaffed gates in May.

Director Walker stated the Village was built before electronic collars/fences were created, and our guidelines state that all pets are “household pets” and not to be left outside off leash. Director Walker stated that dog runs are always to be screened and that fencing is not allowed in the Village unless it is for a dog run, a safety issue or for a

recreational facility like a pool. Director Walker stated that an electric fence should be screened and not visible from other properties or from the street. Director Dugan stated we should start notifying residents that leave their dogs out all day. Director Walker reported we have not consistently enforced the issue of permissibility for an invisible fence. Mr. Larson suggested we could add to the barking dog violation a violation for an unapproved, invisible fence. Director Dugan asked the Emergency Services Committee to develop a gradual plan on how we can best enforce this issue. Director Jacob suggested we do articles in the VR to create awareness of this issue.

Chief Grant further reported that individuals that refuse to turn around after being denied access are considered gate runners and trespassers. Mr. Dannels stated non-resident bicyclists seek to enter the Village because our roads are considered a top training area for the sport of bicycle road racing. Mr. Dannels added that sharp, steep curves in the Village are dangerous and could prove deadly for bicyclists traveling at a high rate of speed. Director Walker stated bicyclists have to follow our speed limits and traffic control devices. Director Walker stated as a generalization that most bicyclists are not following the rules. Director Battin stated the gates are not bike friendly and at un-staffed gates a bicyclist has to walk through the flower beds in order to either get in or out of the community. Director Battin stated we should reemphasize our bike rules in a VR article.

Resident Lydia Roberts complimented the Gate Officer at Gate 4 for being very friendly and waving to residents as they enter. Chief Grant reported Officer Earl at Gate 5 has been selected as Officer of the Quarter.

VIII. ACTION ITEMS

A. Nomination for a New Member of the Forest Stewardship Committee

Motion Upon motion duly made and seconded, the Board unanimously approved the nomination of Michael Strear to the Forest Stewardship Committee.

IX. INFORMATION/DIRECTION

A. Discussion on the Annexation of Lagae Property – Director Dugan

Director Dugan reported Jack Vickers has asked him and Director Walker, representing the DRC, to present this issue to the Board for review.

Director Dugan reported Mr. Vickers has modified his original Lagae development plan to include a retirement community of 70 to 80 “cottages” and two, two to three-story buildings. One building would be an independent living community for approximately 80 to 100 residents, and the other building would be an 80-unit, assisted living community. Director Dugan reported the development would a high end, resort type community.

Director Dugan reported to the north of this retirement community there would be 160 units developed similar to a Toll Brothers community. Gate 5 would be relocated with Mr. Vickers paying for a new gate house similar in style to the new gate house for Gate

One. Director Dugan reported the commercial development plans for the property would remain unchanged from the previous plan.

Director Dugan reported Mr. Vickers is requesting the Board consider annexation of these two residential areas in to the Castle Pines Homes Association. The Board has agreed to look at the plan as to how it might benefit the Village. The Metro District has agreed to look at the water and street issues that would be involved. Director Dugan reported Mr. Vickers has been very specific on the benefits to be paid to the Village should we annex in these areas.

Director Dugan reported Mr. Jacob will be the point person from the Board to look at the business proposition; and it is the desire of the Board that a decision on this issue be made relatively soon and within the next few months.

B. Village Mutt Mitt Station Discussion – Monica Flinner-Ross and Kyle Hansen, Parks and Recreation Committee

Ms. Flinner-Ross made a presentation on the location guidelines for mutt mitt stations, with a corresponding map of the proposed locations. (*See attached documents*)

Ms. Flinner-Ross reported:

- There are currently 10 stations throughout the Village.
- The bags are replenished one time a week or sometimes more often depending upon usage.
- There are approximately 800 dogs in the neighborhood.
- The CPHA purchased approximately 16,000 bags in 2010 for a total cost of \$600
- If we assume a pound of dog waste per bag the total amount for 2010 was approximately 4 tons of dog waste.
- There have been several requests this year for additional mutt mitt stations to be added. Two were added in April; one at the VLFC and the other at the Tennis Courts.

Mr. Flinner-Ross reported the Parks & Recreation Committee recommends the following:

- Encourage a “pack-in and pack-out” philosophy.
- Send letters to all of the dog owners regarding responsible pet ownership.
- Add one station on the north side near Equinox Park.
- Relocate a station at the Canyon Club trail to Castle Pines Drive South near the Canyon Club trail entrance in order to be closer to the residents on Vermillion.

Director Walker stated it is not the job of the DRC to determine if we are or are not to have mutt mitt stations. Director Walker reported the DRC did however turn down the request to include trash cans at these stations. Director Walker added we have to be careful to not have too many of these stations; to keep the number small, put them in good locations and move them if need be.

Motion Upon motion duly made and seconded, the Board unanimously approved the policy that all mutt mitt stations in the Village be managed by the Parks and

Recreation Committee with no more than 12 stations total, relocated as necessary, no trash cans to be included, and to be periodically reviewed by the Board as necessary.

Following the break, the Board briefly discussed the roundabout construction. Mr. Kahn reported erosion control should be complete later today and the heavy equipment will start work next week. Mr. Kahn reported they have been receiving a lot of positive feedback on the communication efforts. Mr. Larson reported the communication is working as evidenced by the number of guests attempting to enter through Gate 1 has been steadily decreasing. Mr. Larson reported the temporary gate 1 gate house will be delivered next week and then both power and QuickPass will be installed.

C. Equinox Park Discussion – Monica Flinner Ross, Parks and Recreation Committee

Ms. Flinner-Ross presented a slide show presentation (*see attached document*).

Ms. Flinner-Ross reported the replacement of the Equinox park play equipment has been deferred for three years. The CPV reserve study recommends \$32,000 to replace all of the equipment. Ms. Flinner-Ross reported the park is used primarily by local residents; no parking in the area discourages other residents from using the park.

Ms. Flinner-Ross reported the current status of the park's play equipment:

- The swing set is leaning and replacement is recommended.
- The playground is not ADA compliant to current standards.
- In 2010, Parks and Recreation received three bids for new play equipment.

Ms. Flinner-Ross reported the Parks and Recreation Committee have determined there are three possible courses of action:

1. Do nothing.
2. Replace the swing set only.
3. Replace all of the play equipment and bring the playground into ADA compliance.
4. Remove the playground equipment and restore the area to open space.

Ms. Flinner-Ross reported it was the final recommendation of the Parks and Recreation Committee to replace the swing set and defer the balance to a later date. The total cost for replacement of the swing set is under \$3,000.

Motion Upon motion duly made and seconded, the Board unanimously approved the recommendation of the Parks and Recreation Committee to replace the swing set at Equinox park and within this year's budget.

Director Walker reported the construction of the roundabouts produces approximately 4,000 cubic yards of dirt. One of the long range activities identified by the Long Range Planning and Finance Committee is to create a berm alongside the roadway near Santa

Fe and inside the entrance to Gate 3. Director Walker reported Jon Gray from the Metro District is working on a berm plan that will go onto property owned by Metro, and the berm size would be 40' wide by 8' high. Director Walker reported they would initially do the first 600 feet inside of Gate 3 with top soil and then seed it to see how it works out.

D. Update on Beetle Activity in the Village – Mark Larson, General Manager

(For previous discussion on this issue see the May 2011 Board Packet, IX. Information/Direction, Item B)

Mr. Larson reported there were two questions posed at last month's Board meeting. (1) Should the CPHA negotiate a reduced rate for spraying for all residents, and (2) how does the Homes Association require spraying. Mr. Larson reported that it is possible to negotiate with a tree spraying company a set price for tree spraying and then inform the community that this price is available for Village residents. Mr. Larson further stated that we would inform all residents that the spraying company is an independent contractor, that the homeowner is entirely responsible for making sure the spraying is done correctly, and the Association assumes no liability should the tree die after spraying.

In regards to the question of requiring spraying, Mr. Larson reported the CPHA rules and regulations do in fact require spraying as a requirement for maintenance of landscaping. Mr. Larson added that a resolution by the Board would bypass the enforcement process by stating the Homes Association would come in to do the spraying if the resident fails to. Mr. Larson added the resolution must also include timeline requirements for the homeowner to spray. Mr. Larson further stated that he felt that the beetle problem within the community was not to a level to initiate that level of enforcement.

Director Walker stated that as a policy of the CPHA our Forestry Consultant identifies these trees four times a year, and we have our Landscape Technicians notify residents if a tree has beetle infestation. The Board recommended increasing the amount of communication to the community on this issue. The Board suggested homeowners spray two times a year – one in April for ips beetle and once in late June or early July for mountain pine beetle.

Director Dugan reported the Country Club has decided they will only spray for beetle once per year due to advice from their spraying contractor. Director Dugan asked that Director Walker talk to them about this.

Since there is still some time left to spray before the beetle begin to fly, the Board asked Mr. Larson to work on negotiating a reduced price for spraying for all of the Village residents.

E. Metropolitan District Items – Paul Dannels, General Manager and Jon Gray, District Engineer

Discussion occurred earlier on the agenda.

X. IMPORTANT MEETING DATES

Mr. Larson reported the July 2011 Board Meeting will be held in the Castle Pines Homes Association Conference Room located at 688 W Happy Canyon Road, Castle Rock on Friday, July 15, 2011, 7:00 am Executive Session, 8:00 am Regular Meeting.

The next Castle Pines Metropolitan District Board meeting will be held on Thursday, June 21, 2011.

Director Dugan asked that at the next Board meeting the agenda include discussion on the long range plan.

XIII. ADJOURNMENT

Motion Upon motion duly made and seconded, the Board unanimously approved to adjourn the June Board of Directors Meeting at 10:32 am.

Respectfully Submitted by,

Lisa Goodwin
Administrator