



**Big Elk Meadows Association  
Saturday, October 15, 2022  
Board of Directors Meeting Minutes  
Board meeting held in Conference Room and Online**

**09:14 Call to Order by President**

- Quorum verification: Battaglini , Campie, Clevenger, Cyphers, Evertson, Isenhart, Mason, McCutchen, McDaniel, Sayler.
- Board Members not in attendance: (Excused Absence) Sorenson.
- Members in Attendance: C. Loomis, D. Wray, C. Paddock, C. Isenhart, B. Baker, L. McCutchen, T. Bernstein.
- Staff in Attendance: Flanagan
- Request for Executive Meeting: None
  - Approval of Agenda: First Motion Sayler with removal of Incident Management on Exterior Lightning. Seconded by Clevenger. Discussion- All subjects should have only one committee reporting on it. Cyphers called for vote. All in favor.
- Approval of September 17<sup>th</sup>, 2022 Meeting Minutes- First Motion Clevenger with corrected spelling on McLeland name. Seconded by Evertson. Cyphers called for vote. All in favor.

**09:22 Member Communication -No Communications**

**09:23 Master Calendar** - Cyphers and Darling revision of Master Calendar, open calendar for the Board and Chairs to have edited privileges. Chairs will have to add committee meetings. Calendar will be updated each week by Admin or Cyphers. Members will be able to view on the website all Committee meetings and events.

**9:28 Communications Committee-** Report given by Sayler. Sayler motioned Meredith Campie as Co-Chair of the Communication Committee. Seconded by Isenhart. Cyphers called for vote. All in favor.  
Campie's Google Training Video is available on Google Drive.

**9:36 Social Activities Committee –** Report given by Sayler. Food Drive starts November 10<sup>th</sup>- 18<sup>th</sup>.

**9:37 Operations Committee** -Report given by Cyphers and Flanagan. Sorenson stepped down from Co-Chair of Operations, he will remain support for the committee. McDaniel's daily supervision and weekly staff meetings.

- Pool leak requires immediate attention. Saylor motioned at this time to do leak detection by Hydro Dynamic. Seconded by Mason . Amended by Clevenger ' not exceed \$2,000'. Cyphers called for vote. All in Favor.
- Battaglini and C. Loomis gave Sorenson's options for pool heaters. Tabled, for email vote with more information.
- Andrews Project needs quotes tabled for information and email vote. ● Lower Flume reconstruction of extensions, not to exceed \$50,000, need firm quotes. Tabled for information and Email voting.
- Hickory Hill Project and road base tabled for more information. ● Cyphers will be planning camera locations through the Operations Committee. The Common Area Committee requested the camera plan for review of design, quantity and placement.

**10:26 Common Area Committee** Report given by Battaglini.

- McDaniel worked with the Larimer County contractor on the County's proposed Water & Earth Early Flood Warning System on Meadow Dam to make it a less intrusive design. McDaniels and Cyphers will reach out to the county for more information on design, and general information. Cyphers will provide a report during the Dec meeting.
- Removal of marked dead trees on entry road done.

**10:44 Long Term Planning Committee** Report given by C. Loomis. ● Discussion of Boulder County TDC and Boulder County Parks and Open Space easements. These both would take Membership voting.

- Clevenger stepped down as Co-Chair of Long Term Planning. Clevenger motioned Kirk Mason as Co-Chair to Long Term Planning. Seconded by Isenhart. Cyphers called for vote. All in Favor.

**10:54 Finance Committee**- Report given by McCutchen.

- The Capital Budget/Reserve is being built back up.
- McCutchen motioned to transition away from P.O. Box 440 in Lyons, Colorado. Seconded by Isenhart. Discussion. Cost saving on trip mileage and employee time. Cyphers called for vote. All in favor.
- Employee Health Insurance study for cost savings.
- The change in the time frame from fiscal year to calendar year for merit and cost of living raises to help in transition of the new Board in the fiscal year. Tabled till next Board meeting.

**11:34 HR Committee**- Report given by Isenhart. Template to assist Committee Chairs in documenting direction for future Chairs of committees.

**11:36 Architectural Review Committee** Report given by Mason. Member Communication announcement of on-line forms needed.

Mason motioned ARC to form a Sub-Committee to study and establish recommendations for Design Guidelines new home construction Devona Saylor, Meredith Campie, Cathy Faughnan and Bill Campie. Seconded by McCutchen. Cyphers called for vote. All in favor.

**11:42 Incident Management** – Report given by Cyphers.

- On October 6 the gate was found unlocked and open on Sunset Dam and Meadow Lake, open valve to a fast release of water. Cyphers will turn this incident over to the Sheriff for investigation.
- New locks have been ordered to replace BEM locks, and keys inventory will be maintained.
- 1032 Aspen violation is being addressed and Cyphers will correspond to the Member that Board acknowledges work is being done.

**11:54 Governance Committee** - Report presented by Battaglini and Clevenger. ● The revised Employee Handbook discussion with clarification that PTO, wording and Colorado Laws were present in the new handbook. Saylor motioned the Employee Handbook to be passed with the formatting completed. Seconded by Clevenger with amendment 'pending formatting'. Cyphers called for vote. All in favor except Campie voted Nay. Motion carried. Employee Handbook -Amendment A attached.

- Clevenger presented that using water meter reading does not work to revise Septic System Rules for part-timers. Septic System rules tabled to December to look at using certified septic companies to the health of each system separately in BEM.
- Fire rules will be voted on at the December Board Meeting.

**12:20 Friends of Big Elk**- Nothing needed presented by Evertson.

**12:21 Firewise Committee** – Report given by Clevenger.

- Community Wildfire Protection Plan — Board will need to designate Board contact for Plan. Duties include: “Primary development of CWPP and decision making – community risk and value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.” Saylor motions that Bobby Clevenger be BEMA Contact for the Community Wildfire Protection Plan. Seconded by Evertson. McDaniel called for vote. All in favor, except Cyphers abstained as he stepped out of the meeting for a moment.
- Defense Pamphlet should be replaced with Firewise Pamphlet.

**12:26 Lake Health & Fish Habitat Committee**- Report given by McDaniel. A grant of \$5000 from Source Water Assessment and Protection program for Sunset aeration system signed by Cyphers. The work on aeration system to start quickly.

**12:29 Water Rights Committee** Report given by McCutchen.

**12:40 Unfinished and New Business** – Sorenson stepped down from

Vice-Presidency. ● A discussion of the possibility of every other month Board meetings. Communication, committee work and reports would be key to transferring to schedule. November, December and January, will be a good trial period as the next Board meeting is Dec. 3<sup>rd</sup> and then Jan. 21<sup>st</sup>.

● McCutchen-Transfer fee will be tabled until December 3, Board Meeting. ● Campie, Clevenger and Sayler met with a management company. Information shared with Board, there are two more companies to interview, more information shared with Board in December Board Meeting.

**1:02 Adjourn Meeting:** First motioned by Sayler, seconded by McDaniel. Cyphers called for vote. All in favor.

**Next Board Meeting** is on Saturday, December 3, 2022 at 9:00 a.m. Online.

BEMA Secretary of the Board

Devona Sayler

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*Amendment A- Employee Handbook*

# EMPLOYEE HANDBOOK

October 2022 Revision

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## **INTRODUCTION**

### ***Welcome***

We hope your work will be challenging and fulfilling.

The purpose of this handbook is to convey some important and essential information about your employment.

### ***Employment Definition***

BEMA Meadows Association (BEMA) is a nonprofit corporation governed by an elected Board of Directors. The BEMA Board is your employer and as such will make all employment related decisions for the Association. Only the Board of Directors is authorized to make employment decisions for the Association.

To facilitate a practical working relationship the Board will assign supervisor(s) as your primary contact for work related matters. With the Board being the employer, the assigned supervisor will provide you work direction and performance feedback from the Board of Directors.

### ***Employment At-Will***

Colorado is an “employment at will” state. As the ‘employer at will’, BEMA Board of Directors can terminate your employment without cause, reason or prior notice and as the “employee at will”, you can terminate your employment at any time without cause, reason or prior notice. There is no contractual commitment or obligation for either party to continue employment.

### ***Equal Opportunity Employment***

BEMA Meadows Association provides equal employment opportunities to all employees and employment applicants without regard to race, color, creed, national origin, sex, age, disability, or any other classification protected by applicable state or federal employment discrimination laws. All decisions made with respect to recruiting, hiring, training, compensation, benefits and other terms, conditions and privileges of employment, will be made solely on the basis of individual qualifications related to the requirements of the position

### ***Safety***

**Safety first. No excuses.**

If an emergency call 911

BEMA is concerned about your personal safety as well as the BEM Community. In a crisis events and urgent matters that may affect the community or personal safety should be relayed to the supervisor and Board of Directors without delay.

Please notify the supervisor about any unsafe or hazardous conditions immediately. Safety data sheets are available in the office and in the working areas such as the water treatment plant and pool area

where chemicals are used and the fueling area.

Employees are encouraged to review a copy of the Federal Occupational Safety and Health Act.

## EMPLOYMENT POLICIES AND ADMINISTRATION

### ***Employment Policies***

The following terms are used to describe employees and their employment status:

**Exempt Employees:** Exempt employees are paid on a salaried basis.

**Nonexempt Employees:** Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

**Full-Time Employees:** Employees who are not in a temporary status and work a minimum of 32 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions and limitations of each benefits program.

**Part-Time Employees:** Employees who are not temporary employees, independent contractors, or independent consultants and who are regularly scheduled to work fewer than 32 hours weekly.

**Temporary Employees:** Employees who are limited to no more than 9 months assignment in any 12 month period.

Employees will be advised of employment status at time of hire and for any change thereafter.

### ***Standards of Conduct***

As an employee of Big Elk your work habits, work product and behavior are in full view of the community. Conduct matters. You will encounter challenging situations where you will be expected to respond with civility and restraint. Integrity is a must.

Avoid gifts and favors from anyone with current or potential projects of BEMA . Report wrongdoing and violations and any matter that appears to be unethical or unlawful to the Board.

For further information regarding conduct expectations, refer to the Employee Conduct section BEMA Rules and Regs on the Bigelkmeadows.org website.

### ***Personnel Records***

BEM's Office maintains a personnel file on each employee. Please help us keep these files current by notifying the Office or Board Treasurer of any changes to the address, telephone number, personal status, number of dependents, person to contact in the event of an emergency and educational training accomplishment. These files enable us to meet various legal requirements, ascertain the necessary qualifications for particular assignments/projects and promotional opportunities and to properly administer the employee benefit plan where applicable.

BEMA takes your privacy seriously. BEMA has privacy and data protection policies intended to protect

personal information wherever we use, process or store it. Always comply with applicable privacy laws and BEM privacy policies. To run its association and manage the employment of its personnel, subject to applicable data protection laws:

- BEMA, BEMA-authorized companies and individuals collect and use personal information about employees, such as compensation, skills, use of BEMA assets, and medical and benefit information.
- BEMA may share this information with those who have a need to know, such as health insurers.

### ***Background and Reference Checks***

BEMA employees will have contact with members, Board of Directors, guests, visitors, suppliers and contractors representing the Meadows. As an employer, the Board intends to background and reference check applicants and employees prior to employment and periodically during employment. This BEMA Employee Handbook is an employee's notification of background and reference checks.

### ***Conflict of Employment***

Any outside business interest(s) in which an employee may become involved, will also be considered as conflicting employment if any activity associated with it is performed on Association time, interferes with or in any way impacts the employee's working hours and for performance, or utilizes BEMA's resources in anyway (I.E. facilities, materials, equipment, supplies, telephones, etc).

As a BEMA employee, your activities, both on and off the job, can affect BEM's interests. It is your responsibility to maintain and protect BEMA confidential information and avoid conflicts of interest.

You may not be a supplier to BEMA or work for a supplier to BEMA in any capacity - as a supplier employee, and/or a member of its board of directors or advisory board - unless you obtain the prior approval of the BEMA Board. You may not accept money or other benefits of any kind for any advice or services you may provide to a supplier in connection with its business with BEMA.

### ***Confidentiality***

BEMA respects a member's right to privacy and considers their financial standing with BEMA confidential. Employees shall not discuss a BEM member's financial standing with any unauthorized person unless under court order. An unauthorized person is anyone without a business need to know. A determination by BEMA of conflict of interest, conflicting employment or a breach of confidentiality will result in immediate termination. This decision is the responsibility of the Board of Directors only.

### ***Alcohol and Drugs***

Abuse of drugs & alcohol impairs judgment that may result in increased safety risks, injuries and faulty decision making. The possession of illegal or legal substances, under the influence of alcohol or drugs while at work or operating BEMA equipment is prohibited. The supervisor must be informed about the use of medically prescribed and over the counter drugs that may adversely affect the ability to perform work in a safe manner.

As an employer, the BEMA Board may require drug testing for applicants and employees.

### ***Smoking, Tobacco, Marijuana and Vaping***

BEMA has a no smoking, tobacco, marijuana and vaping policy in all BEMA owned buildings and vehicles.

### ***Association Property***

BEMA property is of great value. They are critical to BEM's success and we rely on you to protect them. Do not use BEMA assets in ways that violate the law.

Employees may not use BEMA equipment or vehicles for personal use, unless arranged and authorized as part of on duty/on call or there is an arrangement for rated use set by the BEMA Board of Directors.

Any device or computer including, but not limited to, phones, laptops, desktop computers and iPads that the BEMA provides for your use, should be used only for BEMA business. Keep in mind that BEMA owns the devices and the information on these devices. BEMA reserves the right to obtain all information on all devices.

Additionally, under no circumstances may company-owned computers or other electronic devices, be used at any time to obtain, view, or reach any pornographic or otherwise immoral, unethical, or non business-related internet sites.

### **Education and Training**

BEMA may request that an employee attend an off-site training program or complete other educational training as it relates to the employee's job function. Employees may also request to attend training classes. Additionally, it is the policy of BEMA to cross-train some employees in order to ensure continuity and to avoid disruption in the daily operations of BEMA.

All training programs/educational classes must be approved by the supervisor and reviewed by the Board of Directors for job applicability and payment considerations. Employees will be required to show evidence of the successful completion of the classes attended or training provided. These records will then be added to the employee's personnel file to ascertain the qualifications for particular assignments, projects or promotional opportunities.

Mileage will be paid according to the current year's IRS mileage allowance. BEMA will pay for the cost of the training, which must be approved by the Board of Directors. BEMA will pay employees for travel time if it is at the control or direction of BEMA.

Employees must have and maintain certifications and licenses that are required by state and other governing organizations to fulfill job duties.

### ***Performance Planning and Evaluation***

Each employee and their assigned supervisor should engage in ongoing review of job description, performance planning and performance evaluation.

In addition to ongoing performance discussion and feedback between the employee and the supervisor, a formal performance evaluation will be given by supervisor and Board President at least once per year.

Employees will also provide a self evaluation at least once a year. Self evaluations are useful in highlighting successes and addressing areas for improvement in the most positive light possible by reframing them as opportunities for growth.

A performance evaluation does not automatically result in a salary increase.

### ***Dispute Arbitration/Grievance***

BEMA is aware that there may be times when employees need to file an official grievance.



To report a grievance:

- Submit disputes or complaints to the President, HR or board secretary in a timely manner. ● Grievance procedures are handled by a review committee composed of various board members and the HR Committee.
- BEMA will thoroughly investigate all grievance complaints
- Organize mediation meetings with the appropriate parties.
- Employees have the right to attend meetings with a witness
- Practice a high level of confidentiality throughout the grievance process.
- Ensure that the final decision is implemented.
- Maintain accurate and comprehensive records of each grievance.
- BEMA will report back to the complaining party and their decision is final.
- Adhere to the no-retaliation policy when employees file a complaint against management.
- Grievances can only be handled with a written report

## **Harassment**

BEMA is committed to providing its employees a work environment free from physical, psychological or verbal harassment. Harassment includes but is not limited to verbal, physical and visual harassment, solicitation of sexual favors, unwelcome sexual advances and creating or maintaining an intimidating or hostile work environment. Any incidents of harassment should be reported immediately to the supervisor and to a Board of Director. A confidential investigation of the allegations will be conducted to determine appropriate action.

## ***Termination***

The employment relationship is at-will at all times and can be terminated by the employee or the BEM Board of Directors, at any time, with or without cause.

Depending on circumstances of termination by either party, the BEMA Board of Directors may offer compensation in the form of severance or conditional payment for your assistance with transition.

## **BENEFIT**

### **Personal Time Off (PTO)**

Employees are provided paid personal time off for health care, personal matters, rest and relaxation. You are encouraged to use the paid time off provided without fear of resistance or consequence. It's your time. Use it.

After completion of one year of full-time employment, employees receive 40 hours of PTO per year. After the completion of four years of full-time employment, employees receive 80 hours of paid PTO per year.

PTO time can be used hourly or by the day. Unused time of up to 40 hours maximum may be carried forward until used.

## ***Sick Leave***

Full-time employees will have 48 hours of paid sick leave each year. This time can be used hourly or by day for personal and health matters.

## ***Flexible Work Schedule***

There may be needs and opportunities for both employee and employer where adjusted work schedule is appropriate. Employees and supervisors may arrange adjustments tailored for specific work days and assignments.

## ***Bereavement Leave***

Bereavement leave is 5 working days with pay, provided for immediate family (parents, spouse, child, grandparents or sibling). After the 5 day period arrangements will need to be for PTO.

## ***Jury Duty***

The employee must inform their supervisor of any request for Jury Duty and what dates and/or times as soon as possible. All employees serving jury duty shall be paid the first 3 days wages, but not to exceed \$50 per day. If an employee is released from jury duty after 4 hours or less of service, he or she must report to work for the remainder of the work day.

## ***Holidays***

Part-time employees are not eligible for paid holiday time off.

Full-time employees will be paid their regular rate if a holiday falls on their scheduled work time. BEMA Meadows recognizes the following holidays: New Year's Day, Memorial Day, July 4<sup>th</sup> Labor Day, Thanksgiving Day and Christmas Day; however one of the Operation's department employees must be available for duty on these days. When a holiday is worked, a day off should be taken during the pay period. A schedule of designated holidays will be provided to employees, indicating the designated day off if the holiday falls on a weekend.

## ***Worker's Compensation***

Employees who incur an injury or suffer an occupational illness on the job, may be entitled to Worker's Compensation benefits provided by law. Any such illness or injury, no matter how minor or insignificant, must be reported immediately to the supervisor. Failure to do so could result in the loss of insurance benefits under Workman's Compensation.

## ***Health Insurance***

The Association may elect to offer health insurance benefits to its employees and the benefits will be reviewed annually and set by the Board of Directors at their discretion.

# **PAYROLL POLICIES AND PROCEDURES**

### ***Time Sheets***

Employees are required to keep an accurate and complete record of their attendance and hours worked. Timesheets are official business records and may not be altered without the employee's supervisor's approval and may not be falsified in any way.

All employees shall maintain a daily record of time worked and duties performed tracked in quarter hour (15 minute) increments. This information will be transcribed to a bi-weekly time sheet, which must be signed by the employee and approved by their supervisor or delegate.

All time sheets are subject to the Board of Directors review.

### ***Payroll Period***

Payroll periods are bi-weekly.

### ***Overtime***

Some overtime and schedule flexibility are expected. Where overtime or odd schedules are excessive, the supervisor may engage the Board of Directors to provide appropriate additional pay and/or time off.

The hourly (non-exempt) positions will be paid overtime at 1.5 times the regular rate for hours worked over the standard 40 hours or 12 hours per day. Any requests for overtime must be submitted and approved by the supervisor or majority vote of the Board of Directors prior to being worked. All rest and meals period will be in accordance with Colorado state law.

## **HANDBOOK ACKNOWLEDGEMENT**

I have received the BEMA Employee Handbook. I have read it in its entirety and agree to abide by the policies and procedures contained in the Handbook.

Print Name: \_\_\_\_\_

Employee's Signature:

\_\_\_\_\_

Date: \_\_\_\_\_