

Reminder: The gates need to be closed at all times per the court order. Members will be fined for any transgressions.

Reminder: In an effort to minimize expenses, the BLE Board is now distributing minutes electronically for those members who are willing to receive the minutes in such a manner.

You can view the BLE minutes and financials online at <http://beaverlakes.org/>.

For those members without access to a computer or who still prefer a hard-copy mailing of minutes, please contact Debbie Trewitt at 303-733-3245.

If you have not been receiving BLE minutes via e-mail and would like to, please e-mail Debbie Trewitt at chiolero@comcast.net to be added to the distribution list.

**BLE Board Meeting
April 15, 2012
8:00 A.M.**

Board Members Present: Bob Dixon, Dale Halverstadt, Marge Hickman, and Eric Flora

Board Members Absent: Denny Meyer (excused), Debbie Trewitt (excused), and Tammy Gordon

Lot Owners Present: Marty Stevenson, Ken Donoher, Stewart Douglass, Jerry Wall, Duane Ready, Jeff Anderson, Margaret Sjoden, Sandra Halverstadt, Nancy Berendt, and Lila Land

Caretaker Present: Mark Larsen

Agenda

- | | |
|--|-------------|
| 1. Open Meeting | Bob |
| a. Roll Call of Board Members and attendees | |
| b. Excuse Debbie? | |
| 2. Reading of the Minutes from Prior Meeting | Bob |
| 3. Treasurer's Report | Bob |
| 4. Caretakers Report – | Mark |
| a. Progress Report | |
| 5. Help for Caretaker | Bob |
| 6. ACC Report | Marty |
| a. Need to add a member to the ACC – replace Kelli | |
| 7. Board Member Resignation – Kirk Olive | Bob /Group |
| 8. Board Member Terms and Upcoming Election | Bob/Group |
| 9. Members Committee - Governing Documents update | Committee |
| 10. Fish Committee – Rules adoption | Ken Donoher |
| 11. Safety Deposit Box | Marge |
| 12. Office at Lodge; Who, What When & Keys? | Marge |
| 13. Miscellaneous | Group |
| 14. Adjournment | |

1. Open Meeting

Bob Dixon opened the meeting at 8:00 A.M. with a roll call of the Board members.

2. Reading of the Minutes from Prior Meeting

Bob summarized the Minutes from the February 11, 2012 meeting.

3. Treasurer's Report

The financial reports provided are for YTD March 2012:

Dues received for this fiscal year: \$143,743 (about \$4,900 behind, discussion below of past due accounts)

Current cash: \$66,200, which includes dues for upcoming year already received; approximately \$13,500 are proceeds from a Sherriff's sale that was completed within the last two months based on our collections efforts.

Bob provided highlights of financial statements:

- Cabin rentals ahead \$1,417
- Healthcare: under budget \$2,000 (no caretaker has taken advantage of this)
- Cabin rentals over budget \$3,100 (additional repairs)
- Lake dam maintenance over budget \$4,200 for fire hydrant
- Fish stocking under budget \$1,200
- Fees and permits over budget by \$1,300, needed to re-license some equipment
- Repairs and maintenance vehicles over budget \$8,200, purchased new sander for the roads
- Repairs and maintenance roads under budget \$11,800, did not use on road base at this time

Total expenses: \$86,813

Overall, the financials are running very close to the budget, the Association is currently only about 2% over budget.

Collections/past debt: 34 members owe BLE \$41,753 which represents about 25% of our operating budget; 6 members owe 70% of the total. The Association will continue to aggressively pursue the members that owe the most.

4. Caretaker's Report

Mark Larsen provided the following summary:

- Maintenance is getting caught up, most equipment is running well, but backlog work remains to be done.
- Moldboard on grader is being repaired and will be installed when complete.
- Culvert under Rainbow Road installed to prevent future wash outs.
- Slash pile has been burned.
- Workshop is improving (Bob added that the shop was a significant mess when Mark arrived and it is greatly improved.
- Marge noted that Mark is very hard working, as well as cautious and careful with the use of our older equipment.

5. Help for Caretaker

The Association will continue to provide selected help to the caretaker, as needed, for complicated tasks or plowing that requires extended hours beyond what a single person can reasonably work.

6. Architectural Control Committee (ACC) Report

- Douglass – reroof (approved)
- Aponte – new construction (approved)

Kelly Wolf resigned from the ACC. Lila Land and Ken Berendt volunteered to join the ACC, and the Board agreed.

Special note: the only approval method for building anything, removing trees, painting (if it is a different color), etc. is through the ACC. Any questions or concerns can be directed to the ACC committee. Forms, procedures, and covenants are posted on the BLE web site.

7. Board Member Resignation

- Kirk Olive has resigned from the Board, which brings Board to 7 members.
- Bob asked for feedback on how to proceed.
- From Board members not in attendance, Denny feels we should consider reducing the Board to 7 members with 2 or 3 members turning over in each year. Debbie agreed with Denny.
- Dale noted that the need for 9 members was due to significant legal issues in the past.
- Eric suggested a goal of up to 9 to allow for possible resignations and not to appoint new members unless it gets below 7.
- Duane Ready suggested that 9 Board members gives a broader perspective.
- Bob feels 9 results in some Board members being less actively engaged and fewer Board members might result in better engagement.
- Marge agrees with Bob.
- Eric recommended we stay at 7 until at least the August meeting. At the June meeting, the Board can decide how many positions to elect at the August meeting.
- The issue was tabled until June meeting.

8. Board Member Terms and Upcoming Election

- 2012 term expiration: Bob, Debbie, Kirk's position (resigned)
- 2013 term expiration: Gresham position (currently empty), Eric, Denny
- 2014 term expiration: Tammy, Dale, Marge
- A lot owner asked if there are term limits. There are no term limits. Discussion followed.
- Members were encouraged to consider running for the Board in August.

Bio's needed from those members who want to run for the Board

If a member wants to volunteer to run for the Board this August, **their bio must be received electronically and/or by mail by the June 1, 2012 deadline**. All bios will be posted in the June meeting Minutes. Anyone who runs for a vacant position must be in attendance at the August meeting or have prior approval from the current BLE Board for an excused absence.

The member should mail their bio to the BLE office at:
 Empire Lodge Homeowners Assoc.
 585 Empire Valley Drive
 Leadville, CO 80461

The member should also e-mail that same bio to Debbie Trewitt at chiolero@comcast.net

9. Members Committee--Governing Documents Update

- The committee requested feedback on rough draft posted on the web site. They provided summary of that draft, which attempted to cover all the basic things such as roads, financials, etc. and balance the attorney version and the "member initiative" version.
- Duane Ready felt the version from the attorney was better suited to a more urban setting rather than rural setting of BLE. The committee agreed and is attempting to address this concern.
- Bob provided summary of how the committee was formed and the need to get a document that is in the

best interest of the community.

- The committee has received feedback from 5 or 6 lot owners, but they are concerned that lot owners are having trouble accessing the document.
- The attorney provided comments to the document and those comments have been provided to the committee but have not been posted. The committee will be reviewing those comments this coming Saturday and then taking the draft to the attorney later this month.
- Jeff Anderson felt the posting on the web site is confusing. There are 2 documents posted and doesn't ask for comments. Bob suggested, and committee agreed, we remove the confusing documents and post another version when the committee feels it is ready to be posted (anticipated after the meeting with the attorney on 27 April). The committee's mission statement and email addresses will remain.
- The committee summarized what part of CCIOA state law applies to BLE. They desire to promote harmony in the community, provide financial stability, make them more understandable, etc. The committee believes it will be a shorter document when complete.
- It was noted that for unknown reasons some lot owners' internet service does not allow them to see the BLE web site. To assure all lot owners have the opportunity to participate, the final draft needs to be mailed to everyone for comments and then a second mailing for the vote.
- The committee has a strong goal of the final being completed prior to the August members' meeting.
- The removal of Board members by 25% of members was discussed. Some present expressed the opinion that this was too low. Jeff Anderson noted one section of CCIOA that allows 13% (although this portion is not applicable to BLE).
- There was discussion of how draft covenants address budgets. The Board is concerned it might tie their hands in reallocating funds, as needed, when critical items or emergencies require expenditures. The committee clarified that the Board should stay within the overall budget, can use reserve funds and can borrow money, if needed. It was noted that it is difficult to borrow money without collateral. Jeff Anderson noted that many years ago a previous board was able to borrow \$100,000 and it caused significant issues and required a special assessment. The committee indicated we need to find a balance that does not tie the Board's hands, but keeps the Board from inappropriate borrowing.
- Jeff Anderson requested adding to the covenants the Board must present the budget in December prior to the start of the fiscal year, which starts 1 May of the following year. Jeff also suggested adding that the Board regularly present financial data to the members. Bob noted that the Board has done both of these for many years, and the Board agrees it is acceptable to include them in the covenants.

10. Fish Committee – Rules Adoption

Ken Donohoe reported there have been violations of the fishing rules. He presented proposed new rules for this season:

- Members and immediate family (parents, children, and the children's spouses/children) can fish.
- All others are considered guests and must be accompanied by the member of whom they are guest while fishing
- Season: Members – Ice off to end of September. Guests – Memorial Day through Labor Day.
- Upper lake limits: Two Rainbow Trout; no limit on Brook Trout.
- Lower lake remains catch and release only.

A lot owner asked about renters and why they cannot fish if member gives up their right to fish. The committee suggested, perhaps, if a long-term lease is provided. A lot owner also questioned people renting BLE owned cabins. Bob expressed the opinion that the fish are a valuable resource paid for by the members and only members should be allowed to fish. It was noted these are the rules for this year, but may be changed if they don't work.

Dale moved that the Board adopt these rules Motion seconded, short discussion, Motion passed unanimously.

A lot owner asked why the kiosks are large and located where it blocks some views. Bob indicated it was an attempt to encourage people to park in specific places, but it is in view from the other end of the upper lake. Suggestions were provided for another location, changing the orientation and the size of the kiosk. The committee intends to put quite a bit of information on it, but will look into relocation and/or changing orientation. Members can provide their comments to the Fishing Committee.

Committee requested carrying over money from this year's budget (ends in April) to next year. Bob indicated there is no mechanism for carrying over the budget, but there is money in next year's budget.

There was discussion on how to introduce shrimp into the upper lake. The committee will look into this further.

A lot owner asked if the donations to the fishing fund are kept separate. Bob believes it is separately accounted for, but not in a separate account due to fees that would be charged for another account.

The Fishing Committee has discussed penalties for rule violations. Marge moved first offense will result in a written warning, second and subsequent violations will result in a \$250 fine (similar to gate penalties). All money collected would go into the fishing fund, seconded, short discussion, motion passed unanimously.

11. Safety Deposit Box

Marge and Sandi Halverstadt went to the safe deposit box to review the documents inside and advise the Board of its contents. In doing so, they noted that the signature cards were out of date. Documents included in the box were the Water Lease Agreement, District Court Water case, Quit Claim Deed, Certificate of Incorporation and Articles of Incorporation, Deed and Assignment and Stock Certificate for shares of The Twin Lakes Reservoir and Canal Company. The cost for the safety deposit box is \$48 per year. It was agreed to keep the box, but new signature cards need to be signed. Marge called the bank and was informed that there is no limit for the number of signatures on the card, but persons signing the card must go to the bank personally and have their signature witnessed by an employee. Only two keys are given out for the box (Sandi, historian, has one key and Ed Kuiper has the other).

Dale moved that the historian be authorized to purchase appropriate electronic storage media to be kept in the safety deposit box and periodically updated. The motion was seconded, no discussion and passed unanimously.

12. Office at Lodge, who, what, when, & keys

It was agreed to have our caretaker change the lock since many keys have been given out and not returned over the years. A lot owner recommended considering an electronic lock with different combinations. Our caretaker will look into options.

13. Miscellaneous

A lot owner noted that the BLE has significant potential fire issues and fire fighters protect homes that have fire mitigation in place because they can defend those. This topic will be added to the August Members' Meeting agenda. Ken Donohoe can contact a person he knows for potential education and/or evaluation. Marge reminded everyone that she has already attended local fire protection meetings on behalf of the Board regarding the Southern Lake County Fire Protection Program. Both Dan Dailey (Fire-Rescue) and Mike McHargue (Emergency Services) have volunteered to attend a Board meeting to discuss fire protection. Marge will contact them to see if one or both of them would be available to attend our August Board meeting.

Dale moved that all fireworks be banned in BLE. The motion was seconded, no discussion, passed unanimously.

It was noted that the Lake County Fire Regulations do apply to BLE and members should monitor changes. Since this has been such a dry winter, all members are encouraged to be particularly careful with fires and watch closely for Lake County restriction changes.

A lot owner asked if the members have a vote at Board meetings? They do not since it is a Board meeting. They do have a vote at the Annual Members' meeting.

14. Adjournment

Bob Dixon adjourned the meeting at 11:15 A.M.

Other

Join the BLE Group Email - This group permits emails to all BLE Google Group members. Sustained discussions on specific subjects are listed on the home page of the BLE Google Group. This is not a true forum; discussions are merely emails to all group members and replies to a new email "subject."

All members are encouraged to join this group. All board members belong and it is a good way to ask questions and express your opinions about our community's matters of concern. To find out how to join, go to the BLE website at www.beaverlakes.org and click on the BLE Group Email link.

The e-mail address for the BLE office is beaverlakesestates@gmail.com and the phone number is 719-486-0978.

Please note: The BLE address has changed to 585 Empire Valley Drive, Leadville, CO 80461. The PO Box number is unusable as of August 31, 2011.

Reminder: The gates need to be closed at all times per the court order. Members will be fined for any transgressions.

The next Board meeting is scheduled for **Saturday, June 16th at 8:00 A.M.**

Remaining Meeting Dates for 2012:

- June 16th at 8:00 A.M.
- August 11th at 10:00 A.M. A members' picnic immediately to follow.
- October 20th at 8:00 A.M.
- December 8th at 8:00 A.M.