

Reminders:

- The gates must always be closed after each use per the Court Order.
- **All pets must be on leash and under control at all times.**
- Members will be fined for violations. See www.beaverlakes.org/documents/ for more information.
- We encourage people who enjoy the great fishing at BLE to consider donating money specifically for fishing via the DONATE button on the BLE web page.



Board Meeting (Virtual)

May 16, 2020 – 9:00 AM

Agenda

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|---|-----------------|
| 1. Open meeting | Adam, President |
| a. Identify members signed into virtual meeting | |
| b. Board members present | |
| c. Excused absences | |
| 2. Approval of Minutes Posted on BLE Website for January 4 and March 28, 2020 | Board |
| 3. Treasurer Report | Ken, Treasurer |
| 4. Caretaker's Report | Mark, Caretaker |
| a. Progress Report | |
| b. Equipment Status | |
| 5. Architectural Controls Committee (ACC) Report | Marty |
| 6. Board Election Planning and Annual Member Meeting | Board |
| 7. Water Rights Contract Status | Karen |
| 8. Planning Updates for Major Improvements in 2020 | |
| a. Dam | Karen |
| b. Ditch | Floyd |
| c. Lake & Fishery/Stocking | Karen |
| d. Cabin Exteriors | Ken |
| e. Roads and Grader | Floyd |
| 9. RV Storage Considerations | Andy |
| 10. Short-Term Rental (STR) Lawsuit Update | Adam |
| 11. Plans for re-opening campground and lodge | Board |
| 12. Other Business as Needed | Board |
| a. | |
| b. | |
| 13. Adjourn | Adam |
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Minutes

Due to safer-at-home orders in response to the COVID-19 pandemic, the Board meeting scheduled to be at the BLE lodge was held as a virtual meeting with ability for members to join.

1. Open meeting – Adam opened the meeting at 9:05 AM Adam, President
 - a. Identify members signed into virtual meeting
Attendance based on identities provided by virtual sign-ins: Ed Kuiper, Jim Perkins, Mark Richter, Greg Trewitt, Tim Ratterman, Brad Segal, Linda Keller, Ed Batterson, Patrick Frank, John Boak, Christopher Kearns, and Nancy Berendt.
 - b. Board members present: Ken Berendt, Rich Boon, Eric Flora, Andy Olear, Karen Runowski, and Adam Wiens.
 - c. Board Members Absent: Floyd Strader was approved as an excused absence unanimously by the Board. Floyd provided a proxy to Adam for this meeting.
 - d. Caretaker present: Mark Larsen.

2. Approval of Minutes Posted on BLE Website for January 4 and March 28, 2020 Board

There were no changes to the minutes as posted on the BLE website; Rich moved and Adam seconded approval as posted; the motion passed unanimously.

3. Treasurer Report Ken, Treasurer

Ken provided a summary of the current financial situation. Overall, we are doing well so far this year. There was some unspent funding last year which we're planning to use primarily for water rights as needed. Currently we have only received 66% of the dues for 2020-2021, so there may be some challenges for the upcoming year we don't receive most of the annual dues. Mark noted there are about 30 envelopes appearing to be dues payments which were recently received. If those are all payments, that will increase the responses to about 83%. Karen noted this results in about \$37,000 under budget for dues at this point. Adam added we will follow the normal procedures for late payments. Ken reported there is a 30-day grace period that goes to June 1st, then late notices will be sent. The Board will consider options for individuals that contact the Board with extenuating circumstances due to the pandemic. Ed Kuiper added this is the lowest rate of return we've seen for dues. In the past he sent a reminder letter to those delinquent right after May 1st. He used email for people that have given us email, otherwise he mailed a letter. There are usually a few people that have moved and didn't get the original letter. Ken will discuss notification of people that haven't paid with our bookkeeper.

4. Caretaker's Report Mark, Caretaker
 - a. Progress Report

The shower/bathroom renovation in cabin 2 is underway. When the demolition started for the shower and lavatory drain it became clear it was a much bigger job due to previous poor construction. To avoid future problems, additional demolition and reconstruction is required.

Replacement and re-wiring the electric plug-ins in the campground is the next priority, which requires digging trenches and pulling wire.

Following that is the work needed on the dams (see specific item below regarding dam maintenance).

The main access road is in fairly good shape and Mark was able to grade while it was wet which is better. Due to lack of road base, it will continue to have some mud and dust. Members on Cottontail,

Chukar, Cougar and Elk asked for mud remediation and Mark is planning to address those areas as conditions allow.

As always, there's on-going equipment maintenance required.

b. Equipment Status

Mark has been working on the loader to determine the root cause of a problem and has narrowed it down to a head gasket problem. This is a major repair and we should consider having a professional perform the work. Mark will talk to Floyd and get a bid for the repair. Maintenance is up to date and other equipment is running well.

5. Architectural Controls Committee (ACC) Report

Marty

Marty was unable to join meeting.

6. Board Election Planning

Board

There are 3 Board member's terms which are expiring at the end of July. These are Rich, Andy, and Floyd. Rich and Andy indicated they are not planning on running for reelection. Floyd has indicated he will run for reelection. It was agreed we should plan to maintain 7 Board members if possible. We are requesting self-nominations from the members for the 3 positions. Any member willing to serve on the Board should let the Board know and submit a short biography by Monday, June 8.

We currently anticipate the Annual Member Meeting to be virtual rather than in-person assuming the ban on large gatherings will continue. We will ask for volunteers to count the physical ballots at BLE since the ballots will be sent there.

7. Water Rights Contract Status

Karen

Karen reported following extended negotiations and a verbal agreement, the final paperwork to purchase permanent water rights included a clause to incorporate an unnamed association's augmentation plan which BLE would have to manage. BLE decided that was an unacceptable risk and rejected the proposal. Recently we received information they are considering dropping the additional clause and BLE is waiting to receive a revised proposal. In addition, we have received information about another potential seller of water rights. Our water lawyer is working on the options and their relative benefits/risks. Our lawyer is also working to make the final portion of our current rights absolute which will save annual paperwork. This change went to water court and there were no objectors, so now it goes to the Colorado water board for final approval.

The Board is continuing to pursue funding options assuming we be able to purchase the permanent water rights.

8. Planning Updates for Major Improvements in 2020

a. Dam

Karen

Karen reported the bulk of the dam work was performed last year. For this year we're planning:

- Upper Lake- remove willows and small aspen trees, cut small trench at ponding seepage water (Page 2 of 6 on 2016 state inspection), and place grouted rip rap at spillway pipe discharge.
- Lower Lake- remove willows and small aspen trees and construct v-notch weir to monitor seepage
- Clearing the willows and aspens are good tasks for volunteers and clean-up day(s).

b. Ditch

Mark

Mark reported for most part the water ditch is fine but near the campground, where the water doesn't flow as fast, it needs work that will take about a month. Rich noted he was able to get some donated pond liner that can be used. Rich will work on plan to get the pond liner transported to BLE. Mark suggested doing short portions at a time as needed. This will need to be prioritized with the cabin repairs, campground wiring, work on dams, and regular maintenance. There will be opportunities for volunteer help and this will be raised at the Annual Member Meeting.

c. Lake & Fishery/Stocking

Karen

Karen asked Tim Ratterman, from the fishing committee, to provide a report. Stocking is planned in mid-June. They are also hiring a fish biologist, hopefully the one working with Mt. Massive Resort, to get an expert opinion on what we're doing well and what we could improve. They expect the biologist to evaluate our lakes this Summer and provide a report in the Fall. They are processing requests for new fishing badges as requested. They have requested about \$400 to install 4 gravel casting platforms on the upper lake.

They have discussed picnic tables which are somewhat lower priority depending on funds available. They also requested more money for stocking since the price of fish has gone up significantly and the budget hasn't been raised for several years.

The fishing committee also requested \$2,000 for patrolling the lakes. Tim indicated there are a couple common ways people poach our fish. First nearby residents that come up and fish. Second is guests of members that are fishing without the owner being present. Having someone patrolling the lakes would help deter violations. Adam suggest having the caretaker patrol the lakes periodically on weekends when more people are fishing. This would require providing other days of the week off for the caretaker. Eric expressed concern the caretaker has many other higher priorities and it's more important to perform those tasks (e.g. road maintenance, dam repairs, cabin repairs, campground electrical, and equipment maintenance). Rich indicated we don't need a formal patrol but as Mark drives around the community he could stop and talk to people to check. Mark indicated he currently drives through the community every day and does check on people fishing. He also indicated historically the worst offenders have been short term renters, which are no longer allowed at BLE. Christopher Kearns indicated he and his wife would be willing to patrol. Linda Keller noted that are specific times that are busiest, e.g. dusk. It was decided to observe how things go in the next couple months and address this again at the Annual Member Meeting.

Rich moved to approve the \$2,600 for additional stocking, fish biologist, and 4 gravel platforms at the upper lake; Adam seconded the motion. Ken noted we had some funds left over from last year but we're also well behind on receipt of the current dues. Karen noted there is a "donate" button on the BLE web page for people to give money specifically for the fishing. The motion passed with 6 ayes and Andy voting nay. Karen added we should raise the annual budget next year for stocking due to the increased cost for fish.

d. Cabins

Ken/Adam

Ken indicated we need to paint the cabins and replace some roofs. Painting could be a volunteer activity. Mark added cabin 2 has a minor roof leak and needs to be replaced soon. Since this roof replacement is already in the budget, Adam asked Mark to get it scheduled. At the Annual Meeting we will discuss a volunteer day to include cabin painting. Mark noted the cabins were painted in the past but staining log

buildings is much better. He recommends we strip the paint then stain. A power washer will get much of the paint off but probably needs some additional work. Our power washer has an attachment to add sand to the water that might work get the remaining paint off. Rich asked if Mark could do some tests to see what works and if we need to rent a larger power washer. Mark suggested one weekend to do the stripping, let them dry for a week, then stain.

e. Roads and Grader

Mark

Mark noted the carbide teeth we purchased for the grader has helped significantly. The road still has too much clay and large rocks, and will continue to work road base into areas that need work to slowly improve the roads.

9. RV Storage Considerations

Andy

Andy raised a question regarding the purpose of the BLE RV storage rule. He understood the primary purpose of the rules is to avoid commercial storage of RVs on member's properties. He provided 3 options. First option is to leave the rule as it currently stands. Second is to change the rule to allow a maximum number of RVs whether owned by the member or not. Third is to remove the rule completely. Ken noted the intent to keep the community looking good, i.e. without multiple RVs in one area. Karen recalled that vehicle storage rules had been in place for some time and the fact that BLE had rule structure was a differentiator when comparing BLE to other communities in the area. Subsequent to this Board meeting, it was noted there was a clarification in a motion passed overwhelmingly by the BLE members at the July 2018 Annual Member Meeting that "RVs can only be stored on a member's property that are registered in the member's name".

Andy moved to change the rule to specify the specific number of vehicles that can be stored on a property regardless of ownership, with the Board to decide at a later time the specific wording and number of RVs allowed; Rich seconded the motion. The motion failed with Adam, Floyd's proxy, Eric, and Karen voted nay; Ken and Andy voted yea, and Rich abstained.

10. Short-Term Rental (STR) Lawsuit Update

Adam

Adam reported there was one significant ruling in BLE's favor regarding the number of votes required. The only remaining open issue challenges specific votes. BLE is in the process of responding a request for information.

11. Plans for re-opening campground and lodge

Board

There was a discussion of issues surrounding reopening common facilities. There would be additional cleaning required to allow cabin rentals and the campground. Currently this would require the bath house to be cleaned and sterilized often. Ken suggested we could open the campground to self-contained RVs that don't require use of the bath house. At this point we will keep everything closed. Once the electrical work on the campground is complete, the Board will reconsider opening the campground. Cabins will have to wait until state guidelines for rentals don't require complete sanitization.

12. Other Business as Needed

Board

- a. Adam reminded the community that members need to pay their dues to keep things working at BLE.
- b. There was a discussion about determining ownership of vehicles by "running plates". Andy noted that BLE cannot legally run plates. Adam indicated if there are issues, e.g. vehicles that appear out of place or abandoned, we should contact the sheriff.
- c.

- d. A member asked about the dues increase and was it planned only for last year or the long run. Adam and Karen noted the increase was for indefinite period to cover the long-term projects identified at the budget meeting and posted on the web site.

13. Adjourn

Adam

Adam adjourned the meeting at 11:20 AM

BLE Office Contact Information:

- BLE Web Site: www.beaverlakes.org
- E-mail Address: beaverlakesestates@gmail.com
- Phone: 719-486-0978
- Address: 585 Empire Valley Drive
Leadville, CO 80461

Future Meeting Dates for 2020:

- July 25 All-Member Mtg, Board Election, & Picnic 9:00 am meeting; Noon picnic
- November 21 – Board Mtg for FY 2021-2022 Budget 9:00 am