



Big Elk Meadows Association
Saturday, April 16th, 2022 9:00 AM
Board of Directors Meeting Agenda

Virtual Meeting meet.google.com/knk-tfqe-mdv Phone Number (US) [+1 909-929-1321](tel:+1909-929-1321) PIN: [621 217 757#](tel:+1909-929-1321)

09:00 Call to Order by President

- Quorum verification – (Board members attending): Johnstone, Cyphers, Grimes, Isenhart, Saylor, McCutchen, Christensen, Sommers, McDaniel.
- Board members not in attendance: (Excused absences) Taylor, proxy provided for vote on the Dietzler contract, (Unexcused absence) Adler
- In Attendance: B. Clevenger, P. Sorensen., C. Faughnan, L. MacLeod, R. Reilley, T. Johnstone, E. Murphy, L. McCutchen, C. Loomis, G. Hardin, B. Tolle, K. Battaglini
- Staff in Attendance: Flanagan, Darling
- Request for Executive Session made by Director Saylor for the purpose of personnel concerns.
- Approval of March 19th, 2022 Meeting Minutes – First motion by Director Saylor and second motion by Director McCutchen with recommended changes. Board discussion. President Johnstone called for the vote. All in favor.

First Vice President Cyphers overviewed construction of the Minutes and capture of pertinent information with Board input.

- Approval of the Agenda. First motion by Director McCutchen and second motion by Director Christensen. President Johnstone called for the vote. All in favor.

09:15 Member Communication

Second Vice President McDaniel presented an overview of ground rules for Member Communication regarding amount of time per member for speaking without interruption.

- E. Murphy – Inquired into office hours.
- B. Clevenger – Fire Wise – Events to occur fourth Saturday of each month beginning in May starting with where the group left off last season. Slash from last season will be removed and the group will appreciate use of the BEMA truck as before. Grants are being applied for to assist with the program. Friendly reminder for members to track their spending of funds and time on mitigation at their homes and events, and to provide information to Fire Wise for community credit. Fire Wise looking into setting up a program to assist members with mitigation at their homes. V. Darling recommended the Saws and Slaws program for this purpose.
- P. Sorensen – Inquired into an annual survey regarding staff and job descriptions.
- Many other Members attending stated their support for Board and the job the Board was doing.
- Board discussion on letters submitted to the Board by members and presentation at meetings being dependent upon member request to do so.

VFD of Big Elk Report presented by Secretary Isenhart on behalf of the VFD. Recent fires are being tracked and the department encourages members to purchase Estes Park Duck Race tickets in support of the VFD of BE. Communication will go out with detailed information.



09:30 Master Calendar

Board review of master calendar with focus on the second quarter. Board discussion on employee reviews, revision of the employee handbook, budget completion for the new fiscal year and the Directors and Officers Insurance Policy (DNL) renewal.

09:37 Communications Committee Report

Director Sommers presented the Communications Committee report on behalf of the committee. Board discussion on various internet and phone services: StarLink, xBar7, ViaSat/HughesNet, Google and CenturyLink. Board discussion on elimination of ViaSat as a service provider and adding a new phone service at a cost savings to the Association; Board discussion on xBar7 fiber optics, easement and services. Board discussion on website and document storage being through Google Cloud service.

Director Sommers motioned approving funding for three phone lines, three phones, two at the office and one in the Water Treatment Plant at a cost of \$150 per phone, \$200 network equipment plus \$20 per month for each line. Director McDaniel seconded the motion. Board discussion. President Johnstone called for the vote. All in favor.

Director Sommers motioned, contingent upon the lawyer agreeing that we do not need to put it to a member vote, that the Board accept the easement from xBar7 and President Johnstone can sign. Director McCutchen seconded the motion. No further discussion. President Johnstone called for the vote. All in favor.

10:32 Social Activities Club

Director Isenhardt and Office Administrator V. Darling are looking into prospective members to oversee the Social Activities Club. Board discussion on up-and-coming events such as the Annual Meeting and Clean-up day which includes removal of slash and mitigation. Board discussion on tree removal by professional services in conjunction with Clean-up Day.

10:43 Operations Committee Report

Director Christensen presented the Operations Committee report on behalf of the committee advising water testing for the month had returned “Good” results. Committee is looking into viable options for monitoring the water treatment system in-house which could be a cost savings for the Meadows. M. Hiss of Colorado Rural Water Association (CRWA) will be presenting on behalf of CRWA, BEMA’s Source Water Protection Plan (SWPP) at the Annual Meeting. Through this program, BEMA was able to secure a grant which will be applied to aeration in Sunset Lake. A fair amount of plowing and sanding have occurred in the past month with grading, road repairs and drainage planned after receiving the new water truck. Pool heater has been ordered with installation expected in early May.

With Board approval, Director Christensen has been in negotiations with Dietzler Construction to create a contract with potential revenue for water usage by Dietzler, rock and dirt disposal in the Meadows and asphalt millings obtained from the CR47 project delivered to the Meadows for future use.

Director Christensen motioned Big Elk Meadows enter into a contract with Dietzler Construction for the following items:

- Use of lake water for the compaction of road base on CR 47 at a price of \$40.00 per water truck load (assumes Dietzler water truck holds 4000 gallons).
- Disposal of rock and dirt from CR 47 at a price of \$3.00 per cubic yard. Rock and dirt to be placed in the old burn pile area damaged by previous excavation of material used for dam reconstruction.
- Receive and store old asphalt millings from CR 47 at zero cost to Big Elk Meadows. This material can be utilized for future projects within Big Elk.

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- Tracking of water usage will be accomplished via a log sheet provided by Big Elk Operations. Tracking of rock and dirt disposal will be done via a drone and appropriate software provided by a vendor at no cost to Big Elk.
- Big Elk assumes no liability for Dietzler Construction equipment and Dietzler Construction will repair any noticeable damage to Big Elk access roads / property.

Director Isenhart seconded the motion. Board discussion. President Johnstone called for the vote, Directors Johnstone, Cyphers, Grimes, Isenhart, McCutchen, Christensen, Sommers and McDaniel in favor, Director Taylor not in favor, Director Saylor abstained. Motion carries.

11:04 Long Term Planning Committee Presentation

Chairman Loomis presented the Long Term Planning Committee report on behalf of the committee advising the BEMA water truck would be delivered on Tuesday with an overview of vehicle operation and maintenance at delivery.

Survey results were presented beginning with an overview of lot expansion which showed up to 30 members being interested in pursuing. However due to new information introduced by Larimer County in the past week; Chairman Loomis recommended not taking lot expansion to vote at this time without further research. In regard to replatting lots, this would be a two year process.

In review of the entry road portion of the survey, results show 83% of the membership in support of improving the road provided a special assessment would not be imposed. At the same time, some of the members were willing to contribute funding in support of this improvement. The LTTPC is asking the Board to utilize proceeds from the Deitzler contract or sale of old equipment to fund the sealant test strip and purchase of a Roller. LTTPC is also asking for a portion of funding to resurface the west tennis court while eliminating the east court

In regard to the tennis courts, 73 members were willing to contribute funds to defray the cost of upgrading the west tennis court while 49% of members surveyed said they would like the east court returned to meadow.

Director Sommers motioned that once the “Friends of Big Elk” raises \$19,000 in donations that \$19,000 would be taken out of reserves to pay for the refurbishment of the west tennis court. Seconded by Director McDaniel. Discussion. All in favor except for Director McCutchen who abstained.

In review of the Boulder County TDS Credit, a lot survey may be needed for one home before this program can be brought to vote. The LTTPC is working with the County and homeowner to complete this process.

Director Sommers motioned to remove the east tennis court. Director Grimes seconded the motion. Board discussion on staff performing the task along with cost of seeding the area after. President Johnstone called for the vote. All in favor.

Director Sommers motioned to spend up to \$4,000 to fix the track loader, the 1993 International dump truck and the 2003 Dodge, Ram; and haul to the auction site. Board discussion included potential profits from the auctioning of vehicles. President Johnstone called for the vote. All in favor.

Chairman Loomis requested presentation and Q&A time at the Annual Meeting for LTTPC then introduced the Tennis Court Pledge form to review and vote for approval by the Board and distribution to the membership.

12:04 Finance/HR/Legal Committee

Director McCutchen presented the Treasurer report followed with Co-Chairs Cyphers and McCutchen presenting the Finance Committee report on behalf of the committee. Thorough Board review of the recommended 2022 – 2023 Annual Budget including general expenses, capital expenses, construction projects, past year comparisons, reserves

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and future expenses of the community were presented. Board discussion and review determined inflation will have the greatest impact on the 2022 – 2023 budget.

Director McCutchen motioned to accept this budget. Director Sommers seconded the motion. No discussion. President Johnstone called for the vote. All in favor.

Director Cyphers gave an update on FEMA closeouts, preparation for the audit and taxes.

Director McCutchen motioned an ad hoc Audit Committee be created. Director Isenhardt seconded the motion. President Johnstone called for the vote. All in favor.

Director Isenhardt motioned that the members on the Audit Committee be Director McCutchen and Director Cyphers, with additional members motioned in at a future date. Director Sommers seconded the motion. President Johnstone called for the vote. All in favor.

Director Cyphers and Director McCutchen will review the D&O Directors & Officers insurance.

Director Isenhardt presented the HR Committee report – Board discussion on employee job descriptions and progress being made to update. A schedule has been established by the committee for review and completion. Director Isenhardt advised member S. Davis requested to be removed from all Committees she had been serving on: Governance, HR Ad Hoc, Finance and Water Rights. Director Isenhardt is also working on Board Officers job descriptions along with a Board of Directors New Member Orientation.

1:00 Architectural Review Committee Report

Director Sayler presented the ARC Report on behalf of the Committee with Board discussion on 742 Hickory Drive which pertains to a drainage issue as well as a BEMA road issue. Board discussion on ARC fines, covenant violations and tracking of both. Board discussion that the ARC process needs to be documented to have clear expectations for Members, Committee members and staff.

1:19 Governance Committee

Director Sayler presented the Governance Committee Report on behalf of the committee with an overview of rules pertaining to homeowner fire(s) such as outdoor fire pits. Governance has received recommendations and support from the VFD of BE in updating these rules. Board discussion on responsibility and liability of the Association, VFD of BE and membership relating to these rules. Further discussion is needed.

Director Sayler Motioned to adjust verbiage pertaining to the Covenants Section 4.14 Signs as stated in CCIOA. Director McCutchen seconded the motion. Board discussion. President Johnstone called for the vote. All in favor. The Secretary will work with the Office Administrator to update that section of the Covenants since this is a state law change.

1:33 Lake Health & Fish Habitat Committee

Director McDaniel presented the Lake Health & Fish Habitat Committee report on behalf of the committee advising fish stocking had successfully taken place this past week.

1:36 Water Rights Committee Report

Director Sommers presented the Water Rights Committee report on behalf of the committee advising no updates at this time.

1:38 Unfinished Business

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1. **Upcoming Annual Meeting**

- Board review of the Annual Meeting packet contents and construction of documents.
- ALL Directors are expected to help with set up on Friday May 27 at 7:00 PM at the Fire Station. Support will be provided by the Social Activities Committee for refreshments.
- **Committee Chairs:**
 - Office Admin will email for review and use the PowerPoint template for the Annual Meeting.
 - Each Committee will have 5 minutes for presentation with Finance having 15 minutes.
 - Director Sommers and Office Admin will assist and support the Directors with their PowerPoint presentation which is due on or before May 15.

Items for the Board to determine/vote on as needed:

1. "Meet the Candidates" meeting -
 - a. Board discussion concluded forgoing this event.
2. Board Terms and removal of "Against" from the Board of Director ballot.
 - a. Terms will be determined at the first Board meeting following the Annual Meeting.
 - b. Board discussion determined to leave the term "Against" on the ballot.
3. The Board will need to set a date for the new "Board Orientation/Team Building" event – Director Isenhart is working on an outline for the event and is looking for additional suggestions and information to cover. Once information for an overview is determined the Board will prepare a communication for the candidates. This can be completed offline and additional support may be needed to work through the details.
5. This year's Ballot Counting Committee will need to be selected and approved or voted on at the May Board meeting.

2:00 New Business

Director Johnstone announced after this meeting he will be stepping down as President of the Board and as of May 01, 2022 will be stepping down from the Board due to moving out of State. This action will transition First Vice President Cyphers to President and Director McDaniel from Second Vice President to First Vice President. No motion for a Second Vice President made.

2:05 Adjourn Meeting: First motion by McCutchen, second motion by Director Sommers. All in favor.

Next Board meeting is on Saturday, May 21st, 2022 at 9:00 a.m. at the BEMA office and online.

2:15 Executive Session

3:05 Executive Session Adjourned.

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