ATTENDEES: Directors Al Dugan, President; Jim Walker, Vice President; Dan Roth, Director. Present from the CPHA staff: Chief of Emergency Services Drew Grant, Standards Monitor Jo Lewis and Administrator Lisa Goodwin.

OTHERS PRESENT: Paul Dannels from the Metropolitan District; Sean Owens, Douglas County Engineer; Jake Schroeder from Jack Vicker’s Office; Residents: Linda Battin, Ron Page, Monica Flinner-Ross, Craig Sundquist, Brian Hebbard, Mark Lerner, Carl Davis, John Hemmer.

EXCUSED: Len Jacob, Treasurer. Kim Wagner, Secretary. Mark Larson, General Manager.

MEETING AGENDA: See attached.

I. EXECUTIVE SESSION

The Board of Directors met in an executive session and discussed personnel items and legal matters. Updates were provided from the Nominating Committee to be further discussed in open session.

II. CALL TO ORDER

The general meeting was called to order at 8:02 a.m.

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 December 22, 2010 Board of Director meeting minutes as presented.
V. **FINANCIAL REPORT** – Director Al Dugan

Director Dugan presented the December Financial Report. 
*(See Tab #2 of the January 2011 Board Package)*

Director Dugan reported that the 2010 budget has come in as expected.

Director Dugan stated that Len Jacob, Board Director and Chairman of the Long Range Planning and Finance Committee, will present the financial report for 2010 and for January 2011 at the February Board meeting.

**Motion**

Upon motion duly made and seconded, the Board unanimously approved to accept the December 2010 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** – Director Al Dugan

Director Dugan, on behalf of Mark Larson, General Manager of the Castle Pines Homes Association who was not in attendance, presented the Manager's Report. 
*(See Tab #3 of the January 2011 Board Package)*

Director Dugan reported the Homes Association has agreed to provide $300,000 to Douglas County for the purpose of installing a partial quiet zone along Santa Fe Highway. Director Dugan added that there are physical restrictions at the crossings that make it cost prohibitive to install a full quiet zone.

*(For previous discussion on this issue see the December 2010 Board Packet, VI. Management Reports, Item A)*

Mr. Sean Owens, Douglas County Engineer stated that a partial quiet zone will be the most cost effective to install. To illustrate this point Mr. Owens provided a cost estimate for the construction requirements for a full quiet zone at two of the crossings on Santa Fe. Mr. Owens stated that at the crossing to the Plum Creek Wastewater Plant, there is not enough room between the railroad tracks and the highway, and between the railroad tracks and the gate to construct a full-public access at that crossing. A full quiet zone at this crossing would require that a median and four quadrant gates be installed at a cost of approximately $400,000. Mr. Owens reported that the crossing near Daniels Park Road is currently a dirt farm road and would have to be improved to full, access road quality at a cost of approximately $500,000 to meet the requirements of a full quiet zone.
Mr. Owens reported that a partial quiet zone is time restricted; and that there are presently no partial quiet zones in Colorado. Mr. Owens reported that he is going to request a time range for the quiet zone from 6 pm to 7 am daily. Mr. Owens reported that the train engineer receives a manifesto with the time frames for every quiet zone on their route. Mr. Owens stated that the Public Utilities Commission (PUC) makes decisions regarding quiet zones that the Railroad companies are required to follow.

Mr. Owens further reported that the entry at the Plum Creek Wastewater Plant will be a manual entry through the use of key pad. The other public access point along Santa Fe will have a permanently lowered gate that will remain locked, except for the few times each year access is needed for farming activities. Mr. Owens stated that if any of the gates are up for any reason, the engineer will sound the horn regardless of the quiet zone requirements.

Director Walker requested that at the Douglas County Board of Commissioners next week Mr. Owens ask the Commissioners when we would be required to pay the $300,000 and what type of agreement would we need to sign to move forward with the project. Mr. Owens responded that next week is the Board’s business meeting and they would be making a decision at the meeting as to whether or not they wanted to go ahead with this project. Mr. Owens reported he would be requesting from the County $100,000 for all soft costs of the project to include project planning, design and other planning related activities prior to the start of construction. Mr. Owens reported that the $300,000 may not be needed until 2012 depending on how the permitting process goes.

Mr. Owens reported that once we are ready to install the gates, the County would most likely enter into a contract with the manufacturer of the gates to provide monthly maintenance services. Mr. Owens reported that this is a whole new venture for the County having never entered into such an agreement before. Mr. Owens reported that the first option is to enter into a contract with Union Pacific Rail Road; the second option is to enter into a contract with the manufacturer of the gate. Mr. Owens reported that there is only one manufacturer for quiet zone approved gates.

Mr. Owens stated that the type of contract between the County and the Homes Association could be a “Memo of Understanding” (MOV). Director Dugan asked if we could do this through the Castle Pines Metropolitan District. Mr. Owens responded that the agreement would then be an IGA with the Castle Pines Metropolitan District since they are a quasi-governmental entity. Mr. Owens reported that if the County approves the project next Tuesday it will take approximately one month to draft a contract.

Director Dugan asked if we are still committed to the County for $300,000 should we not receive our requested quiet zone hours from the PUC; for example we request 6 pm to 8 am and the PUC approves 12 am to 5 am which Director Dugan stated would be totally unacceptable. Mr. Owens responded that the County will be committing $100,000 to the project for all of the planning activities with the risk that the application to the PUC might not even be approved. Mr. Owens stated that he can control estimates but the process.

Director Walker stated that we want to move forward, and that although we cannot get a 24-hour quiet zone, we would want a quiet zone to include all night time hours. Director
Walker added that we definitely do not want a 12 am to 5 am quiet zone. Mr. Owens responded that we could discuss an "out" clause.

Director Walker read from a document provided by resident Carl Davis by the Federal Transportation Administration on quiet zones. Director Walker read that a full quiet zone will cover a 24 hour period, but a partial quiet zone is typically enforced between the hours of 10 pm and 7 am. Director Walker stated that if we can get only 10 pm to 7 am, it would still be a victory.

Director Dugan stated that there are two main complaints from residents regarding the train whistle noise: (1) the horns interfere with sleep, and (2) the horns interfere with our residents' right to enjoy the outdoor areas of their home, such as entertaining on their back deck.

Director Roth stated that based on a 30-day time frame to do a contract, we will need to select a lawyer to assist us, and we have not yet budgeted for that expense. Mr. Dannels, General Manager of the Castle Pines Metropolitan District, stated that the Metro District could enter into an IGA with the County. Director Roth responded that in turn we could draft an agreement between the Homes Association and the Metro District, however we will still need legal assistance.

Resident Mark Lerner asked if there would be any new liability implications to the Homes Association. Mr. Owens responded that there would be no liability for the Homes Association or for the County. Mr. Owens reported that by State Statute all Counties are indemnified from being sued for accidents at all public crossings including those over railroad tracks. Mr. Owens added that if there was a liability issue for the County, this project would be a “harder sell”.

B. Design Review Committee (DRC) Report – Director Jim Walker, Chair of the DRC

Director Walker stated that the DRC has had a couple of new projects come forward. The Country Club at Castle Pines is doing a major expansion to their back deck, including an underground cart storage area. The adjacent property lines belong to Jack Vickers III and the DRC is working with both Mr. Vickers and the Country Club to insure both parties’ interests are protected. An access road will go alongside where the cart path is now and run behind the Country Club to allow access to the residential lots in that area. Final approval on this project will most likely occur at the February DRC meeting.

Director Walker reported there is a buyer for several of the Chateau Ridge lots; to be purchased by an investment group that plans on buying four of the twelve available lots. Director Walker stated that the DRC is always concerned about a new buyer doing something different than what is presently in that area. The DRC has asked that they come in and talk to us before they close on the properties so that we have an understanding of what they want to build. Director Walker stated that hopefully they will buy all of the empty lots and finish out what is already there.
Director Roth asked if they received the letter we send to all potential builders. Director Walker responded we didn’t need to send them a letter because they are already on record with the DRC.

Mr. Dannels reported the Metro District will be filing a lien on the Chateau Ridge properties that Hearthstone owns because they owe the Metro District money for tap fees and other infrastructure work.

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

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

Chief Grant reported:

- There were 432 incidents for the month of December; alarms were down substantially.
- There were four frozen/broken pipes last month with damage to the home.
- 852 people have logged on to the QuickPass website to date.

Director Walker asked Linda Battin, Chairman of the Village Communications Committee, if she would work with him to write an article for the Village Reporter on how to avoid freezing pipes in the winter. Director Walker stated that he puts “water bug” alarms on the basement floor that will send an alarm if there is any dampness.

Chief Grant reported there will be an article in the next Village Reporter on how to prevent a broken pipe and subsequent water damage if you are going on vacation or moving out of your home. Mr. Dannels added this could happen at any time of the year, for example if a water line breaks loose from the refrigerator. Chief Grant reported that we try to put all of the foreclosed homes on the vacation check list.

Chief Grant reported there were two medical calls last month. Chief Grant reported they did a study of last year’s average response times: medical alarms – 4 minutes, fire alarms – 4 minutes, burglar alarms – 6 minutes, suspicious activity – 6 minutes. Chief Grant stated these response times are very close to the national average response times for law enforcement agencies, as presented by Brian Hebbard at last month’s Board meeting. Director Walker asked Chief Grant to write an article on this subject for the next Village Reporter.

Director Dugan asked Chief Grant if there has been an increase in the number of calls to dispatch since the CPV web site went down last week. Chief Grant responded that there hasn’t been any increase and that Lisa Goodwin was able to quickly restore the QuickPass links to the front page of the website.

Director Dugan asked CPHA Administrator Lisa Goodwin how long it would take to restore the website. Ms. Goodwin responded that we have lost all content created after 2008, the calendar has to be restored from scratch, all documents linked to the site are gone, and the resident log in database has been lost. Ms. Goodwin reported it could
take several weeks to restore all of the content and that she is working with our web developer to restore the resident database. Ms. Goodwin reported that the web developer has provided a no-cost, easy option to backing up our website for the time being until a more reliable web hosting provider can be found. Ms. Battin stated that most of the content on the web site is static and that Lisa has saved all relevant documents on the CPHA server. Director Roth stated that we need to back up our web site every week or every month. Director Dugan asked that Ms. Goodwin work with the Technology Committee to come up with a reliable, long-term solution.

Chief Grant reported ES is eliminating the current resident stickers and replacing them with colored stickers that will change every year. Chief Grant reported there are only 18 homes that do not have a transponder; if you have a transponder you will not be given a sticker. Chief Grant reported ES will be expanding the use of transponders to housekeepers, nannies and other service providers that visit the home on a regular basis, but ES will be limiting the times that the transponder can be used.

VIII. ACTION ITEMS

A. HSS Security Contract Renewal – Director Al Dugan

(See Tab #4 of the January 2011 Board Package.)

Director Dugan reported that they went out to bid for the security contract, and HSS was selected despite not being the lowest bid received. Director Dugan stated that the differential in price would be consumed in training costs for employees of a new security firm.

Director Dugan reported the agreement with HSS is for five years with the option to cancel after two, three or four years; however it binds HSS for the full five years. Director Dugan reported that the yearly increase in rates will be the CPI or the maximum of 3%. Director Dugan added that HSS has done a very nice job for the Homes Association. Chief Grant stated that we have a really good group right now, and that Mike Lanam has been great to work with and as a resident of CPV he has a personal interest.

Motion

Upon motion duly made and seconded, the Board unanimously approved as presented the HSS contract to provide staffing and security services.

IX. INFORMATION/DIRECTION

A. Report From the Nominating Committee – Director Jim Walker

Director Walker reported there were originally five candidates however one candidate decided to withdraw. Director Walker reported that the Nominating Committee of himself, Director Wagner and Director Jacob, met and decided to send the potential candidates a letter outlining the responsibilities and time commitment involved as a
Board Director and that the potential candidates reconfirm their interest in running for the open Board seats after receiving the letter.

Director Walker reported that the four candidates who had confirmed their interest in running for the two open Board positions were Linda Battin, Al Dugan, Brian Hebbard and Ryta Sondergard.

**B. Expansion of Santa Fe Landfill** – Director Jim Walker

*For previous discussion on this issue see the December 2010 Board Packet, IX. Information/Direction, Item C*

Director Walker reported that the executive committee for the coalition "Citizens to Preserve Douglas County" has met on a weekly basis. Director Walker reported the General Manager for the Highland Ranch HOA has taken on the role of the project leader. Director Walker reported the coalition is not yet ready for a full scale push; eblasts and the Village Reporter will continue to include general information for the community.

Director Walker reported the coalition has raised $72,000 to cover the costs associated with fighting the dump’s expansion, and they have also retained the services of political consultant Bill Artist. Director Walker reported that Waste Connections is expected to provide information to the County in April, otherwise the application for expansion will be voided. Director Walker added that the earliest date for a public hearing in front of the County’s Planning Committee is April. Director Walker reported the following entities have become a part of the coalition: The Sanctuary, IREA, the Town of Castle Rock, the City of Castle Pines, and the Highlands Ranch HOA.

Director Walker reported that the current activities of the coalition are to: (1) continue to broaden the base of the coalition, (2) educate the community and raise awareness, and (3) continue the effort to raise money. Director Walker reported that a website was put up yesterday where one can view all of the talking points on the issue.

Director Walker further reported that the opposition is asserting that: (1) there is no need for another dump because there are enough dumps in the area to support the local demand and (2) Waste Management will drive by this dump to use another dump located in the Denver Metro area. Director Walker stated that the profits are in the landfill and not in the pickups, and there are no regulations in Colorado on how far the trash service may travel to dump their waste.

Director Walker reported that Waste Connections is aware there is a growing coalition in opposition to the dump’s expansion. Director Walker stated there is speculation that Waste Connections could go away for a period of time to let the issue die down and then come back later in a year or two. Director Walker stated that the Coalition is trying to keep this from happening, and that another option under consideration is take that
land “out of play”. Director Walker stated that they will continue to put articles in the eblast.

C. Metropolitan District Items – Paul Dannels, General Manager

Mr. Dannels reported the engineering plans for the roundabouts will likely be approved by the County next week. Mr. Dannels reported they will go out for bids the first week in February, adding that due to the scarcity of big construction jobs in Colorado there are quite a few construction companies eager to bid on this project. Mr. Dannels reported they are hoping to begin construction in late April weather permitting.

X. IMPORTANT MEETING DATES

Director Dugan reported the February 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, February 18, 2011, 7:00 am Executive Session, 8:00 am Regular Meeting.

The next Castle Pines Metropolitan District Board meeting will be held on Thursday, February 17, 2011.

XIII. ADJOURNMENT

Motion

Upon motion duly made and seconded, the Board unanimously approved to adjourn the January Board of Directors Meeting at 9:10 am.

Respectfully Submitted by,

Lisa Goodwin
Administrator