



Board Meeting May 2021

Wednesday, May 12th, 2021

ONLINE ZOOM MEETING

The May meeting was held via the Zoom application, and called to order at 6:10 pm. In attendance were Trustees Dave Mullaney, Steve Whitelande, Tony Rizzo, John Ott and Joe Carlson. Owners Topher and Jill Sabella, Jenn and Peter Voorhees, Alison and John Burke, Joseph Oppenheimer, Zoe Foxley, Nina Romano, Sharon Caulfield, and Rebecca Milvich attended. Also present was Manager Keith Edquist and bookkeeper Kim Clinco.

Meeting topics: Public comment: Foxley request for stop signs at Capital Creek and Little Elk/Katydid; Oppenheimer expense submission for screening of meter pits; head gates for the Little Elk Creek Ditch Company donated, water issue Sabella/Voorhees; Milvich in regard to construction staging area; review of prior decisions in regard to the 2021/2022 budget; website update. Due to the length of public comments, the meter update, open space trail, dog stations, construction deposits, water tap fees, and paving updates on the May agenda were not addressed.

Approval of Minutes— the minutes of the April 21st, 2021 Zoom meeting were approved and will be posted to the website.

Public Comment- Public comment consumed the first 2 hours of the meeting. Zoe Foxley made a request for stop signs at the entry. As roads are Pitkin County's there may be hurdles to placement. There are more new owners and more kids in the neighborhood and traffic speeds at the entry were acknowledged as a concern. Management is to check with the county on this topic. A group email to owners in regard to this and a reminder that it is bear season will be sent from management.

Joseph Oppenheimer reported on three meter placements on that property and had worked with Dan Harris in regard to screening of these installations. He said Harris had offered \$1400 to accomplish this, and Joseph said he had purchased arbor vitae trees to screen the area. The consensus of the Board was to honor this commitment. Joseph will submit receipts for expenses incurred. Dan Oppenheimer reported that a user of the Little Elk Creek Ditch Company has offered to donate the expense of 4 head gates for the ditch system to the Company. When installed these will allow more accurate diversions of water, and this should positively affect the 15 Little Elk Subdivision owners who receive water from this ditch company.

Peter Voorhees began discussion of an issue regarding water coming from neighbor Jill Sabella's property to a pond he had constructed during development of his property. Not as much water is reaching this pond, and the Voorhees believe this is due to work done on the Sabella's property- installation of a french drain to alleviate past and current foundation damage to her home.



Extended discussion on this topic followed. The Board was taken to task for not meeting with both parties, after a Sunday afternoon meeting on site at Sabellas, in response to the Voorhees complaint. Neither party is adverse to working to resolve the problem, but no mutually satisfactory solutions have been advanced/accepted. The Board has not ignored the issue, but must act in concert and not as individuals. They stated that they were in the process of gathering information and conducting their due diligence in addressing this. There is a question as to whether the HOA will have any authority to act in this matter, as such a situation is not directly addressed in the covenants. Director Mullaney said the Board has a responsibility to abide by the covenants and by Colorado water law, and must work through what obligations, responsibilities and authorities the HOA possesses to come to any decisions. The Trustees agreed they need to meet, and to meet as a group with the Voorhees, as they had with Sabella's. They also agreed to consult with counsel should the Board find that advisable.

Financials- Bookkeeper Kim Clinco presented the line items in the trial budget for 2021-2022 fiscal year, as modified in the April meeting, noting that as presented tonight it does not propose any increase in assessments. Therefore discussion centered largely on how the water system will be monitored and maintained in the coming year, as Dan Harris is not going to continue with all of the aspects of this he presently attends to. Dan was unavailable for this meeting. At length there was a motion to add a \$55,000 line item to the budget for water system management, which was seconded and passed without dissent.

Keeping assessments at the same level as in the prior budget and adding this \$55,000 expense to the water operations portion of the budget will reduce the amount going to the reserve account, from \$97,335 to \$42,335. This will result in a capital reserve entering the 2021-2022 fiscal year of \$542,943. This will be after the expense of the water meter project, currently \$350,974. These figures discussed, there followed a motion to approve the budget as modified, which was seconded and unanimously approved. This will be the budget sent with the notice of the annual meeting, and is the approved budget for the coming year. Management is to check the availability of the fire house for this meeting, but it may need to held outdoors if Covid restrictions on the fire house have not been lifted.

Old Business - Edquist reported on lack of response from asphalt contractors for the road repairs needed. Frontier Paving has presented a bid of \$12,238, and Edquist was instructed to continue to seek bids, but to accept this bid were there no other responses from vendors contacted. At present it is not known if the work can be completed prior to the end of June and the current fiscal year.

New Business- Tony Rizzo reported on the transition of the website indicating good progress but with some interim and temporary links for owners to use until the new site is functional.

Unfinished business- Under this topic the meter project update, open space trail, dog stations, construction deposits, water tap fees were tabled. From prior meetings covenant changes and enforcement remain, as does addition of a lighting policy to the Architectural Control Authority Guidelines.



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There being no further business to come before the Board, the meeting was adjourned at 8:45 pm.

Respectfully submitted,

Keith M. Edquist, Association Manager

John Ott, LECVHOA President