



**BOARD OF TRUSTEES REGULAR MEETING
MINUTES OF JANUARY 10, 2024
(No meeting in December 2023)**

Trustees Present: Carolyn Heldman Rovira, Sharon Caulfield, Tony Rizzo, John Ott
Manager(s) Present: Roy Saba, Keith Edquist, Kim Clinco
Homeowners present for some or all of the meeting: Evalyn Gates

1. **Quorum and Minutes**

The minutes of the Trustees meeting of November 8, 2023 were approved without change. There was no meeting in December 2023 so no minutes were prepared.

2. **Public Comment** and General Trustee Comments if any.

Evalyn Gates brought a concern to the Board about the Little Elk Creek flow that passes through her front yard. The creek enters a road culvert in front of her house and the grate that used to be on the culvert has been displaced. The board encouraged Evalyn to work with Timberline Construction to determine how to replace the grate, and the Board will consider with legal counsel how to allocate the cost of the grate to reflect the relative obligations of the property owner and the HOA.

3. **Consent Agenda Written Reports**

The financial reports for December 31, 2023 were reviewed and accepted.
Keith Edquist's monthly management report was received.
Roy Saba's monthly water report was provided verbally.
Other consent agenda items were approved as shown in the agenda.

4. **Consideration of Items removed from Consent Agenda**

None.

5. **Additional Comments from Roy Saba, Water Operations manager**

The board discussed at length the recently received design services proposal from SGM to address concerns raised by the Colorado Department of Public Health and Environment regarding a continuing issue of copper level exceedance in the homes monitored by CDPHE. The water delivered from the LECVHOA water system is high in iron and manganese, which tend to leach copper out of copper pipes. The infiltrates that have been used in the past to resolve this problem are not longer acceptable to the CDPHE and so an upgrade to the system must be implemented. SGM had prepared and submitted a proposal to CDPHE in May 2023, but this submission had not been delivered to the Board until July 2023. A design proposal was not received from SGM until Thanksgiving weekend, and it did not contain estimates of construction costs. The SGM delays have imperiled the HOA's ability to meet CDPHE compliance deadlines set for August 2023. The Board discussed that this failure to communicate was unacceptable,



and that other consulting engineering firms should be reviewed with an eye to terminating the SGM professional services agreement.

The priority matter for management of the HOA's ditches is to install a new diversion on the Smart property, which has been a problematic area for several years. The Board agreed to engage an engineering firm to design a new diversion for this location. Sharon Caulfield and Roy Saba are developing a new regulation regarding ditch maintenance that will be reviewed by the board and, if acceptable, adopted by the early stages of the irrigation season.

The willow removal project at the pump house has begun, and further willow mitigation for ditches will be undertaken when conditions are favorable.

6. **ACA**

No matters were on the agenda. As the meeting developed, however, the Board acknowledged that the Rizzos have completed their remodeling project and authorized the return of their construction deposit. The Jacobs had an emergency septic line breach and worked with Keith Edquist under the Architectural Guidelines to implement that repair without board involvement.

7. **Old Business**

The Board confirmed the allocation of responsibilities between Roy Saba and Keith Edquist. Keith Edquist is the Manager of Record and will be so designated on the LECVHOA website. Keith is the LECVHOA contract manager and is responsible for all matters that are not within the purview of Roy Saba. Keith will consult with Roy on contracts that relate to Roy's areas of oversight. Roy is the Water Systems Manager and is responsible for ditch maintenance, including monitoring ditch capacity, ensuring flow in season, working with contractors on ditch projects, ensuring communication with the Boram and White and Little Elk Creek Ditch company managers, and also is the Administrative Contact for and manager of the domestic water system.

John Ott went out of his way over the Christmas holiday to redeem a two year Community Bank CD so that we can invest in new certificates of deposits with higher interest rates. The funds were put into the operating checking account pending board direction. The board authorized John and treasurer Griff Foxley to open a new 9 month CD at Community Bank in the amount of \$100,000, which we understand will carry an interest rate of 5% per annum.

The financial statements for the LECVHOA have now been moved to the "Members Only" section of the LECVHOA website so that they are not made widely available through search engines. To obtain the Members Only password, contact President Tony Rizzo at tony.rizzo@littleelkcreekvillage.org. The password will be updated each year at the Annual Meeting.

Several instances of short term tenant issues have been noted this winter. Notable are the use of fireworks and speeding, including revving "donuts" in the LEC cul de sac. The Board will be



recommending to short term rental owners that they should 1) inform their renters of LECVHOA policies and courtesies; 2) have a license from Pitkin County for their rental; and 3) have an umbrella insurance policy.

Several new and updated Policies, Procedures and Rules have been posted on the website as of this meeting, and will be fully enforceable 30 days following the meeting, or February 9, 2024.

The policies include:

Data Protection Policy (new)

Social Media Policy (new)

Architectural Guidelines Policy (updates)

Inspection and Copying of Association Records (updates)

Leak Detection Policy (adopted existing protocol as policy)

Source Water Protection Plan (adopt existing plan as policy)

Water Tap Procedures and Regulations (updates)

8. **New Business.**

The Board continues to discuss the best means to develop a reserves and construction project management program for 2024 through about 2027. Griff Foxley has developed a format for this project management plan. Unfortunately, the green sand proposal for the pump house may need to displace some other projects for which reserves have been identified.

The meeting was adjourned at 8:30 pm.

The next Trustee meeting will be February 21, 2024, one week late to avoid the Valentine's holiday.