



Big Elk Meadows Association
Saturday, February 20th, 2021
Meeting Agenda

09:00 Call to Order by President

- Quorum verification – (Board members attending): Johnstone, Faughnan, Clevenger, Sayler, Sommers, Davis and Broome. Note: Director Clevenger left the meeting at 10:07.
- In Attendance: C. Paddock, M. Prucha, C. Isenhardt, C. Loomis, G. Christensen, L. MacLeod, D. Brady, R/S Leonard, P. McDaniel, G. Scoma, J. Murphy, B. Tolle, P. Cyphers and P. Hempel and M. Hiss of CRWA
- Staff in Attendance: P. Flanagan and V. Darling
- Request for Executive Session made by Director Clevenger for the purpose of reviewing the 2021 - 2022 budget and Director Faughnan to discuss housekeeping for Long Term Planning.
- Approval of this Agenda – First motion by Director Clevenger, and second motion by Director Sayler. No discussion. President Johnstone called for the vote, all in favor.
- Approval of January 16th, 2021 Meeting Minutes – First motion by Director Faughnan and second motion by Director Broome. Discussion. President Johnstone called for the vote, all in favor.

09:05 Member Communication

- J. Murphy commented it was nice to have the cattle gate installed as it has shown to deter non-members or guests from entering the community.
- G. Scoma –
 - In review of committee reports online, it was noted there was no information on the Architectural Review Committee.
 - Complimented the Finance Committee for work on the budget.
 - Previously sent an email asking if the Board would consider a “Past Presidents” section of the website. President Johnstone stated he had reviewed the email but believed that all involved, such as directors, volunteers and historians are instrumental in supporting the community as a whole, all individuals and groups mentioned on the site are important. Uncertain of the purpose, his concern is the exclusion of someone and stated decisions are made by leaning on others for support of the community, the group as a whole should discuss and make a decision which again, supports the community. G. Scoma stated this was in reference to insurance coverage and support to the Board in an acting Presidents absence, a previous President can step as interim.
 - Complimented the ability of the Board to accept new directors according to the Bylaws
- R. Leonard – Questioned the use of BEMA heavy equipment for what appeared to be personal use. It was clarified by President Johnstone with support from G. Christensen the membership have opportunity to hire heavy equipment operation for a nominal fee. R. Leonard was unaware heavy equipment operation was available for hire and stated he appreciated the information.
- C. Loomis – Curious if the funds previously requested by Long Term Planning Committee for road test strip made it into the 2021 – 2022 budget. Director Clevenger stated funds requested have yet to be discussed in the Finance Committee.
- L. MacLeod – Asked if anyone had any experience with Canadian company, Heat Line which is a freeze protection system for underground water lines. No one in attendance was familiar with the company however interest was expressed in the product.
- Paul Hempel and Mallory Hiss – On behalf of CRWA here to present information on source water protection as requested by Operations Administrator, P. Flanagan.

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Director Faughnan motioned to add CRWA to the agenda under Operations Committee for a 10 – 20 minute report followed with Q&A. Director Clevenger seconded the motion. Discussion. President Johnstone called for the vote, all in favor.

- Report from VFD of BE Fire Chief Isenhart – VFD of BE responded to six calls in the last month: wildland fire, health related with another call last evening. Seven hundred sixty nine training hours last month for the VFD of BE. Six members in Big Elk Meadows are attending the Emergency Responder class being held on Tuesday's, Thursday's and Saturday's. Department is experiencing starting issues with the med rescue vehicle. Pinewood Springs is eliminating slash in small burn piles throughout the community. Grant received for the purchase of a new AED. The old unit has been disposed of as technology is not supported by the manufacturer and the unit cannot be updated. Three hundred community service volunteers are prepared to perform assigned tasks in the community. Most tasks would be mitigation related and performed in the spring. Due to COVID-19, not much can be done interior wise.
- Firewise - BEMA's Firewise application has been deemed inactive. A leader or representative from the HOA is needed to support the application. Firewise is also looking for a long term action plan using risk assessments, to determine priority of projects, boundary's in which work will be performed and annual goals the HOA determined. This is a new action plan that must be established by November 2021 to reactivate the Firewise application and maintain Big Elk Meadows as a Firewise community. The leader or representative is not required to be a full time member however this individual must be able to meet on a monthly basis, participate in creating the action plan and serve as a liaison to the Board of Directors. Director Clevenger expressed interest in being involved with the program as a representative on behalf of the membership and reminded everyone the Firewise program is also beneficial to the membership in regard to homeowner insurance coverage and costs, in addition to the VFD of BE ISO rating. Time tracking and reporting mitigation work may also assist individual members with their homeowners insurance.

Director Clevenger motioned that as a Board Director he participate in the Firewise program representing BEMA. Director Faughnan seconded the motion. No discussion. President Johnstone called for the vote, all in favor.

Director Faughnan stated she attended the first annual Wildfire Summit online, which brought together scientists, firefighters, forest management experts, state and local officials and impacted Coloradans for a wide ranging discussion on wildfire preparedness, mitigation, resiliency and recovery. This event was hosted by Congressman Joe Neguse and was open to the public. Information about this event is online for review.

- Director Sommers expressed concerns about trees blown down on CR47, stating perhaps it would be beneficial having the three hundred volunteers clear and remove those trees. Chief Isenhart advised there are restrictions – work by the volunteers must be done for the 501c3 on community land. Work cannot be done on public lands or forest service property under the volunteer program.
- Motion of C. Paddock to Board as Director, further discussion as Board Liaison to Committee(s)

Director Clevenger Motioned that Catherine Paddock be elected to the Board to fill an open Director position in accordance with the Bylaws. Director Faughnan seconded the motion. Board discussion on term of the directorship being until May of 2021 and filling the seat of J. Ellis in the remainder of a two year term (2021 – 2022 fiscal year being the final year of this term). During the discussion it was noted that Catherine Paddock has shown support to the community on the Friends of Big Elk Committee, as a member of the Big Elk Meadows Garden Club and in participation of the Big Elk Meadows Clean-up Day. Through her actions she has demonstrated a willingness to serve the Association and an ability to be effective in her efforts. President Johnstone called for the vote. All in favor. Catherine Paddock will fill the position of a Board Director until the 2021 Annual Meeting when the Members will be able to vote for a director to fill the remaining one-year term of the directorship.

Director Paddock expressed interest in the Long Term Planning and Social Activities Committees and would like to provide support where needed.

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Director Clevenger motioned Director Paddock as Board liaison to the Social Activities Committee, Director Faughnan seconded the motion. No discussion. President Johnstone called for the vote, all in favor.

Director Faughnan motioned Director Paddock as a member of the Long Term Planning Committee. Director Clevenger seconded the motion. No discussion. President Johnstone called for the vote, all in favor.

- Motion of C. Loomis to Finance Committee

Director Clevenger motioned Curt Loomis to the Finance Committee, Director Broome seconded the motion. No discussion. President Johnstone called for the vote, all in favor

- Motion of R. McCutchen to Lake Health and Fish Habitat Committee.

Director Davis motioned Roy McCutchen to the Lake Health and Fish Habitat Committee, Director Clevenger seconded the motion. No discussion. President Johnstone called for the vote, all in favor

- Motion of S. Davis to Water Rights Committee

Director Davis motioned Selina Davis to the Water Rights Committee, Director Sayler seconded the motion. No discussion. President Johnstone called for the vote, all in favor

- G. Christensen – STR, Larimer County – In September 2020, the community was notified by Larimer County about a Short Term Rental (STR) application for member Jacobson at 731 Hickory Dr. To date, the Board has taken no known action on this matter. In review of what was filed and in speaking with a rep from the County, thirty response letters were sent in regarding the STR. Nine were in support of an STR and twenty one were not in support of an STR. G. Christensen stated he was unsure who on the Board was following up on the status of the application and advised this situation will create a large problem within the Meadows. His concern is non-members who do not understand BEMA's rules and regulations tend to violate them. Non-members also do not understand community water regulations or how precious our limited water supply is. As requirements for licensure of an STR and reclassification of single family homes have altered in Larimer County, regulation and oversight will also likely change. There is significant concern by the membership on how the Board will handle STR's, should they be permitted in the Community. Action must be taken and the Board must be prepared for the prospect of such changes, should they occur. G. Christensen also recently addressed an incident at the Jacobson's with too many vehicles and too many attendees at their home according to what the Special Events Permit allowed. A code violation was created, signed by President Johnstone then submitted to Larimer County. Board discussion on previous vote regarding STR's and stiff use fees, which are substantial in many cases. Board discussion on voting and Bylaws, Rules and Regulations regarding rentals and how fees are implemented.

10:28 Presentation from CRWA on Source Water Protection

CRWA Source Water Protection aka drinking water protection planning, presented by Mallory Hiss and Paul Hempel. CRWA provides professional training, technical assistance and political representation to rural and small communities as they endeavor to maintain industry standards, meet regulatory deadlines and attain multi-level certifications of their water and wastewater systems operators. CRWA has been training and certifying water professionals for 38 years. Programs and services offered are: Operator trainings, technical assistance for water and wastewater circuit riders, energy efficiency assessment and source water protection and they host an Annual Conference which allows for operators to test and keep up with State required certifications. CRWA has over 230 completed Source Water Protection Plans in place throughout Colorado.

Source Water Assessment and Protection also referred to as Colorado's SWAP Program, is a multi-step, two phase process designed to assist public water supply systems in preventing accidental contamination of untreated drinking water supply by developing protection plans. For Colorado, this is a voluntary, non-regulatory program. The pinnacles for success of the planning process are stakeholder involvement and public education. This is a two phase program: 1. The assessment phase and 2. The protection phase.

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Protecting Source Water protects public health and reduces the risk of contamination to drinking water. Protecting Source Water will also reduce the cost of treatment, avoid expensive clean-up costs and BEMA could earn a \$5,000 Source Water Protection Grant through CDPHE. By providing source water we provide a valuable resource which we share with other users in the State and there has been an increasing effort to coordinate Land Use with Source Water Protection Planning.

Source Water Protection is the first threshold to providing safe drinking water. So at the beginning Source Water Protection is the untreated water from a surface water or from an aquifer beneath the ground. From there we have water treatment systems where we perform water testing, then into a secure distribution system and onto the consumer who will consume clean drinking water!

The entity or regulatory that oversees clean drinking water is the Environmental Protection Agency (EPA). In 1996 there were amendments to the Safe Drinking Water Act that focused on Source Water Protection in particular. The USDA Farm Bill and Colorado Department of Public Health & Environment both fund our Source Water Protection specialists at CRWA.

The two phases to the program, Assessment Phase and Protection Phase.

Assessment Phase - In 2004 the State came in and assessed all of the source water intakes and wells, they delineated a protection area, took inventory of contaminants that might threaten that source water, performed a susceptibility analysis, (how likely is it the contaminants will get into an intake or well) and they released SWAP reports to the public. This includes BEMA's Source Water report which states that we have ground water sources. The Assessment was performed by the Water Quality Control Division. This assessment report can be found on-line by Googling CDPHE SWAP, click on the Assessment phase, Source Water Assessment by County, select Larimer County, then select Big Elk Meadows.

Protection Phase – This is the program CRWA would like to undergo with BEMA in 2021 if the Board approves. With the assessment report, CRWA involves stake holders in the planning process, develops a Protection Plan and implements some Best Practices to mitigate contamination sources. CRWA looks for community and stake holder buy-in so BEMA can monitor and update the protection plan in perpetuity after initial creation.

Steps that happen during the planning process:

- Stakeholder involvement and forming a steering committee who develop and implement the protection plan
- Delineated source water protection area. Thanks to gravity, water flows downhill then collects somewhere to a specific body of water. There is surface water and ground water. In surface water delineation there is an intake and a surrounding area that needs to be observed for prospective contaminants as they can flow into the intake (samples of ground water delineation were visually provided and reviewed).
- Inventory – potential sources of contamination in those areas which are prioritized. Several tools are utilized to determine these sources such as wildfires, mining operations, oil and gas, private wells that might be improperly capped and leaking into BEMA provided well. Residential practices may also be a threat to source water such as dog waste, over fertilization of a yard, pesticides and other chemicals such as paint and primer, failing septic systems, above ground and underground fuel tanks and improperly abandoned wells.
- After it has been determined what contaminants may exist across BEMA landscape, those contaminants are prioritized using a SWAP Risk Assessment Matrix, the probability of impact and impact to the water system. This will gauge what type of control BEMA may or may not have over contaminants.
- Next is to identify best management practices that can mitigate the negative effects of contaminant sources.
- By participating in the Source Water Protection Plan with CRWA, BEMA will receive seven free Drinking Water Protection Area signs to place throughout the community.
- Another huge component to get the community involved in is outreach and education on Source Water Protection. Wildfire mitigation and security are other Best Practices in a Source Water Protection Plan.
- Final step is to write the actual plan and implement one or more Best Practice(s).

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There is a grant through CDPHE up to \$5,000 that funds the implementation of Best Practices for eligible public water systems. The grant is dependent upon matching funds. Many communities are able to match the grant with in-kind time. The more involvement from community members the more eligible to raise in-kind time matching funds. Funds can also be matched through cash. The funds are for implementation of Best Practices which will help protect BEMA's source water.

There is a template available to write the SWPP. There is also a template to develop a contingency plan or "in case of emergency" plan relating to flood, fire or drought.

The role of CRWA as a Source Water Team:

- Present to the Board of Directors
- Complete and submit grant application requesting a grant to undergo the process
- Work with Pinewood Springs to identify potential stakeholders, send meeting invitations/notifications and conduct the meetings.
- Assist with mapping intake and source water protection areas.
- Assist with development of the SWPP document.
- Provide guidance on Best Management Practices.
- Provide clerical assistance for grant funding such as invoicing for reimbursed expenses.

The best parts of the program are:

- CRWA's services are free of charge to the public water system and community as they are funded by the USDA.
- Grant match can be met with in-kind time and no out-of-pocket cost to the water system.
- CRWA will assist the public water system with the entire process from start to finish.

CRWA turned over to Operations Administrator P. Flanagan for comments or general background regarding the process, what interests him and why he requested CRWA's involvement. P. Flanagan reminded the Board BEMA struggled last fall with raw water quality in lakes. He is hoping the Source Water Protection Plan will assist with future needs and testing failures experienced last quarter. Also stated the plan is critical for our plan of correction in relation to the previous quarters poor testing. Operations Administrator and Licensed Water Operator P. Flanagan strongly encouraged the Board to approve moving forward with CRWA in creating a Source Water Protection Plan to be in compliance with the State.

P. Hemple provided additional information on the grant, how it may be used/not used. Advised this may also be potential for other funding opportunities. CRWA would anticipate wrapping up the plan within their fiscal year. Director Faughnan asked if action is not taken, will the State look down on the Meadow's. P. Flanagan agreed and stated this is a required program to maintain compliance with the State. Further discussion on water source and testing. P. Flanagan would be the point of contact in developing the plan anticipating various committees' participation in the program along with other stakeholders such as private land owners and National Forest Service.

Director Faughnan motioned to work with CRWA and take action on BEMA's Source Water Protection Plan. Director Davis seconded the motion. Discussion. Member B. Tolle stated he supports the program as a member and encouraged the Board to move forward with the project. No further discussion. President Johnstone called for the vote, all in favor.

President Johnstone thanked P. Hemple and M. Hiss of CRWA for their time and presentation. M. Hiss stated she would begin on the grant paperwork straight away and will continue their work with P. Flanagan. P. Hemple thanked the Board and expressed his enthusiasm for the project.

11:01 Master Calendar

Board review of Master Calendar. No discussion.

11:02 Communications Committee Report

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Communications Committee Report presented by Chairman R. Sommers on behalf of the Committee. Starlink is opening to BETA customers at our latitude. Members can log into Starlink.com for eligibility to the beta program and download an app on their cell phone to see if the program will work for them. Starlink is a low earth orbital satellite constellation providing faster and less latent services. Satellites are in lower orbit and there are many more of them. Equipment for this service must be purchased up-front with monthly billing to follow. Members who are still under contract with their current internet service provider may obtain services through Starlink's beta program but will need to know how to switch back and forth for use. xBar7, although a bit slower than the committee would like is making progress.

Communications Committee will be working with Rules Violations, Guidelines on Enforcement and Penalties or Fines Committee on improved workflow for violations/incident reporting and processing of reports. Committee will also be working with G. Christensen on transitioning Reconstruction docs to storage.

11:14 Operations Committee Report

Operations Administrator, P. Flanagan presented the Operations Committee report on behalf of the committee with review of sub-zero temperatures causing frozen water lines and leaks in member homes and meter pits. False low readings occurred in the SCADA control system due to ice formation in the upper tank. Staff is operating the tank level manually and running pumps accordingly to avoid overfilling and ice damage to the interior piping. Underground steel tank project is now completed and finished water is being added. MidCo has been contacted for tank cleaning and upper tank repair for spring services.

Automatic restart modification was not effective on current air compressor, back-up air compressor has auto restart capability and set up for transition during power outages. Lake intake project is currently in the design phase. BEMA is working with John's Well and CRWA on this project. Finished water test results have returned as "Good". Waste water or Total Suspended Solids (TSS) tests returned as low which is a good start for the first quarter. Bi-annual Lead & Copper test results also returned as "Good".

Plowing and sanding continue as needed, both sanders required service but are now up and running.

Trash compactor access door was glued shut with what appeared to be a Super Glue adhesive. Acetone and hammer were used to open the access door. There also appears to be some confusion on how to open the access door although members are acclimating. Dog waste stations were again filled with dog yard waste. The stations were designed for single bag use for members out walking their dog. The Board agreed both the trash compactor door and dog waste stations abuse are acts of vandalism. They also agreed the offender(s) will be prosecuted when found. Game cameras will be placed in the vicinity of each dog waste station and the compactor to determine who is vandalizing BEMA equipment. Once determined, fines will be issued along with steps taken to prosecute the offender(s).

To assist with use of the compactor, photos and instructions will be provided in an up-and-coming member communication.

11:17 Reconstruction Committee Report

Director Faughnan presented the Reconstruction Committee Report on behalf of the committee. Two developments are progressing. State agency has forwarded the FEMA grant out of their office onto FEMA. Committee has requested this grant be pushed quickly as possible as there are outstanding funds owed to BEMA. Funds are related to Mirror and Willow Dams. Positive feedback from Boulder County indicating they may have additional funds available which were left over from another project. Funds will supplement Sunset Dam expenses. Although tentative figures have been provided they could increase. Committee will advise of final amounts once confirmed by Boulder County.

11:20 Finance Committee Report

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Co-Chair P. Cyphers presented the Finance Committee Report on behalf of the committee. The committee has had several meetings and are actively working on various projects. At present not much change is expected in the 2021 – 2022 budget as everything is quite stable now. A few increases are anticipated, but nothing looming and nothing requiring extensive action, however lake health costs are still forth coming and may require an increase based on a new methodology to treat our lake water quality. Still some modifications and analysis to go through. Overall operations budget is increasing due to cost-of-living. One of the considerations is a Cost of Living Adjustment or COLA. Treasurer Clevenger will likely review this information at the next Board meeting. Another item to be discussed is the 2021 – 2022 Rate Schedule. After committee review it was determined there were a number of items to be updated: late fees, transaction fees and rental fees. Overview of the purpose and amount of rental fees discussed. Presentation by Co-Chair Clevenger anticipated at the next Board meeting. Committee continuing to work on QuickBooks, adjustments need to be made although assets are completed and write-offs have been identified. Information will be put in report with final numbers and provided at next Finance Committee meeting.

Treasurers Report – doing quite well. On track with revenues and spending, some negative due to customary costs at this time of year pertaining to insurance and maintenance of equipment. Expenditures will be assigned to seasonal adjustments. Budgeting function in QuickBooks to assist with assigning expenditures seasonally and to help with anomalies. Payment made on CWCB loan balance.

Director Faughnan motioned due to the resignation of Directors Jess Ellis and Robert Forsberg, signatories on account shall be Directors Charles Scott Johnstone, Ryan Sommers and Robert “Bobby” Clevenger. Director Sommers seconded the motion. Discussion. President Johnstone called for the vote, all in favor.

11:36 Long Term Planning Committee Report

Director Faughnan motioned Curt Loomis as co-chair of the Long Term Planning Committee, Director Saylor seconded. Discussion. President Johnstone called for the vote, all in favor.

Committee Co-Chair C. Faughnan presented the Long Term Planning Committee report on behalf of the committee by stating the Committee has held numerous meetings including the virtual Town Hall on January 9 which was reported at the January 16 Board meeting. During the meeting next steps were laid out for the community. One item discussed was sending out a survey to gauge the community’s interest in potential future capital projects with potential funding mechanisms. The Committee has been working hard on creating the survey to be used as a tool to gauge the desires of the community, which is under final review by the Board. Further discussion and review for refinement of the survey prior to sending out.

Director Sommers motioned to send out the survey after recommended changes are made, Director Broome seconded the motion. Discussion. President Johnstone reinforced Director Faughnan’s comments that a lot of due diligence has been invested in the programs presented and participation in creating the survey is appreciated. President Johnstone called for the vote, all in favor.

Survey will be sent in a member communication with hard copies mailed to members without email. Responses should be submitted by March 15 and will be shared with the Board prior to March 20 Board meeting followed up by a town hall in early April where results will be shared with the community.

Result of the Dog Park Survey is as follows:

- A total of 32 responses were submitted out of 245 surveys issued.
- “No dog park needed” held the majority of responses.
- Only 11 chimed in on financial support of the dog park with offers of financial or labor support.

Not enough enthusiasm to support project at this time however the committee is leaving the option open.

11:48 Old Business – Review of Action Item List

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Director Sayler stated the coded lock on the office door was not in play which made the room unavailable for a planned committee meeting. Director Broome discussed use of locks. President Johnstone reminded temperatures may have affected coded lock but will look into it.

Board review and discussion of action items list. Created as a tool to keep Directors and Committee Chairs on track with projects, it appears the Action Items list is not being utilized as intended. Board discussion on updating and managing the list, possible reorganization for simplification of use.

12:01 New Business - None

12:01 Adjourn Meeting: First motion by Director Sayler, second motion by Director Broome, all in favor.

Next Board meeting is on Saturday, March 20th, 2021 at 9:00 a.m. location TBD.

5 Minute Break

12:06 Executive Session