



Little Elk Creek Village
Home Owners' Association
Post Office Box 420
Snowmass, CO 81654-0420

**BOARD OF TRUSTEES REGULAR MEETING
MINUTES OF MAY 8, 2024**

Trustees Present: Carolyn Heldman Rovira, Sharon Caulfield, Beth Hoff Blackmer, Tony Rizzo

Absent: Trustee John Ott

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

Homeowners/residents present for some of the meeting: René Tornare, Dan Oppenheimer, Bruce Anderson

Guests Present: Cooper Best, Adam Racette, Melissa Whitmore of JVA Engineering

1. **Quorum and Minutes.**

The minutes of the regular Trustee meeting of April 10, 2024 were approved without change.

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

Tony Rizzo requested that LEC check requests be returned earlier in the month, rather than just before board meetings.

3. **Consent Agenda Written Reports.**

The financial reports for April 30, 2024 were reviewed and accepted.

Keith Edquist's monthly management report was received and accepted.

Roy Saba's monthly Water Operations report was received and accepted.

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

Homeowner assessments were again the subject of comment. Kim and Keith will reach out to those with significant balances.

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

JVA Engineers Cooper Best, Adam Racette and Melissa Whitmore presented their initial report on the information they have received from LECVHOA and SGM (the predecessor engineering company) concerning the CDPHE review of copper exceedance. It is notable that there are only four relevant samples upon which copper exceedance is noted, between 2012 and 2023. This raised the issue of whether some anomalies had caused the results upon which CDPHE relied to demand that LECVHOA address copper exceedance issues within the LECVHOA water system. The Board therefore discussed developing a more robust and current testing system to obtain a more reliable baseline of data. After such discussion, Sharon Caulfield moved and Tony Rizzo seconded, and the board approved unanimously that through July 2024 LECVHOA's Operator in Responsible Charge, EPC, should take monthly samples of iron, manganese, aluminum and copper and weekly samples of the residual polyphosphates in the water system. Roy Saba also will "sound the system" to check for polyphosphate distribution around the water system. The expected cost of this more robust testing system will be in the range of \$1500 per month.



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It was noted that initially JVA had suggested increasing the blend of polyphosphates to address the concerns about copper in the system. After the board's discussion Beth Blackmer moved, Tony Rizzo seconded, and the board unanimously agreed to hold off on changing the blend of polyphosphates until the results of the baseline testing are received.

The Board agreed that when the baseline testing format is established under the guidance of JVA, the Board will notify the CDPHE of this attentive watching program, so that there will be a response to CDPHE prior to the next reporting deadline of August 16, 2024. Cooper Best noted that CDPHE will not terminate its oversight in response to the testing actions, but in general CDPHE does not impose significant penalties for organizations that report regularly and are taking responsible actions.

In other matters, the Board unanimously approved a motion for Keith and Roy to collaborate to install a grate at the culvert at Evalyn Gates' home at a cost of up to \$2000.

The Board turned to the ditch map that Sharon Caulfield had prepared in consultation with Roy Saba, Dan Oppenheimer, George Johnson, Tim Lindholm and Ned Andrews. Upon a motion from Tony Rizzo, seconded by Beth Blackmer, the Board unanimously approved this ditch map to be attached to the ditch regulation adopted by the Board in April 2024 so that homeowners will know the cubic feet per second to which their ditches should be maintained.

The management of LECVHOA's water delivery from Little Elk Creek Ditch was discussed with Ditch Manager Dan Oppenheimer. Little Elk Creek Ditch flows down from McCabe Ranch through a contour on some of Goldie Hawn's property and over to East Sopris Creek Road (and thence through other properties to Capitol Creek). There are three takeouts along this portion of the Ditch that serve LECVHOA's needs: one that flows across the Hawn property to the western end of Haystack; one that flows mid-way through the Driskell cul-de-sac to serve those properties, and the third at East Sopris Creek Road to serve the Alexander Avenue properties. Each takeout has been updated with a new concrete diversion structure within the last two years. With the newly adopted Ditch regulations it seems wise to review this method of delivery to ensure it is meeting the HOA's current needs. Dan indicated that the lateral ditch that delivers the water to Haystack has not been maintained for some time. He recommends that it be dug out and that a significant stand of willows should be removed. Generally, as has been the custom in this valley, the cost of such maintenance should be shared between the Ditch Company and the HOA. The Board asked Roy Saba to contact the Hawn Ranch manager and Timberline to determine the cost and a project plan for such maintenance. (Also in those discussions, Roy was asked to begin to get a sense of the cost to remove the very thick willow stand next to Larry Hedges home at the corner of Driskell and Haystack.)

6. **ACA**



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The ACA continued its oversight of the Mullaney project on the corner of Katydid and Capitol Avenue. The Mullaney's expect that windows and painting will be the next part of the project to be completed. They have cleaned the Boram and White Ditch as requested. They asked that they be allowed to move the cobble pile over to the fenceline on Capitol Avenue in accordance with the landscaping plan that the Board had approved in 2023 (which plan has been delayed as to the LECVHOA side to accommodate financial concerns). The Board unanimously approved the placement and landscaping of the cobble berm as shown on that plan.

The Board considered the berm that has been placed on the Jacobs property on Haystack. This berm was constructed due to an urgent septic tank repair, but it did not meet Pitkin County or ACA guidelines. Keith was instructed by the board to address this issue with the homeowner, who must remediate the impact upon the road right of way. Tony Rizzo moved, Sharon Caulfield seconded, and the board unanimously agreed to update the Architectural Guidelines to confirm that even in urgent circumstances homeowners must contact Keith Edquist as HOA manager to obtain clarification of the requirements for construction under the Covenants and the ACA Guidelines, as well as to ensure that appropriate Pitkin County permits have been obtained.

The Kaplan/Clark family in Haystack have requested their ACA deposit be returned. Keith Edquist stated that the return is not yet appropriate as no landscape plan has been approved by the board, as required by the ACA guidelines and prior Board actions on this property.

7. **Old Business.**

Kim Clinco presented the proposed budget for the fiscal year 2024-2025 which must be adopted before the 2024 Annual meeting. This proposed budget includes the adjustments made to address the comments on the Board at the April Board meeting, including consideration of several options for an increase in quarterly assessments. After discussion, Sharon Caulfield moved, Beth Blackmer seconded, and the Board unanimously approved the revised budget with an increase of quarterly assessments to \$1000 per quarter per household.

The Board recognized that certain CDs held by the HOA as investments of the HOA's reserve accounts will come due in June 2024, before the next Board meeting that is scheduled for July 2024. Upon motion by Sharon Caulfield, seconded by Carolyn Rovira and unanimously approved by the Board, the Treasurer Beth Blackmer was asked to ensure that these CDs are renewed with the current or more favorable rates at the banking institutions currently utilized by the HOA.

The Board was reminded that in accordance with the decision made in April 2024, a 3% credit card processing fee will be made available for those homeowners who wish to pay their quarterly assessments by credit card. Assessments may also be made by check or by direct account withdrawal to avoid the credit card fee.



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8. **New Business.**

The Annual Meeting scheduled for June 12, 2024 will be held at the Basalt Library Community Room at 7 pm. A request for nominations has been sent out as the positions held by Tony Rizzo and John Ott are up for election. To comply with the law and the bylaws, all mailings for the annual meeting must be placed in the mail by no later than June 1, 2024.

Keith Edquist asked for guidance on certain tasks to be completed this summer. The Board concurred that he should undertake regular weed control in the open spaces, and replace the blue curb stop banners while obtaining GPS locations for the meter pits on all lots within the HOA.

The consumer confidence water report for 2023 was received and will be posted on the LECVHOA website.

9. **Executive Session.** No executive session was called.

The meeting was adjourned at 9:20 pm.

The next Trustee meeting will be July 10, 2024.

The HOA Annual Meeting will be held June 12, 2024.