



**BOARD OF TRUSTEES REGULAR MEETING
MINUTES OF FEBRUARY 21, 2024
(Delayed from 2/14/2024)**

Trustees Present: Carolyne Heldman Rovira, Sharon Caulfield, Tony Rizzo, John Ott, Griff Foxley

Manager(s) Present: Roy Saba, Keith Edquist, Kim Clinco

Homeowners/residents present for some or all of the meeting: Rebecca Milvich, Gaelen Means, Eric Wiseman

1. Quorum and Minutes

The minutes of the regular Trustee meeting of January 10, 2024 and the special Trustee meeting of February 12, 2024 were approved without change.

2. Public Comment and General Trustee Comments if any. None.

3. Consent Agenda Written Reports

The financial reports for January 31, 2024 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

Roy Saba reported that during the week of February 19 there has been work at the pump house to install a high pressure wash line, effluent meter, and a workbench for more precise sampling methods. These budgeted projects have been planned for some time.

Meanwhile, Roy has followed up on the Board's decision to replace SGM Engineering with JVA Engineering to address the compliance concerns stated by the Colorado Department of Public Health and Environment (CDPHE), meeting with JVA on line to introduce them to the issues and deadlines that CDPHE has imposed. JVA personnel will be on site on February 27 for further orientation to the project. The Board asked that JVA consider all potential solutions for the copper exceedance issues that CDPHE has identified, from the 'green sand' filters proposed by SGM, to home-based water treatment options for homes that retain copper pipes, to additional additive treatments that might reduce the copper attractants in the water supply.

The proposed new ditch management regulations were distributed to the Board. These regulations have been submitted for attorney review.



The Board determined that the issues of occasional outage with the operation of Rise Broadband internet access at the pumphouse are not sufficient to warrant switching to another carrier.

6. **ACA**

The Lindholm deposit review for their long-term remodel on Alexander Avenue is underway by Keith Edquist.

The Means-Cabot family requested a variance of the 30 foot setback requirement of the Covenants to enable them to design an update to their home to reach within 20 feet of the eastern side of their property, at the edge of Buttercup Ranch. The 20 foot setback is consistent with Pitkin County regulations. The ACA/Board approved the variance unanimously.

The Wiseman family on Little Elk Creek Avenue provided plans for rooftop solar. The neighbors' comments were positive. The ACA/ Board approved the placement of the solar panels unanimously, with a caveat that in case unexpected intrusive glare is experienced by other neighbors, the Wiseman family will assist to mitigate that glare through landscaping.

The Whitelände update on progress on their project on Little Elk Creek Avenue is not due until June 10. Rebecca Milvich spoke to the ACA/Board to report that she and her homeowner father Boris Milvich are experiencing a sense of loss of privacy from new second story Whitelände windows that overlook the Milvich property. While acknowledging that Boris Milvich had seen and given written comments without negative content when the Whitelände project was approved, Rebecca commented that Boris Milvich is elderly and may not have appreciated the import of the new window placement. Rebecca indicates that she is working with contractors to consider fencing or landscaping to mitigate the issue, and may return to the ACA at a later date to consider options to enhance Milvich privacy. The Board encouraged the Milvich and Whitelände families to seek to resolve these differences amicably and directly.

The Mullaney property on Katydid remains incomplete. It was originally approved in January 2021. The Board issued an enforcement letter on July 22, 2023 and required a progress report with updated information and a request for extension by January 31, 2024. The requested information was not provided. The Mullaney's state that their contractor has been unreliable. The Board directed Keith Edquist to contact the Mullaney's to make clear that a written Board report and request for extension, with a plan for completion, is required to avoid further enforcement action. The Board sought specific improvements to landscaping and site maintenance during this summer's construction season.

7. **Old Business**

John Ott, Griff Foxley, and Kim Clinco reported that the funds allocated through board action in January for placement in new market-rate interest bearing CDs have indeed been placed. Kim Clinco will place a footnote on the LEC financial statements to confirm the amount, depository institution, and maturity date of all investments.



The tree thinning project at the pump house has been completed except for a few punch list items.

In light of the potential for high cost associated with the water system upgrades discussed earlier in the meeting, the Board voted unanimously not to move forward with the landscaping improvements that had been previously approved for the Capitol Avenue entrance to LECV.

Keith Edquist has identified and will pursue final signatures on the updated agreement for services between LECVHOA and EPC, the Operator in Responsible Charge of the domestic water system.

8. **New Business.**

Griff Foxley has submitted his resignation from the Board as his family is moving to California. The Board will determine a procedure to identify a replacement trustee for the balance of Griff's tenure.

In light of the potential for significant unbudgeted projects in the coming fiscal year, the Board voted to begin the 2024-2025 budget process in March rather than in May 2024. Further, Board members agreed to seek out information about potential financing for the LECVHOA should the CDPHE require the installation of the expensive 'green sand' system.

9. **Executive Session.**

The Board met in executive session to consider advice received from legal counsel concerning the risk management of the shared obligations of homeowners and the LECVHOA for ditch conditions. The Board voted unanimously to explore potential cost-sharing options between owners and the HOA for locations in which ditch conditions cross property lines and are determined to be potentially unsafe.

The meeting was adjourned at 8:45 pm.

The next Trustee meeting will be March 13 or 14, 2024, depending upon trustee availability.