

Reminder:

- *The gates must be closed at all times per the Court Order. Members will be fined for any transgressions.*

**BLE Annual Member Meeting
July 29, 2017; 10:00 A.M.**

Board members present: Bob Dixon, Ken Berendt, Eric Flora, Rich Boon, Aaron Oglesby, Adam Wiens

Board members absent: Cindy Allgood

Lot owners present: Marty Stevenson; Dale & Sandi Halverstadt; Gayle Flora; Mark Larsen; Stewart & Vicky Douglass; Ken & Beth Donoher; Jim Perkins; Wendy Satsky; Marge Sjoden; Jeffery Anderson; Marc Lefkovich; Todd Couch; Mike Hampton; Sherry, David, Pat, & Bobby Kuekes, David Hayes; Anne Davis; Andrea Hrusovsky; Diane Fedie; Ed & Mary Kuiper; Rochelle Thomas; Brian & Karen Runowski; Dan & Connie Whalen; Lila Land; Steve & Anne Petersen; Floyd & Dena Strader; Adam Dalton; Warren Flint; Troy Oliver; Andy & Teresa Olear; Dan & Jean Wilkie; Larry Morgan; Ed & Georgie Gardiner; Leah Oglesby; Nancy Berendt.

Caretaker present: Mark Larsen

Agenda

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|-----------------------------|-------------------|
| 1. Open meeting | Bob |
| 2. Treasurer report | Ed |
| 3. Colorado Central Telecom | Maisie Ramsay |
| 4. Wildfire Mitigation | Caroline Schaefer |
| 5. Board elections | Group |
| 6. Topics from Members | Group |

1. **Open Meeting:** Bob Dixon, BLE Board Chair, opened the meeting at 10:00 A.M.
2. **Treasurer's Report:** Ed Kuiper provided a summary of the past year financials. He noted BLE has the lowest accounts receivable (i.e. past due member accounts) in his memory. There is about \$11,000 total in accounts receivable. The largest is about \$5,000 and regular payments are being made to resolve the debt. Overall the financial situation is very good. See accounting sheets for details. Ed pointed out the following items of interest:
 - Last year we received more dues than budgeted due to past due accounts being paid. Ed noted that collection costs for past due accounts are originally paid by BLE but are reimbursed when the account is paid.
 - The reports during the year don't include some accounting adjustments such as capitalization (e.g. cabin renovations and new equipment) but the year-end report does include those adjustments.
 - Equipment maintenance was high due to several pieces of older equipment.
 - This year BLE purchased a used backhoe (\$44,000) since the old backhoe was very old and required constant repairs.
 - Bob added we were able to purchase the backhoe without a loan due to the heavy equipment fund established a couple years ago
3. **Colorado Central Telecom:** Maisie Ramsay from Colorado Central Telecom provided an overview of plans for high speed internet in BLE using microwave communication. They are in the planning stages and seeking agreements to build repeater towers on 2 sites that will cover most of BLE. These towers will be on private property with property owner permission. Due to the direct line-of-sight microwave communications they are able to provide faster rates than satellite services without usage caps. It requires a small dish and router at each residence using the service. They prefer to mount the dish on the house for better cabling but can be on another location (e.g. post). The dish

must have line-of-site to a tower. In addition to internet, it will support telephones using Voice-over-IP (VOIP) in most cases. A few homes may have difficult locations, e.g. surrounded by thick trees, and will have lower bandwidth due to type of communication link needed to get through the trees. They received a DORA grant from Colorado for Twin Lakes and some other parts of Lake County but not BLE. She doesn't believe HOAs such as BLE are eligible for these grants. They are continuing the planning to see if BLE is viable with locations, trees, tower sites, number of users interested, etc.. Standard install is \$150 which includes installation, setup, and the first month of service. A WiFi router is needed which can be purchased by the user or they can provide for an additional charge of \$5/month which also includes a service plan for the router. Monthly plans start at \$44.95/month (plus router if selected) for 4 Mbps uplink/1Mbps downlink which is enough for basic services (e.g. email, standard definition video streaming, web browsing, etc.). They have higher bandwidth plans for \$69.95/month and \$89.95/month (plus router if selected).

For further information or to express interest in this service when implemented please contact Maisie Ramsay at 719-937-7700 ext 103, maisie@coloradocentraltelecom.com

4. **Wildfire Mitigation:** Caroline Schaefer discussed upcoming events and options for owners wishing to do wildfire mitigation. Caroline provided a map of BLE with a wildfire risk assessment for each residence in BLE. There will be a chipping day on Friday, Aug 18th to grind up dead trees and branches:

- Piles need to be stacked in same direction, the best direction is perpendicular to the road to allow the wood to be easily fed into the chipper
- No root balls/wads can be on the trees
- Wood can be up to 12" in diameter
- no limit on length
- Owner may give a donation to help cover the cost
- BLE HOA also provides a donation
- Lot owners should help with the chipping if possible

For further mitigation, there is a grant for wildfire mitigation that will work with homeowners to help take additional actions. Members can sign up with Caroline <Caroline@arkcollaborative.org>, 503-539-9483.

5. **Meeting Quorum and Board Elections:** 31 members were present at this meeting, plus 27 proxies for a total of 58. 37 are required for quorum, so this meeting had enough to allow actions to be taken. Proxies received for this meeting:

Bob Dixon – 12
Adam Wiens - 4
Rich Boon – 4
Aaron Oglesby – 2
Ken Berendt – 2
Eric Flora – 1
Marty Stevenson – 1
Ken Donoher - 1
Cindy Allgood – 8 but do not count as the person named must be present at the meeting to vote the proxies

Election result: Rich Boon- 58 votes, Floyd Strader – 57 votes, Adam Wiens – 57 votes; Andrew Olear – 22 votes. The top 3 are elected to the Board. Bob moved and Adam seconded adding Andrew Olear to the Board to make 8 members, Board vote passed unanimously.

6. Cindy Allgood provided information on why she didn't run for re-election. She indicated this was primarily due to people stopping her while doing other things, coming to her house, calling, etc. This was taking excessive time and energy which was taking away from her privacy and ability to enjoy living at BLE. Bob requested members be respectful of the caretaker and Board members time and privacy. Please do not complain to the caretaker, the Board provides direction/priorities for his tasks.

If a member feels there are issues or questions they should contact the Board.

7. **Add mirror at sharp corner going into upper filing:** Bob noted it would be very difficult due to post needed would interfere with snow plowing
8. **Vacation Rentals:** some vacation rentals bring significant numbers of vehicles, ATVs, etc. and don't follow rules. Bob indicated BLE cannot stop vacation rentals by Colorado law but renters are required to follow BLE rules. If they are violating rules please report it to the Board so they can address the issue with the owner and take appropriate actions. Members asked about the large number of vehicles that hurt the roads and if we can limit vehicles at rentals or be paid for additional costs (e.g. higher dues or special fees). Based on previous discussions with the attorney, Bob doesn't believe we can but he will explore options with the attorney. In cases where a person is speeding on the road, violating laws, or trespassing (e.g. fishing without a badge is trespassing), please call the Lake County Sheriff. It was suggested the Board talk to the people doing vacation rentals to understand their position. It was noted the Board meetings are open to all, including vacation rental owners to share their opinions. It was noted by a member there is National Forest behind BLE and we are required to allow access, so some vehicles using our roads are not BLE members. The whole community must help with regulating rules and holding people accountable. When there are issues, people should get as much information as possible, e.g. take a picture with their cell phones, license plate numbers, detailed descriptions, etc. to help the Board address the issues appropriately.
9. **Dogs off leash:** Bob noted that the covenants cannot override county law, which state pets must be under control and control is defined as physical control with a tethered leash no longer than 10' long. Board members quoted the Lake County ordinance directly to make sure it was stated accurately. Since this is the law BLE can't change it which overrules the covenants. It was asked if BLE having private/common areas changed that, but our attorney has indicated the way BLE was created (e.g. it's not a condominium community with shared ownership) the county laws apply to the common areas. The Board must enforce the laws when a complaint is received. Reported violations will receive warning letter for first offense and fine for subsequent offences. It was suggested to clarify the BLE web site to state simply dogs off-leash are in violation the county regulations. It was moved by Adam, seconded by Rich to clarify that BLE covenant section 6.6 pet control is interpreted to be in accordance with the Lake County regulations. Motion passed 48 in favor and 8 opposed. There was a discussion of working dogs and the definition from Lake County regulations was read but this generally does not apply to BLE unless a person is licensed for managing working dogs.
10. **Lower Gate:** it was requested to fill in the pot holes at the lower gate. The Board will ask the caretaker to put some road base in that area. It was also requested that people not swing or hang on the gates which causes them to get out of adjustment, makes them hard to open/close, and increases the wear on the gate. The Board will consider a sign to that effect. It was also indicated sometimes it's hard to open/close the gates. The Board will ask the caretaker make sure they are adjusted properly. Members being careful with gate and not hanging on it will help significantly. A member asked that people be neighborly to look for cars coming and allow the car to go through. It was noted the person opening the gate is responsible for making sure the gate gets closed promptly by themselves or someone else.
11. **Fishing report:** Dan Wilkie from the Fishing Committee indicated each lake was stocked with about 350 fish this year. It was requested that any fish taken from the upper lake be recorded in the kiosk so they know how many have been taken out. There is a significant sucker issue in the upper lake. Last year we trapped about 30 but are not having as much luck trapping them this year although it's clear there are many in the lake. The suckers will cause a major problem with the trout if not controlled. They are looking into other methods for controlling them. It was suggested that we put screens on the outlets for the lakes so the suckers can't move to other locations, which the Board will consider. It was asked if lower lake will always be catch & release only. The Fishing Committee looks at that annually and plan for now is to keep the lower lake as catch & release to allow for "trophy fish" opportunities. Overall the fishing is going well and fish are doing well. A member asked about the penalties for giving badges to unauthorized people; Board will look into it and believe there are rules already in place for penalties. It was asked about the high amount of algae in the lake.

They don't believe it hurts the fish but it has been very high this year. In the past there has been discussion of aerating the lakes and will consider that in the budget meeting in December.

12. **Road grading:** It was asked if the road is graded as well as it could be. Bob indicated in the past we've had professional road graders and will consider that again; there are some places that cannot be graded well until we invest quite a bit in road base and effort to pull out the rocks. We've been doing small stretches each year based on budget available. Some feel we have put multiple layers on one section but should have put some in other locations. The Board will work with the caretaker to make sure we're using the road base in the best manner possible. A member that works in this field, feels we can do some things better but we don't have a grader that can pull the rocks out and we need a lot of road base. It was noted one reason for the conditions is drivers going too fast which damages the roads. It was also noted that a portion of the road is on Forest Service land; the Board will approach them to see if they will help maintain that portion. A member indicated they believe in the past there was evidence the road was designated as a public road but not treated as such for some time. The Board continues to monitor the situation for changes and will discuss with the appropriate people as needed.
13. **Fireworks in BLE:** fireworks are banned at all times and are a serious fire hazard; they must be reported to the Board. Rich moved to implement \$1,000 fine to the owner for a first offense, \$1,500 for second and subsequent offenses. The motion was seconded by Sherry Kuekes Bouchereau. Motion passed with all in favor except one opposed.
14. **Fire pits and open fires:** we've had some continuing issues with a few people. When there's a county fire ban, please report it to the county; otherwise fires must be in an approved fire pit. If a member sees a violation, please send information to the Board.
15. **Bears:** since BLE is in the Rocky Mountains there are bears around; guidelines from the Colorado Department of Wildlife (DOW) include
 - Do not have open composting with food waste as it attracts bears (see next item below)
 - Suggest a central bear proof trash location with a motion detector light; there are issues and costs for this; the Board will consider options, anyone with information, please provide it to the Board, it was also asked to consider co-located recycling
 - There are options to preventing bears on decks such as nail boards on the steps (please notify the sheriff so they don't step on them if they must go to the residence)
 - If there is a bear in the area please notify the DOW immediately; they will come out at any time day or night to use deterrents (e.g. rubber bullets) and prevent more issues
 - Residents should not take actions themselves other than calling DOW
 - The community has to work together to manage this.
16. **Composting:** it was noted certain things in compost attract bears, primarily food waste; DOW suggests not allowing outdoor composting with any food waste; the Board will talk further to the DOW on what rules and education can be provided and how other mountain communities manage wildlife including bears; Bob read the covenants regarding trash which say any open rubbish must be in an suitable container. This includes open compost areas. The Board will enforce that rule.
17. **Water Rights:** a member asked when our water rights lease expires. No one in the room had the specific date, it's several years away. About a year ago the Board contacted the current water rights holder from whom BLE leases rights and they indicated they don't re-negotiate until 1 or 2 years before expiration. It will be a problem if they won't renew the lease; it was suggested we set up a committee to address this issue, including potential to purchase rather than lease
18. A member observed Verizon coverage has improved recently.
19. **Dam Inspection:** based in the inspection report BLE received, we need to remove the foliage on the dams. BLE hired part-time help and some has been done and will continue. A member asked what would happen if the lakes got overfilled by heavy rain. Marty indicated there is a culvert that can be

opened and would drain a significant amount of the lake before the dam overflows and erodes. They can also shut off water coming into the lake so they won't continue to overflow.

20. Meeting was adjourned at 1:05pm

BLE office contact information:

- E-mail address - beaverlakesestates@gmail.com
- Phone - 719-486-0978
- Address - 585 Empire Valley Drive, Leadville, CO 80461

Remaining meeting dates for 2017:

- September 23rd at 8:00 a.m.
- December 2nd at 9:00 a.m.