

## Elk Falls Property Owners Association

### Board of Directors Meeting Minutes

November 6, 2023 @ 7:00pm

#### **Board Members Present:**

##### **(In Person – Dan Mueller house)**

Dan Mueller

Wayne Gneiser

Cyndie Van Buskirk

##### **(By Webex)**

Dave Shaffer (Roads Report)

Absent: Marta Nelson

#### **I. Call to Order (Dan Mueller)**

The meeting was called to order at 7:05 p.m. by Dan Mueller.

#### **II. Introduction of guests (Dan Mueller)**

1. Kim Stammer
2. Joe Stammer
3. Nick Larche
4. Lisa Klotz (Webex)

Dan Mueller made a motion to move Wayne into the VP position as Marta has moved out of the neighborhood and is unable to continue to perform her duties as VP and Architectural Chair. The motion was seconded by Cyndie. Approved.

#### **III. Approve meeting minutes (Dan Mueller)**

Motion by Dan Mueller to approve 2023 Annual Meeting Minutes, June 6, 2023 Minutes and July 11, 2023 Minutes, seconded by Cyndie. Motion passed. September 18, 2023 minutes deferred.

#### **IV. Roads report (Dave Shaffer)**

**Fall grading:** Dave drove roads with Bronson (BRME) on Sep 12<sup>th</sup> and identified the areas needing the most attention. Some of the roads (Upper Ranch and Upper Aspen) were in very good condition and did not need grading. Bronson submitted a bid on Sept 30<sup>th</sup> to grade selected areas, pull selected ditches on decomposed granite roads and deliver and spread 1 tandem load of road base. The board approved the work via email on Oct 1<sup>st</sup>. Bronson mobilized the grader and started grading on October 10<sup>th</sup> and it took

about a week for grading. Conditions were not ideal for grading as it was quite dry, but the grading significantly improved the road surface.

**Oct Volunteer Work Days:** On Oct 3<sup>rd</sup> & 4<sup>th</sup> Wayne, Kurt, Fred & Dan helped Dave with road maintenance. Used a John Deere 3032 tractor with loader and backhoe rented from Home Depot and Wayne's Kubota tractor to remove sediment from ditches on High View Dr, Cedar Ln, Circle Dr, Lower Aspen Ln, Upper Ranch Dr, Jensen Rd and Stallion Dr. The sediment was loaded on trailers or transported by tractors to problem areas on roads w/ decomposed granite where it was spread to fill in ruts. Also, the culvert outlets at the High View loop culvert and the culvert near 34727 Circle Dr. were cleared.

**Compensation to Wayne for his time and use of tractor** In the past, the board has reimbursed Wayne for the approximate cost of fuel used as compensation for the volunteered use of his tractor for road work. Cyndie suggested reimbursing Wayne at a similar rate to the cost of a Home Depot rental which is ~\$75/hour (not including insurance charges).

Dan advised that paying a Board member for work without prior bidding is specifically prohibited in EFPOA by-laws (section 9), thus if we are looking to do more than reimburse Wayne for expenses incurred while performing volunteer work, this would be a challenge because we did not solicit and consider multiple bids.

Dave believes reimbursement should be more than fuel cost. We need to show our appreciation in a way so that Wayne is comfortable with lending his tractor in the future. We should not ask Wayne to donate or volunteer this service because it's an expensive tractor, and it causes wear and tear on tractor. Wayne really bailed out Elk Falls this summer with Merle gone.

Dan, Cyndie & Dave will consider an approach offline and present by the next meeting.

### **Planning for Winter (Salt & Sand)**

Merle is not returning until December. Typically need to sand & salt 4-5 times per season. Dave suggests we purchase 20 bags of salt, so we have the same amount of sand as salt. Currently, there are 20 bags of sand staged at the end of Upper Aspen. There are also 10 bags each of salt and sand @ Juniper paved curve.

The 4 primary areas where sand/salt are spread are (all are steep and shaded):

1. Stallion hill
2. Juniper paved curve
3. Cedar/High View curve
4. Circle Drive hill/Lower Aspen intersection

A few years ago, Dave bought an entire pallet of salt in 40 lb. bags. Guesses the cost was approximately \$10-13/bag. He recently saw 20 lb. bags at Walmart on Bowles. Normally gets 40 lb bags of road salt from Lowe's.

Dan – Motion to buy 20 bags of salt (40 lb. bags). Seconded by Wayne. Approved. Current price at Lowe's for a 50 lb. bag is \$12.

Dave advised that sand is spread thinly with spreader. He has empty bags for sand. They are with the pallet of sand on Upper Aspen. He also built something that allows 1 person to fill sand. Dave Dobbles has culvert rake, which is stuck in his driveway culvert. Cyndie's spouse, Kurt, also tried to help remove the rake and couldn't get it out.

### **Concern for Broadband Project affecting roads**

Need to keep fiber project in mind for roads. May want to defer maintenance. Add current fiber & road status in newsletter. Dan added that current Highline plans (as distributed in a recent newsletter) continue to service all homes in the neighborhood following current aerial pole service, and will not be constructed until 2025, so this may be of minimal concern unless their plans change.

### **Roads chair Transition:**

Dave has put a lot of files on PayHOA for whoever becomes the next Roads Chair. Had to use Archive (Roads folder) because he couldn't create folders in main area. He's not sure if he has added everything the new Roads Chair would need, but Dave can work with that person.

He will be traveling a bit for next 2 months, so he won't be checking the Roads Gmail account. Cyndie has passwords to access and she has keys to POA storage unit.

Dave mentioned that if we do not have a roads chair soon, someone will need to coordinate with contractors to spread sand & salt and also to plow as needed.

Dan asked Dave to send him email address & phone #s for Merle and Bronson.

Culvert markers are in storage.

## **V. Treasurer Report (Cyndie Van Buskirk)**

- a. Reviewed balance sheet, budget vs actual accrual (under budget at this time), P&L by month and the delinquent accounts summary.
- b. Delinquent Accounts: Only 2 left. Will try to connect with homeowners.
- c. Financial Statements: Invoices to BRME for road maintenance were paid. account balance is around \$22,000, but \$3,000 are escrowed funds, so the actual available balance is ~\$19,000. They went about \$5,000 over budget for road costs this year. However, all other expenses were less, such as legal, which was around \$1300 less.

- d. **PAYHOA:** No online directory yet. Cyndie and Dan compared their information and it matches. 146 lots, 37 owners without contact information. Dan also broke down information by block. He believes the owners of 9 of those lots will never use email/computers. So, there are 28 people to contact about switching their email over to PayHOA.

## **VI. Architecture report (Dan Mueller)**

Marta is no longer handling so Dan will handle tonight and Wayne can handle in next meeting.

New home build: 34667 Circle Drive. Owners have taken care of the driveway culvert issue by reducing its length as suggested/requested by the Architectural chair. Therefore, that concern has been resolved to the Board's satisfaction. Once final grading is completed, we can consider return of the property owners' deposit.

Inquiries only:

- a. 34961 Lower Aspen Ln.: Will be submitting design drawings to Park Co. for approval and will then send to Board. Engineer has signed off. Just adding a Timber-A frame over front door and replacing wood siding with neutral colored Hardie Board. Dan to look into costs of Hardie-board and stone and whether they can be included as costs for Firewise certifications.
- b. 34626 Circle Dr.: Radon mitigation.
- c. 34199 Berg Ln.: Exterior remodel.

### Transaction

Closed sale 34626 Circle Dr.: Bluhm sold to Kristen Frackenthal and Tammy Dilley on September 1st, 2023.

## **VII. Firewise report (Dan Mueller)**

Deadline to submit recertification application is 11/17. We always have enough hours & dollars. But, Dan needs to update community plan. He will focus on that over the next few days with fire dept.

In the past, we had planned to put up evacuation route signs. But, the fire dept. advised against it because of liability. Roadside brush is a major hazard. Dan asked fire dept. for guidelines and waiting to hear back. Looking for someone to help out or take over the Firewise committee chair position.

## **VIII. Next Newsletter date and topics**

- a. Unofficial Elk Falls Facebook Group. Will ask Group administrator (Andrea Allen) to add statement that the Facebook Group does not necessarily reflect the views of the Elk Falls POA and that all official

EFPOA news and announcements will continue to be distributed through periodic PayHOA newsletters or announcements. Nick Larche and Kim Stammer are members of the Facebook group and will monitor for content.

- b. Nick Larche to take over responsibility for newsletter and possibly website for Bev Long.

#### **X. Other Business**

- a. Discussion of possible covenant revisions – deferred.
- b. 2022 HOA legislative updates to Annual Fee & Special Assessment Collection Policy – deferred.
- c. Decisions made outside board meeting: Approval for BRME road grading, base and ditch quote (via email 10/4/2023) Motion by Dan, seconded by Cyndie and approved.
- d. Crime Insurance policy – deferred. Awaiting implementation of segregation of duties.
- e. PayHOA documents archive – Cyndie, Wayne and Dan to review functionality.
- f. Road chairman replacement. Joe Stammer is willing to join Roads committee with Dan and Wayne, but not act as Chair. The Roads Chair Board position will therefore remain vacant until a new volunteer is identified and approved by the Board.
- g. Secretary replacement. Marta is not coming back although her house has not sold yet and asked that her positions be filled. Wayne will become new VP/architectural chair, leaving Secretary position vacant. Kim Stammer was the only person to show interest in the position. Nominated by Dan for secretary position, seconded by Cyndie. Motion passed. Interim until re-election at annual meeting in May.

#### **XI. New business (Dan Mueller)**

##### **Speed bumps**

Resident Renae Bruan filed complaint about speed bumps. Renae spoke to County and was told that it is a public road, so speed bumps ought to not be there. County removed them before so she expects County will compel them to remove speed bumps.

However, Dan met with the Dunwodys today on this matter. They claim there were 2 other court orders that revised prior orders and clarified ownership as Dunwody's and not the County. They went on to claim that the person who Renae spoke with had misinterpreted the court records, and did not have authority to do so. Dunwodys feel very comfortable that the 3rd Court Order makes it clear that the Judge had no authority to make it County property and it is Dunwody's private property, although it establishes a right of easement to allow Elk Falls residents to use road.

Renae's interpretation of court order is that it's a public roadway.

Dan would like to work with County to get understanding for who is right, and what the action will be on the speed bumps.

Dave – he thinks the Dunwodys have caused damage to road with construction. Dave called his Park County contact but he has not yet heard back.

**XII. Next Board Meeting date – Monday, December 4, 2023 at 7:00 p.m. at Wayne Gneiser’s house.**

**XIII. Adjourn – Meeting adjourned 9:20. Motion by Dan. Seconded by Cyndie. Motion passed.**

**Respectfully submitted by Kim Stammer, EFPOA Secretary**