



**Big Elk Meadows Association**  
**Saturday, July 17<sup>th</sup>, 2021**  
**Meeting Minutes**

**09:00 Call to Order by President**

- Quorum verification – (Board members attending): Johnstone, Cyphers, Sommers, Paddock, Leonard, Saylor, Davis
- In Attendance: C. Faughnan, C. Loomis, L. MacLeod, P. McDaniel, G. Christensen, K. Battaglini, S. Leonard, B. Christenson, B. Clevenger, L. Adler, D. Wray, R. McCutchen, J. Murphy
- Staff in Attendance: Flanagan, Darling
- Request for Executive Session made by Cyphers for the purpose of communication.
- Approval of June 19<sup>th</sup>, 2021 Meeting Minutes – First motion by Director Paddock and second motion by Director Saylor with recommended changes. Discussion. President Johnstone called for the vote, all in favor.
- Approval of this Agenda – First Vice President Cyphers provided explanation on the change in Agenda with addition of action items prior to the motion. First motion by Director Cyphers and second motion by Director Sommers. No discussion. President Johnston called for the vote, all in favor.

**09:10 Member Communication**

- Report from VFD of BE Fire Chief Isenhardt – None
- Report from Fire Wise and Forestry Committees presented by Board Liaison, B. Clevenger – Mitigation efforts continue the third Saturday of each month. Progress is being made on the firebreak between BEMA land and Johnny Park. Although a quarter of a mile clearing has been made, there is more work to make it over the top of the ridge. Discussion on managing a vehicle in the area to haul materials out. Recommendation on renting a chipper from a local hardware store. Members are encouraged to mitigate their own properties and to get involved with this project. For questions, concerns and to volunteer your time, please contact B. Clevenger, Board Liaison to FireWise at [bobbyc@bigelkmeadows.org](mailto:bobbyc@bigelkmeadows.org)
- Ken Battaglini – STR Presentation – K. Battaglini presented a report in opposition of prospective STR's within the community, with supporting docs including information from the Big Elk Meadows Association governing documents and resources from Larimer County and Boulder County. Board discussion with member input. Board Discussion on definitions and previous STR ballots and results. .

First Vice President Cyphers moved to redefine rentals within the community and to speak with legal counsel to update BEMA's governing documents. Director Johnstone seconded the motion. Member K.Battaglini volunteered to help. President Johnstone called for the vote, all in favor.

- D. Wray – Complaint regarding potholes in the road throughout the community. Board discussion with input from Operations P. Flanagan who will coordinate staff schedule, equipment and materials for the filling of potholes and other road repairs throughout the community. Member B. Clevenger encouraged members to complete work orders which assist with completion and recording of projects. Member L. Adler spoke with Victoria Darling about volunteering to fix potholes- no reply back.



- Repair of CR47 - G. Christensen presented approval by the county for repair of CR47 with some detail on replacement of culverts and repairing the road. Brief discussion on replacement of USPS boxes for the community. Lyons USPS has added boxes to the bank in Pinewood Springs and has offered BEMA member's access with a first come, first serve basis for use.
- S. Leonard- commented about Operations going to her neighbors and telling them R. Leonard is going to fire them and he won't be able to make his house payment, when it is not true. It is very offensive to her.
- Board discussion on the installation of a privacy gate to the community. Board discussion on FEMA Closeouts. Director Sommers requested a link to the Stafford Act be added to the next member communication. X-Bar is to provide IT at the gate for cameras..
- Questions and concerns raised on access to the trash compactor, installation of a recycle compactor and drivability to access the trash compactor. Board discussion on ease of a prospective drive through. Further investigation to be done by Operations. Questions on the recycle container. Director Sayler responded at this time it is too costly to do.
- C. Faughnan – Expressed gratitude for all the Board is working on and encouraged them to keep up the good work. As a reminder, she also asked the Board to keep their focus on tennis courts. Board discussion on materials used for tennis courts, which are more cost effective and which are more beneficial for the sport. B. Christenson advised he donated a new tennis net and doesn't know what happened to it. Also the tension crank is broken. Director Paddock advised t;here is a donation of \$5,000 for the tennis court.
- L. Adler- concerned over starting new projects when maintenance on other items have not been finished or done. (ex. painting buildings). P. Flanagan work orders /with priority.

Board and Members lively and long discussions on the handling of Operations by R. Leonard. The subjects were work orders, priority list, Board backing, no micromanaging, hours, time-off, overtime approval needed, undermining, volunteers, overstepping employees management, evaluations, accountability and volunteering or part time for snow plowing. Employees responding directly to Director Leonard by phone or text (\*see attached as outcome of this discussion).

Director Leonard spoke of shadowing employees for 7 days, and not being able to find two employees. Later in the meeting employee Victoria Darling (Zoom) responded to Director Leonard negatively

- L. Adler – Expressed concerns regarding water rights and safety due to gun rumors. Director Davis reassured all BEMA's water rights are intact. Member R. McCutchen commented that now that our lakes are back, there is a lot of emphasis going into, not just water rights, but also lake health and domestic water. He believes the three need to be integrated. R. McCutchen also reiterated and supported Director Davis, stating BEMA's water rights are very solid. Director Sommers advised contacting either the Boulder County or Larimer County sheriff's office if a member felt unsafe.  
L. Adler also inquired as to the use of an identifier for member vehicles such as a sticker or flag and asked about use and placement of fishing badges. It was explained that the placement of the fishing badge is on the back of the hat.  
L. Adler stated there was always a trash can outside the water treatment plant and while walking she picks up trash and would appreciate a location for disposal. Director Sommers recommended a bear safe can.
- J. Murphy – Expressed concerns regarding the construction activities, safety and permitting at the home located next door to him. Board discussion on ARC, approvals and permitting.

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- Director Cyphers reminded all of heavy bear activity within the community and encouraged all who have been impacted to contact the Department of Wildlife directly. Director Sommers requested Operations Administrator P. Flanagan contact known members who have been directly impacted by bear activity and to also contact the Department of Wildlife who may assist with identifying the bear who is breaking and entering into member homes. A member communication regarding bear activity to go out as soon as possible. Advise members to lock homes and vehicles.

#### 11:29 Board Committees

- Motion in of Committee Chairs
  - o **Communications Committee** – Board discussion concluded the committee should remain. Director Saylor motioned Director Sommers as Committee Chairman, Director Paddock seconded the motion. President Johnstone called for the vote, all in favor.
  - o **Social Activities Committee** – Director Paddock recommended the Committee be transitioned to a club from a committee although she would like to retain the Board liaison position. Board discussion to put under Communications. Director Sommers motioned to turn the Social Committee into a club. Director Leonard seconded the motion. President Johnstone calls for the vote, all in favor.
  - o **Friends of Big Elk Committee** – Board discussion on retaining the Friends of Big Elk Committee as a club under Communications Committee. Director Paddock motioned to change the Friends of Big Elk Committee to a club. Director Sommers seconded the motion. President Johnstone called for the vote, all in favor.
  - o **Operations Committee** – Board discussion on retaining Operations as a Committee. Board agreed to retain Operations as a committee with Board and homeowner involvement. Director Sommers motioned Director Leonard as Operations Committee Chairman. Director Saylor seconded the motion stating a fresh start for the Board and Operations Committee. Another discussion revisited. President Johnstone called for the vote, all in favor.

Due to a personal emergency, President Johnstone left at 12:19 leaving First Vice President Cyphers to oversee the meeting. Prior to departure, Director Paddock requested an executive session be held at some point upon President Johnstone's return or at a later date to which he and the Board agreed.

Director Saylor reminded the Board all Directors are required to attend HOA classes.

Director Cyphers reminded all directors to sign the Policy of Big Elk Meadows Association Regarding Director Conflicts of Interest, Code of Ethics and Code of Conduct and turn in to the Office Administrator and that the document is to be signed annually.

**Reconstruction Committee** – Director Cyphers moved this committee to be dissolved with open items being transitioned to either Operations or Finance. Director Sommers seconded the motion. First Vice President Cyphers called for the vote, all in favor.

**Finance Committee** – First Vice President Cyphers motioned President Johnstone and First Vice President Cyphers as co-chairs of the Finance Committee, and the following be recognized as members B. Clevenger, S. Davis and C. Loomis. Director Paddock seconded the motion. Director Cyphers presented an overview of the many projects being worked on along with prioritization of those projects.. Review of the responsibility of the Treasurer and how the committee works together on projects and budgeting. No further discussion. First Vice President Cyphers called for the vote, all in favor.

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o **Long Term Planning Committee** – Director Leonard believed the committee should be abolished due to debt the community is carrying as a result of the flood. Director Paddock s explained the Committee performs research on future needs of the community and funding for projects, gathers community input for presentation to the Board for decision making. Committee Co-Chair Loomis explained the mission of the Committee is to off-load the Board on future planning or key projects and Capital Items Big Elk Meadows may need and to understand the goals and long term vision of Big Elk Meadows members. First Vice President Cyphers called for the vote. Directors Cyphers, Sommers and Paddock voted in favor. Directors Leonard, Sayler and Davis voted not in favor. President Johnstone votes in tie. Director Sommers motioned to have C. Loomis and C. Paddock as Co-Chairs of the Long Term Planning Committee. Director Cyphers seconded the motion. No further discussion. First Vice President Cyphers called for the vote, all in favor. Member C. Loomis motioned the following to be recognized as members of the Long Term Planning Committee, C. Faughnan, P. McDaniel, P. Gill, B. Tolle, M. Rothschild, D. Howard and P. Flanagan. Director Paddock seconded the motion. First Vice President Cyphers called for the vote, all in Favor.

o **Architectural Review Committee** –The Board agreed the Committee should remain as a committee. Director Sommers motioned that K. Broome and Director Sayler co-chair the committee. Director Sayler stated she would prefer to remain as Board Liaison that K. Broome was doing an excellent job as Chairman. Director Sommers motioned for the Architectural Review Committee to remain as it stands with K. Broome as Chairman, Director Sayler as Board Liaison and members as B. Rogers, M. Boshinski and M. Lively as members. Director Paddock seconded the motion. Director Leonard inquires about the need of the committee since county permits are needed for any construction. Directors Davis, Sayler and member R. McCutchen explained the purpose of ARC. Director Sommers questions the Lot Maintenance Committee. Director Sayler explained it has been combined with ARC already. First Vice President Cyphers called for the vote, all in favor.

**Governance Committee** – Director Sayler motioned the Governance and Ad Hoc Committee remains the same with the exception of members of Governance which will be confirmed at a later date. Director Paddock seconded the motion. No discussion. First Vice President Cyphers called for the vote, all in favor.

o **Lake Health & Fish Habitat Committee** – Director Davis motioned to remain as Board Liaison with P. McDaniel remaining as Committee Chairman and the following be recognized as committee members Glenn Christensen, Selina Davis, Paul Flanagan, Roy McCutchen, Angie Francis, Laura Pool, Mike Oatley, Jeff Harbert and Jesse Logero. Director Paddock seconded the motion. First Vice President Cyphers called for the vote, all in favor.

o **Water Rights Committee** – Director Davis motioned himself to remain as Chairman of the Water Rights Committee and the following be recognized as committee members, R. McCutchen, V. Darling, P. Flanagan, B. Tolle, S. Davis and A. Hatfield. No discussion. Director Sommers seconded the motion. Director Cyphers called for the vote, all in favor.

o **FireWise Committee/Forestry Committee** – Director Sommers motioned FireWise and Forestry Ad Hoc Committee's now be recognized as a club, Director Davis seconded the motion. No discussion. First Vice President Cyphers called for the vote, all in favor

First Vice President Cyphers requested a member communication go out for the purpose of recruiting Board Members and Committee members.

Director Sommers requested the Board be notified during meetings when property changes hands.

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Director Paddock requested all Directors attend the Meet and Greet events to introduce themselves to new members.

Board review and discussion on use of the Master Calendar including Google calendar for notification of items or tasks listed, person responsible and up and coming meetings including committee meetings.

**Board Discussion on action items vs reports being presented.**

**12:54 Master Calendar**

First Vice President Cyphers suggested going through each committee listed but to limit discussions and determine if items need to be discussed in-depth recommended doing so in a separate meeting. Other items being discussed should be addressed and assigned.

**01:02 Communications Committee Report**

Item	Notes	Person(s) Presenting
Committee Report	Comments, Q & A	R. Sommers
Website		R. Sommers
Google Drives	Access	R. Sommers
Document Retention Process		R. Sommers/P. Cyphers

Director Sommers presented the Communications Committee Report on behalf of the Committee and advised he will relieve Web Administrator, T. DeVore of her responsibility to the BEMA website. Document retention is being worked on by both First Vice President Cyphers and Director Sommers.

**01:05 Social Activities Club Report**

Item	Notes	Person(s) Presenting
Committee Report	Comments, Q & A	C. Paddock
Calendar of Events	Comments, Q & A	C. Paddock
Member Appreciation Picnic	Planning	C. Paddock
Budget	Comments, Q & A	C. Paddock

Director Paddock presented the Social Activities Club report on behalf of the Club. Board discussion on Calendar of Events with event notifications being sent through member communications. Board discussion regarding the Member Appreciation Picnic held over Labor Day weekend as a Board sponsored event supported by the Social Activities Club.

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### 01:11 Operations Committee Report

Item	Notes	Person(s) Presenting
Committee Report	Comments, Q & A	S. Johnstone
Staff Performance Evaluations	Scheduled 7/16	Johnstone/Cyphers
Operations Responsibilities	Define Scope and Set Expectations	P. Cyphers
Update Job Descriptions of Staff	Dependent on Responsibilities	Committee
Maintenance Budget\Capital Projects	Review Last Years and Upcoming	P. Cyphers
Machinery and Equipment	Status and Estimated Repairs	G. Christensen/P. Cyphers/P. Flanagan
Transfer of Reconstruction Items to OPS	Dams,	
Water Intake Project	Estimate and Timing	
Concrete Water Tank Liner	Status	
Repair Underground Steel Water Tank	Major Repairs	
Upper Tank Water Repair	Priority	

First Vice President Cyphers advised Director Leonard he is expected to take over this list. In doing so provide updates and include due dates of each task to the Board. Items need to be identified in three categories, what can be done, what has to be done and what, as a committee do we want to be done, then determine what should be outsourced. President Johnstone and Vice President Cyphers started Employee Reviews yesterday. First Vice President Cyphers also stated job descriptions of staff should be reviewed and updated for clarity of expectations. Director Leonard - Operations Committee will work on job description. Board discussion on Maintenance Budget, Capital Projects and priorities, which First Vice President Cyphers and Director Leonard will work on together. Board discussion on machinery and equipment, expense to maintain and possible elimination if too costly to service and repair; Board discussion on transferring remaining reconstruction items under Operations Committee; Board discussion and review of the Water Intake Project with input from the Operations Administrator, P. Flanagan; Board discussion of both underground water tank projects, repair of upper water tank project and status of each project. Water tank projects are considered a priority. Board discussion on preventative maintenance of equipment.

### 01:22 Finance Committee Report

Item	Notes	Person(s) Presenting
Committee Report	Comments, Q & A	P. Cyphers
Cleanup of 2020 FY Accounting	Numerous items	P. Cyphers
Rate Schedule FY 2021-2022	Completed and Entered	Bookkeeper/P. Cyphers
Work on VFD utility billing	*PAID thru June – Discussion being held on setting up utility directly for VFD.	
Past Due Accounts	Over 90 days	P. Cyphers
Insurance Review	Current Reviews	P. Cyphers

FY2021 Capital Expense Plan	Need further quotes and prioritization	
Finalize capital asset List	Enter into QuickBooks	
Have QB's ready for audit by 01 October 2021		

Director Cyphers presented the Finance Committee report on behalf of the committee and advised he is continuing clean-up of financials, accounting and proper categorizing. He also presented information on insurance for the Association then motioned to keep insurance as is. The Board requested a review of insurance information with an electronic vote by Wednesday. Brief discussion of capital expenses and capital projects that have been identified; Brief discussion on reserves, what needs to be spent and decisions made on which projects to move forward with.

**01:29 Governance Committee**

<b>Item</b>	<b>Notes</b>	<b>Person(s) Presenting</b>
Committee Report/Status Update	Comments, Q & A	D. Sayler
Location\Version Control of Governing Documents		
Policy and documentation of Incident /Covenant Violation Form		
Create incident log		

Director Sayler presented the Governance Committee Report on behalf of the committee stating Director Sommers has the Owner's Manual in soft copy for use by the committee to rewrite. Director Sommers has a proposal on incident reports which he will present to the Governance Committee for input. Once refined the proposal will be presented to the Board and then implemented upon approval. Board discussion on the location and version control of Governing Documents.

**01:35 Long Term Planning Committee**

<b>Item</b>	<b>Notes</b>	<b>Person(s) Presenting</b>
Committee Report/Status Update	Comments, Q & A	C. Loomis/C. Paddock
Capital Budget Review	Transfer to Finance	
Lot Financial Review	Discussion/Decision on Investment	P. Cyphers

Due to the length of today's meeting, Co-Chair Loomis recommended scheduling an evening meeting to review the presentation. Further Board discussion on scheduling a meeting, review of the presentation to the Board and presenting survey results to the Membership;

**01:50 Lake Health & Fish Habitat Committee**

<b>Item</b>	<b>Notes</b>	<b>Person(s) Presenting</b>
Committee Report/Status Update	Comments, Q & A	G. Christensen/P. McDaniel
Application of BioLyneceus Treatments		Operations
Aeration Budget and Expenditures		P. McDaniel

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Director Davis presented the Lake Health & Fish Habitat Committee report on behalf of the committee. Chairman McDaniel is looking to meet with First Vice President Cyphers in regard to expenditures and budget. Board discussion on bat houses and installation by committee member J. Logero which will assist with mosquito management. Operations Administrator P. Flanagan reported the lakes had been treated; results of treatment came back as GOOD. Observation of some algae growth on Rainbow Lake. Board discussion on aeration of the lakes; First Vice President Cyphers encouraged good communication between the Operations, Lake Health & Fish Habitat and Water Rights Committee's as water is our most valuable resource within the community.

**02:03 Water Rights Committee Report**

Item	Notes	Person(s) Presenting
Committee Report	Comments, Q & A	K. Davis
Water Releases		

Director Davis presented the Water Rights Committee report on behalf of the committee. With a leak in Sunset dam, Committee Chairman Davis lowered the lake level to prevent further leaking until L4 returns for repairs. Off-site shed at River Glen needs repair work. Access will be needed at the site to perform repairs. Overview of water releases from the Meadows and BEMA's other release resources, scheduling, number of acre feet and current status.

**02:20 New Business**

Incident Report at 527 Hickory Dr. has been addressed and will be filed as completed.  
 Incident Report at 564 Aspen Dr. has been addressed. Further investigation and documentation will occur at this property.

**02:23 Adjourn Meeting:** First motion by Director Paddock, second motion by Director Sayler, all in favor.

Next Board meeting is on Saturday, August 21<sup>st</sup>, 2021 at 9:00 a.m. location TBD.

*\*July Minutes*

*Staff,*

*I know there have been mixed messages regarding who is leading operations and administration. Just so it is clear, the board has appointed Ron Leonard as responsible for operations and administration.*

*Additionally, if any board member asks for anything that will prevent you from performing a task that Ron has requested of you, please make sure the board member and Ron are made aware of the conflict. It will be up to Ron and the board to prioritize the tasks.*

*Finally, with regard to communications. Ron is fitting this role into his very busy schedule. To that end, he needs to be able to rely on electronic communications. We expect timely responses to his requests.*

*I appreciate that this is a lot of change, but it is time we take steps to transition from reactive operations as a consequence of the flood, to a more proactive approach. This includes taking preventive action on equipment and other assets.*

*Thank you for your help in this effort.*

**Scott Johnstone**

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