

Reminders:

- *If your mailing address has changed, please provide update to Ken Berendt so you will receive important BLE mailings.*
- *The gates must always be closed after each use per the Court Order.*
- *All pets must me on leash and under control.*
- *Members will be fined for violations. See www.beaverlakes.org/documents/ for more information.*



Annual Member Meeting Agenda (Virtual)

July 16, 2022 @ 9:00 AM

Annual Member Picnic

(appx) @ 11:00 AM (following meeting)

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| 1. Open meeting | Karen, President |
| a. Identify members signed into virtual meeting. | |
| b. Board members present. | |
| c. Member Volunteers to count ballots and proxies. | |
| 2. Approve July 17, 2021 Member Meeting Minutes as Posted | Eric |
| 3. Treasurer Report | Ken, Treasurer |
| 4. Caretaker Report | Kim |
| 5. Architectural Controls Committee (ACC) Report | Marty |
| 6. Fishing Committee Update | Tim |
| 7. Speeding on BLE Roads | Tim/Bob |
| 8. Fire Mitigation | Group |
| 9. Campground Use Rules | Bob |
| 10. State CCIOA Changes & Impact on BLE Rules | Karen |
| 11. Board Positions, Election, and Proxy Results | Board |
| 12. Determine Quorum Status to Conduct Business | Board |
| 13. Discussion Topics | |
| a. Other Topics from Members | |
| Adjourn | Karen |
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Minutes

1. Open meeting

Karen, President

This meeting was held virtually due to the on-going pandemic and allow increased member participation.

a. Identify members signed into virtual meeting

As this was held virtually, attendance is based on the sign-in name. Members signed into meeting were Brad & Marsha Allen, Jeff Anderson, John Barber, Ed Batterson, Ken & Nancy Berendt, John Boak, Marty Bodine, Rich & Martha Boon, Leona Brenchley, Bob Dixon, Kim Etter, Diane Fedie, Eric Flora, Patrick Frank, Sandra & Dale Halverstadt, Laurie Hampton, Bettyann Heppler, Susan Hoff, Andrea Hrusovsky, Alayna Kearns, Linda Keller, Sherry Kuekes, Lila Land, Jeff Leach, Troy & Jill Oliver, Jim Perkins, Steve Petersen, Tim & Madalyn Ratterman, Karen & Brian Runowski, Chris Ruskey, Margret Sjoden, Hugh Smith, Marty Stevenson, Charles Swarts, Rochelle Thomas, Jack & Tracy Walker, Steve & Ryan Wamhoff-Galegos, Mark & Linda Ward, and Jean & Dan Wilke.

b. Board members present: John Barber, Ken Berendt, Eric Flora, Bob Dixon, Tim Ratterman, Karen Runowski.

c. Board Members absent: Kim Pierron (excused)

d. Caretaker: Shane Clark

2. Approve July 17, 2021 Member Meeting Minutes as Posted

Board

Ken moved to accept the July 17, 2021 minutes (last year) as posted, motion passed unanimously.

3. Treasurer Report

Ken, Treasurer

Karen provided an overview of how the budget is established annually at the November Board meeting. At that meeting every line item in the budget is reviewed, expenses for every item are estimated, next year's annual dues is determined, etc. This is a very important meeting for members to understand how their money is being used. Ken walked through the details of the income and expenses for the first 2 months of the BLE fiscal year (May 2022 through April 2023) and provided specific information on the most important items. Ken also walked through the balance sheet which provides information on the BLE accounts, assets, reserves, etc.

Karen provided a summary of water rights and why we were not able to obtain permanent water rights, which will mean a significant increase in water lease costs when our current lease expires in 2029. This will likely require dues to increase to pay the new lease, which is required to retain our lakes.

Bob Dixon noted the reserve fund has previously required by Colorado Common Interest Ownership Act (CCIOA) state law, but recent changes may require moving more funds to the reserve account.

4. Caretaker's Status

Board

Shane provided presentation of what his actions at BLE, including:

- Replaced the lower gate light three times due to vandalism but it seems to be OK now.
- Replaced the middle gate lights.
- Cleaned out the shops to allow equipment to be moved into the shops, which will be a big help in the winter making it easier to start equipment in cold weather
- Set up welder to be more useful
- Organized tools and equipment
- Removed oil drums from the shop for safety

- Established secondary containment for oil barrels outside for safety; additional work still needed; he also noted this is new oil for equipment maintenance, while used oil is picked up by a recycling service
- Set up work benches and areas for more efficient maintenance
- Replaced furnace in cabin 4
- Replaced/upgraded water heater in cabin 2
- Replaced tires on loader, including tire that was incorrect size which could wear out the differential
- Cleaned up area around caretaker cabin and increased vegetation areas to improve looks
- Cleaned & organized storage shed, built areas for tool storage, and leveled the dirt floor
- Labeled tools and supplies so others can find what's needed
- Covered discarded wood near upper lake which is now revegetating to improve looks
- Worked with volunteers changing the upper lake culvert to slowdown water to reduce erosion
- Repaired broken portion of the outlet to the lower lake; Karen added that a few years ago there was quite a bit of work on the lake side of this dam and this repair will help with those items
- Replaced signs by lakes with improved signs
- Cleaned up and improved storage of tire chains for the equipment
- Replaced all the teeth on the grader
- Took over 35 loads of junk to the dump from above actions
- On-going periodic equipment maintenance for all vehicles
- Sold backhoe and bought new water truck; Shane is working on Commercial Driver's License (CDL)
- Working on removing rocks in upper filing roads. He has ordered locates 3 times with first 2 times only locating power; he needs them to locate phone lines also and is awaiting 3rd request; once this happens, the rocks can be removed and he can put down road base, which will be also reduce mud is spring; budgets may prevent getting everything done this year but will do the most important areas
- Replaced locks on all cabins
- On-going regular maintenance on roads, culverts, ditch, lakes, cabins, equipment, etc.

Karen added that we've sold some equipment that was rarely used which, if needed, we can rent cheaper than owning. We also purchased equipment that was needed. This gives us more reliable equipment, better equipment for our needs, and help with insurance costs.

5. Architectural Controls Committee (ACC) Report

Marty Stevenson

Marty reported the following two ACC activities since January Board meeting:

<u>Name</u>	<u>Location</u>	<u>Description</u>	<u>Action/Date</u>
John Henry/K. Lewis	2:15	Site prep – well & septic	Approved 1/23/22
Tyler & Emily Fuller	1:6:2 & 3	House addition	Approved 4/10/22
David Poffenroth	2:85	New construction – house	Approved 4/28/22
Debbie Antognoli	1:4:8	House addition	Approved 5/8/22
Karen & Brian Runowski	1:2:7 & 8	Tree removal - fire mitigation	Approved 5/25/22
Glenn & Leona Brenchley	1:3:11	Greenhouse	Approved 5/28/22
Rene Steiner	2:68	Prelim site apprvl (restriction)	Approved 6/2/22
Jay & Erin Picern	2:7	Deck addition	Approved 6/7/22
Brad Allen	2:54	Boulder retaining wall	Approved 6/7/22
Art & Sue Proulx	2:92	New construction – garage	Approved 6/8/22
Carlos & Donna Aponte	2:67	Repaint house	Approved 6/19/22
Heidi Yoder	1:6:4	Solar panels (roof mount)	Approved 6/26/22
Dan & Laura Williams	2:16	Tree removal – fire mitigation	Approved 6/26/22

Lancer Cooke/Lila Land	1:4:7	Deck rebuild	Approved 7/13/22
Jay & Erin Picerno	2:7	Shed replacement	Approved 7/16/22

6. Fishing Committee Update

Tim

Tim reported that Dan Wilke ordered rainbow trout from a hatchery, which were stocked in June. They were unable to find brown trout, which would help with the suckers in the upper lake. Tim thanked Jonathan Bratz for donating new signs that will last much longer than the previous ones at high altitude. He also thanked John Boak for designing new signs for the fishing kiosks.

7. Speeding on BLE Roads

Tim/Bob

Tim and Bob discussed the speeding on our roads. There's no disagreement that it's happening, but we do not have authority nor equipment to issue citations. Also, this is a private road, so the sheriff will not do routine patrols to issue speeding tickets. Karen added the sheriff will respond to emergencies, but not do routine patrols. If people see offenders, please let the Board know license plate numbers and owner, if they know (or which property they're going to). The Board will notify the owner. Karen asked for input from the community on what else could be done. Bob noted residents could become known to the county government. Since we pay quite a bit in taxes, this might result in more county services. He also noted we could put in speed dips (like speed bumps but allow plowing) to slow people down. Ken Berendt noted speed dips would work but that would go against the desire for smooth roads. It was noted speed dips may be a problem for trailers and slow emergency response. Some people suggested more signage, but others don't think it would affect the offenders. Tim discussed option of lighted/flashing signs and/or cameras, but we think they would likely be vandalized and detract from the beauty of BLE. It was suggested we issue fines, but Tim noted we would have a hard time proving they were speeding without calibrated speed detectors and trained enforcement personnel. Jeff Anderson noted we don't have power along the entry road, so anything requiring power would have to be solar. Bob Dixon reiterated it's up to the members to slow down, talk to neighbors about speeding, members should talk to their contractors about speeding, etc.

8. Fire Mitigation

Group

Karen indicated the best way to get notified is sign up with the Lake County Office for Emergency Management (<https://www.lakecountyoe.org/>). They notify people via text/email of emergencies. There is also useful information on their web site. In the past we've had chipping done for free in BLE, but we're not sure if that's available anymore. Karen would appreciate volunteers to investigate chipping, notifications, emergency communications, etc. Tim noted a phone tree requires people to keep the chain going and it's better for everyone to be signed up for notifications. Karen encouraged members to provide ideas and volunteer. Eric noted he tried a few days ago to sign up but the forms gave errors and he has contacted the office and they are looking into it. If it doesn't work, wait a few days, or contact them.

9. Campground Use Rules

Bob

Bob and Karen indicated that we recently found the zoning rules in Lake County includes regulations for camping on private property. The BLE rules are not consistent with these rules and the Board will be considering changes to get them aligned at the meeting on August 4th. Karen noted we do not want to be considered a commercial campground, which has many regulations.

10. State CCIOA Changes & Impact on BLE Rules

Karen

Karen noted the state of Colorado made changes to CCIOA regarding Homeowner Associations (HOAs) that go into effect August 9, 2022, which require changes to our governing documents. The Board must consider laws

at all levels, i.e., federal, state, county, forest service, etc. Our attorney provided updates to our rules and the Board will be implementing them at the August 4th meeting. Karen summarized the changes to our Covenant and Rules Enforcement policy, which will include two tracks, one for public safety issue (e.g., sewage leak) that has higher fines and fast turnarounds. The other track is for non-public safety violations with lower fines and longer turnarounds. She summarized the new policy for Collection of Unpaid Assessments, including interest for late payment reduced from 12% to 8%, members contact Board for repayment plan which can be longer, now the association will be paid first, and now the association must send certified mail/return receipt plus post the notice on the physical property. Karen noted there are also changes to the Conduct of Meetings Policy, but she is reviewing this change. Members that violate the rules cause a lot of work for the Board.

11. Board Positions, Election, and Proxy Results

Board

Karen noted that we opened an additional 2 Board positions in order to have more help on the Board and different viewpoints. Our governing documents require Board be between 5 and 9 members. Bob noted historically we had few people volunteer for the Board. This year, at the last minute, we had more volunteer, so we opened 2 more positions, to make the total 9. Karen added we allow Board members to recuse themselves on topics where they have a personal interest, and with that in mind, we allowed Stewart Clark to run for the Board. It was recently brought to our attention a Board member cannot be related to an employee, so Stewart cannot be on the Board as the caretaker's father. She noted we are very thankful for Stewart volunteering and the many things he has done for BLE. The votes and proxies were counted by BLE members that are not on the Board nor running for a Board position. The Board votes were as follows, with new members starting at the end of this meeting:

- Eric Flora 78
- Susan Proulx 74
- Ken Berendt 68
- Steve Wamhoff-Gallegos 26

Board officers, per our rules, will be determined at the next Board meeting which will be August 4, 2022.

The following proxies were received:

- Ken Berendt 11
- Bob Dixon 5
- Tim Ratterman 4
- Kim Pierron 4
- Eric Flora 3
- Karen Runowski 3
- Marty Stevenson 1
- Random lottery 3

12. Determine Quorum Status to Conduct Business

Board

The quorum was not determined nor required since there weren't any issues requiring a member vote.

13. Other Business as Needed:

Board

- a. Tim discussed some things received from members prior to this meeting. He noted improved communications was discussed. The Board does very detailed minutes of meetings 5-6 times per year for communications. While a newsletter may be more readable, it would take considerable time and convey the same information as the meetings and published minutes.
- b. It was suggested we have more in-person meetings. We found we get more participation with virtual meetings but understand some have issues. We are considering options for hybrid meetings, where

people can be in-person or virtual. Rich Boon indicated he has a Starlink RV option which can be moved to different sites but costs more money. We will continue to investigate options.

- c. Bob noted that Shane reports to the Board. We can't have all the members providing direction. Members should not be tasking him directly. The Board has a single POC so he receives consistent direction.
- d. It was asked if people can pay dues monthly with no/few fees. Karen noted how this works is defined in our governing documents and follows state law, which is being updated to follow the new CCIOA laws.
- e. Some members asked if dues were going to go down. Due to the on-going expenses and inflation, we don't anticipate the dues be reduced in the future.
- f. It was asked if BLE's leash laws can be more lenient than the county? We cannot do this since county laws take precedence. If a member is attacked by a dog, they should first deal with the emergency, including medical care and notify the sheriff. For other violations, please provide information, pictures, owner, etc. to the Board and we will send warning/fine letters.
- g. There were questions about ACC approvals and are they too strict. Karen noted there are ACC guidelines posted on the web site, very few applications are rejected, and more flexibility than many associations.
- h. There was a request for social activities (e.g., happy hour, game night) and welcoming committee. The Board is too busy to organize this but are open to volunteers organizing it. Bettyann Heppler (bettyanncnm@gmail.com) volunteered to start a social directory for BLE. Members can contact her if they wish to be included.
- i. It was noted the negativity on Nextdoor is quite prevalent. The Board has chosen not to engage on Nextdoor since it's ineffective, even when there is something incorrect posted.
- j. Patrick Frank asked if there should be a residency requirement for Board members. Karen stated laws and governing documents allow any owner to serve, plus we don't get enough volunteers to have such a limitation. She also noted that very preliminary reading and some research about what could happen if we fell below the low limit of board, indicated an HOA that becomes defunct might be turned over to the state. We will have to ask the lawyer for more information if this possibility arises.
- k. A member asked about electronic voting. Karen noted we are not currently allowed to do that and requires infrastructure, but she is very supportive and would like to address it with our attorney.
- l. Alayna Kearns asked about cameras at the gates. Shane indicated there is one at the lower gate which is solar powered but it's not at a good angle to get license plates of vehicles that leave the gate open. He can investigate changing locations with approval by the rancher.
- m. Bob Dixon noted the Board attempts to listen to all members and serve to benefit a majority of the members. It's very time consuming and request members work with the Board rather than fight it.

14. Adjourn – Karen adjourned the meeting at 11:30AM.

BLE Office Contact Information:

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

Future Meeting Dates for 2022:

- Aug 4, 6:30PM: Board Meeting
- Sept 24, 9AM: Board Meeting
- Nov 19, 9AM: Board Meeting to establish FY 24 Budget and 2023 meeting dates