

Reminders:

- If your address or email has changed, please provide an 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 be on a leash and under control.
- Members will be fined for violations. See www.beaverlakes.org/documents/ for more information.

**Annual Member Meeting Agenda (In-Person & Virtual)****July 15, 2023 @ 9:00 AM****Annual Member Picnic****July 15, 2023 @ appx. 11:00 AM (following meeting)**

1. Open meeting Kim, President
 - a. Identify members signed into virtual meeting.
 - b. Board members present.
 - c. Member Volunteers to count ballots and proxies.
2. Approve July 16, 2022, Member Meeting Minutes as Posted Eric
3. Treasurer Report Ken, Treasurer
4. Caretaker Report Luke
5. Summary of BLE Improvements Kim
 - New windows installed in lodge and Cabin 4 (May)
 - Repair of crumbling road above culvert with concrete Legos (June)
 - Road stabilizer on 2.5 miles of roads should reduce wash boarding. Maintenance goes from mostly grading to mostly watering.
 - on ½ mile of road on ranch (July)
 - one mile between middle gate and cattle guard (July)
 - one mile above cattle guard (August)
 - Staining, painting, and chinking of Caretaker cabin and storage shed to match Cabins 2 & 3 (August)
 - New furniture and appliances as needed at Cabins and Lodge. (June)
 - Renovation of Cabin 3 with new bathroom, trim upgrades, and flooring. (July)
 - Fix roof over lodge entry from sagging and replacing the shingles. (August)
 - Fix fire line and hydrant at Rock Circle for emergency water access. (July)
 - Reline and repair ditch between Empire Valley Drive and headgate. (August or September)
 - Relocate ditch for better maintenance and fish / beaver habitat between Rainbow Road and Lower Lake. (August or September)
 - Beaver Management planning (Ongoing)
6. Architectural Controls Committee (ACC) Report Marty
7. Fishing Committee Update Tim
8. Outdoor Fires Tim
9. Board Positions, Election, and Proxy Results Board
10. Determine Quorum Status to Conduct Business Board
11. Discussion Topics from Members
12. Adjourn Kim

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Future Meeting Dates for 2022:

- September 23, 9:00am – Board Meeting
- November 18, 9:00am – Board Meeting (FY 2024-25 budget and 2024 meeting dates)

Annual Member Meeting Minutes (In-Person & Virtual)**1. Open meeting**

Kim, President

a. Identify members signed into virtual meeting.

In Person: Marsha Allen, Jeff Anderson, Aagje & John Barber, Benjamin Bartosz, Karen Beach, John Boak, Bob & Virginia Dixon, Vicky Douglass, Diane Fedie, Eric & Gayle Flora, Nancy Fox, Andrea Hrusovsky, Linda Keller, Mark & Joanne Leonard, Bret Marascola, Michelle Meroney, Jim Perkins, Steve Petersen, Sue Proulx, Brian & Karen Runowski, Kristina Sargent, Marge Sjoden, Marty Stevenson, Jean Wilkie

On Zoom: Nancy Berendt, Alyna & Christopher Kearns, Susan Klein, David Kuekes, Lisa McKenna, Jill Oliver, Terry Patterson, Chris Ruskey, Mark & Linda Ward, Joan Wayland

b. Board members present.

Ken Berendt, John Barber, Eric Flora, Kim Pierron, Karen Runowski, Tim Ratterman, Linda Keller, Susan Proulx, Bob Dixon

Board members absent: None.

c. Member Volunteers to count ballots and proxies.

Non-board members volunteered to count ballots and proxies. Results are shown in item 8 below.

2. Approve July 16, 2022, Member Meeting Minutes as Posted

Eric

Tim moved and John seconded approving the minutes of last year's Annual Member Meeting as posted on the BLE website. Motion passed unanimously.

3. Treasurer Report

Ken, Treasurer

Ken reported we have received dues from all except 10 members. Most items are on budget. Ken noted one unusual item was a "Collection of Bad Debt", due to fines previously due and recorded as receivable income in FY 22-23. The Board reached a settlement to reduce those fines which resulted in a write-off for FY 23-24. There is also \$4,000 in Miscellaneous Cost that was for the Caretaker getting his Commercial Driver's License to operate the water truck per our insurance requirements. This will be a significant benefit for BLE's road maintenance.

4. Caretaker Report

Kim

Luke has been very busy since starting both learning about the needs of BLE and keeping up with all the needed activities. Some of the items performed recently include:

- a. Stabilizer on road from upper gate to the BLE entrance.
- b. Grading many parts of the road.
- c. Dig out catch basins at culverts.
- d. Build a retaining wall where the road was eroding above the lower gate.
- e. The water truck is working and has required maintenance, including a new battery.
- f. Performed maintenance on grader which is running.
- g. Performed maintenance on front loader, which is running.
- h. Activities related to cabin rentals, which have been strong.
- i. Cabin 3 renovation is continuing and should be done soon.
- j. General maintenance of buildings, including electrical work.
- k. Dam maintenance
- l. Beaver dam removal when threatening roads.
- m. Cleaned up maintenance yard.

Tim noted Luke has done a great job cleaning up the maintenance yard, which looks much better. Ken added we are trying to sell the old water truck, which Luke is working on.

We had road stabilizer applied to 1 mile of road between the upper gate and the entrance to BLE. We will soon be using road stabilizer on another 2.5 miles of road. Without the stabilizer, the road needs grading about every 3 days but the stabilizer greatly reduces that need, giving the caretaker more time to do other needed activities. It was noted drivers should drive very slowly when the stabilizer is first applied and still wet, as it can stick to the car. There was a question about sanding the S-curve in the winter since it gets very icy. Kim and John reported some of the equipment was broken last winter so they attempted to sand it manually, but it was not very effective. The equipment is now working and should be usable this coming winter.

Kim noted the windows have been replaced in the lodge and cabin 4. Sue indicated there have been several donations for the cabins and lodge which are greatly appreciated. Ken shored up the awning in front of the lodge which was sagging badly.

5. Architectural Controls Committee (ACC) Report

ACC

Marty Stevenson provided a summary of application since the last Board meeting:

| <u>Name</u> | <u>Location</u> <u>(Filing: Blk/Lot)</u> | <u>Description</u> | <u>Approval</u> |
|-------------------|---|--|-----------------|
| Mike McDonald | 1: 10: 1A | Temporary storage container | 20 May 2023 |
| Jeff & Lisa Leach | 1: 6: 20 | New house construction | 23 May 2023 |
| Dave Poffenroth | 2:85 | Renew application for new house construction | 22 May 2023 |
| Warren Flint | 2: 86 | New roof | 9 June 2023 |

| | | | |
|-------------|----------|----------------------|--------------|
| Lacy Dunham | 1: 2: 12 | Deck work & painting | 10 June 2023 |
|-------------|----------|----------------------|--------------|

6. Fishing Committee Update

Tim

Tim reported the lakes were stocked in mid-June and both lakes have very healthy fish populations.

7. Beaver Dam and Management

Board

Ken relayed that we have approval from the Army Corps of Engineers to relocate the ditch along Rainbow Road to help with the flow into the lower lake and provide easier access to break up beaver dams that threaten to flood Rainbow Rd. The application and the approval will be added to the BLE website under Community\Beaver Management. <https://beaverlakes.org/beavermanagement/>

Susan Klein provided the following information:

“Introduction: My interest in our lakes and water management has been raised over the past few months as it relates to beaver and fish habitat. I’ve learned a bit about this issue by observing what appears to be initial work clearing willows for the proposed ditch diversion, discussions with BLE members, reviewing board meeting notes and documents available on the BLE website as well as communications with Tim and Linda, and consulting with area experts in wetlands management, including representatives of the US Forest Service in Leadville, and Gunnison. After all of this, it is not clear to me and others that the beavers are the source of issues at the lake, and many of those I have spoken with expect that the beaver and their dams are more likely improving the lake habitat for all of the local wildlife including the fish. This raises several important questions to consider in order to best ensure the health of our fishery.

Questions and Concerns:

- Have we considered the evidence that beavers enhance wetlands in ways that are likely helping the oxygenation and other aspects of fish habitat?
- Beaver dams:
 1. Moderate the flow of water into lower riparian areas, buffering the negative effects of too little or too much water flow.
 2. Filter sediment and organic nutrients which can directly harm fish habitat and contribute to algae overgrowth.
 3. Moderate lake water temperature, keeping the lakes cooler in the summer and warmer in the winter.
- In addition, beavers consume lake algae, a possible source of the large biomass that leads to winter deoxygenation in our lakes.
- Have we spoken to the best available professionals who specialize in wetland management? Have they performed a site visit to fully understand the issue at hand?
- Have we considered that algae overgrowth could be the cause of deoxygenation and considered how to decrease organic buildup in the lake?
- Have we done our due diligence by monitoring levels of bio-nutrients and dissolved oxygen levels in the stream water, ponds and lakes?
- Does it make more sense to start on the ditch east of Rainbow Road where there have identifiable issues with beavers damming the ditches and causing issues to homeowners’ property?
- Have we considered any alternatives to this ditch diversion?

Details

- I understand water will still be diverted to the wetlands but it's unclear how much water. Therefore, it might be worth considering the riparian systems that we may eliminate or disrupt by adding this ditch including:
 - Natural reservoirs: Beaver dams are small reservoirs that respond to varying environmental conditions to buffer extremes in water flow and temperature. The wetlands around beaver dams store water, both what is visible within the dams and in surrounding aquifers. During periods of drought, the beaver dam system allows for some ongoing flow of water into the lake. During high levels of water flow or flooding, the dams dampen the rapid influx. Beaver dams help keep the lake water cooler in the summer (good for spawning) and warmer in the winter (good for less freezing / adequate water depth for fish survival).
 - I realize the plan is to add a basin that will help with aeration and sediment, and I want to point out that the beaver dams already do this. The water flowing through, and over beaver dams aerates the water, and they help trap sediment and decrease excess nutrients and biomass flowing directly into lakes, keeping the lake water clearer and cleaner.
 - Beaver dams protect our homes in the neighborhood since wetlands provide firebreak and flood prevention.
- The algae overgrowth that's been happening at the lower lake the last few years could likely be a primary source of deoxygenation since algae overgrowth impacts fish habitat in two ways. 1) When the algae grow, sunlight is blocked by the algae on the surface of the water, preventing light penetration to lower water levels which negatively impacts the deeper ecosystem. 2) The algae grow throughout the summer months and accumulates at the bottom of the lake when it dies in the fall.
- A reasonable first step in addressing water quality concerns is the systematic testing of water quality at various levels of a riparian habitat (above the neighborhood, within the ditches, within the beaver dams and at the lakes. Commonly tested nutrient levels include:
 - Dissolved oxygen
 - Phosphorus
 - Nitrogen
 - Sodium CarbonateSuch testing could be undertaken through a consultant, or perhaps more cost-effectively by training of several of our interested community members who could methodically assess the water quality at various levels of the aquifer, and different times of day, seasons, etc.
- In considering alternatives, beaver deceivers can be placed along waterways. Though not maintenance-free, similar to the new ditch, these may prolong the time between ditch maintenance.

Ask

Because of my interest in the wellbeing of our community and the beautiful ecosystem we enjoy here, including a healthy fishery, these are action points that I'm asking to be considered:

- Please table current plans to adjust water flow in order to ensure that we've done our due diligence and have the data we need to support whatever we do regarding the lakes. This would include requesting a site visit by a widely recognized expert in riparian water management, testing the water quality at different sites over a period of time, and actively monitoring the beaver population (perhaps via a process that all BLE members can add to similar to what we've done in the past with fish counts, beginning with a beaver sighting report with "how many beaver can you identify at one time?").

- I ask that the board make available to the community pertinent information that has gone into these decision-making processes thus far and in the future by posting all of the information that has gone into this decision, including detailed notes on person-to-person communications with various copies of written communications such as those exchanged with the Army Corp of Engineers, etc., so that all members of the community can best understand and participate.
- On an organizational level, I ask that we consider developing an umbrella “Natural Resources Committee” of which the fishing committee would be a part, and which would work to ensure a broader attention to this beautiful natural environment that we enjoy and are stewards of. If this organizational structure is adopted, I know that I and other community members I have spoken with would volunteer to dedicate ourselves to augmenting the board’s scope of interest and activity with this broader mandate for the good of our community.

References:

- Handouts: (attached)
- Books: Eager: The Surprising, Secret Life of Beavers and Why They Matter by Ben Goldfarb
- USFS: Jeni Windorski and Ashley Hom
- Private consultants:
 - Paul Planer of Range Works a Conservation Contractor - Wildlife Habitat Restoration - Range Enhancement in Gunnison Colorado
 - Mark Beardsley of EcoMetrics a small group of applied scientists united in the mission of improving ecological health for people and nature
 - Jim Aragon - retired wildlife area manager of Chaffee County
 - Joni from the Natural Resources Conservation Service (NRCS)”

Tim indicated, although it would be difficult to respond to each item, the ditch was planned to be dug in the Fall and can certainly wait until then. There are concerns regarding the beaver population and how we can manage that in the near term.

Linda provided information she has learned investigating beavers. She first investigated relocation of beavers, which is expensive, the survival rate is low (particularly if a whole family isn’t moved), and remaining beavers then have bigger litters the next year. Linda has talked to several experts about the good things beavers provide as Susan has indicated above. There are various ways to control them like flow control, “beaver deceivers”, fencing, piping, etc. She talked to one homeowner that had a beaver dam which flooded their property and ruined their old septic. Linda described where our ditches are routed through the community. She found an organization called Defenders.org that will look at our properties, recommend solutions, and have rebates available. Unfortunately, they recently lost their aquatics biologist so they may not be able to help us this year. A USFS expert recommended we install pipes to both control beavers and reduce loss of water due to evaporation. Linda is looking into fencing along the ditch to keep the beavers out. She is awaiting a bid from a contractor from Buena Vista. She summarized we need to balance living with the beavers, maintaining our roads, maintaining a fishery, etc.

John Barber investigated piping for our ditch, but it is very expensive plus installation is difficult since it must be deep enough to avoid freezing.

Karen noted the overall solution is probably a combination of many approaches, perhaps fencing in some areas, piping in others, continuous removal of dams, etc.

Bob indicated fencing is also expensive and he doesn't like fencing due to other wildlife issues.

Ken noted that John Boak has done some fencing on his property that has worked and may be used in selected areas.

Marge Sjoden noted there may be some plant options that will discourage beavers. Chris Ruskey agreed the problem is very complex and when there are lots of options it means none work well. Chris recommended we create a fund to help offset the costs for homeowners.

John Boak feels we need to take this in small steps and address each problem area as needed. It doesn't have to be a lot of money at one time, just keep working on the problem areas, test what works and use that experience to move forward. John posted information on the BLE website under Community \ Beaver Management. <https://beaverlakes.org/beavermanagement/> In addition to mapping of the beaver activity areas and the ditch he also included his experiences regarding what he has learned as his property as it has had a lot of beaver activity over the years being directly across the Lower Lake and National Forest.

Karen believes we need the Natural Resources Committee in addition to the Fishing Committee to look at the big picture. Marge Sjoden noted there are a lot of invasive plants in the community which will take over if not controlled. She supports having a Natural Resources Committee. Karen thanked Susan Klein and Linda for their work in this area. Marge Sjoden said she would be willing to participate on such a committee. Linda volunteered to organize and chair the Natural Resources Committee. Chris Ruskey expressed thanks for the information and is willing to serve on the new committee.

8. Board Positions, Election, and Proxy Results

The following were elected to the Board:

- Tim Ratterman (reelected)
- Kim Pierron (reelected)
- Aagje Barber

The following proxies were received:

- Bob – 7
- Kim – 2 + 1 random
- Sue – 1
- Eric – 2
- Ken – 2

9. Determine Quorum Status to Conduct Business

With the proxies and people in the room were over 20% of the members, so there was a quorum.

10. Discussion Topics

a. Fire pits/regulations

Ben Bartosz asked about fire pits, noting they are supposed to have a 10 ft space with non-combustible materials around them. He feels there are several within BLE that do not comply. Ken noted if members see a significant violation, they can report it to the Board and a letter will be sent to the owner. There are significant details in the BLE rules on how fire pits are to be built.

b. Enforcement

Karen noted if a member sees a fire during a fire ban, they should report it to the Sherriff or call 911. Similarly, if you're bit by a dog, call the Sherriff. If you see a violation of the rules that isn't an emergency, report it to the Board. Bob noted the Board does NOT have a goal to make money through fines, rather the fines are to change behavior observing our governing documents. The Board does not police the area, they only respond to complaints from members.

c. Fire Mitigation

Tim noted in the past the USPS has done chipping for BLE, but they are no longer doing it. He is contacting private contractors to have the chipping done for the community. He will provide more information when he finds one. It was noted with the new south lake county fire station, some people may get a reduction in their property insurance if they call. Susan Klein noted there were several aspen trees cleared along Mallard Rd. The power company is removing all the trees that threaten power lines and present fire risk within their easement. John noted the line to your house is your responsibility and people should pay attention to those. Ken noted you can pay the utility company to put the lines underground.

d. Road conditions and speeding

A member near the top of BLE asked why their road has not been graded near the top. Kim noted we are working on the most heavily traveled areas first. In addition, the upper filing road has a lot of rocks and can't be graded easily plus the rocks break the teeth on the grader. They are working to add road base for a mile above the lodge which won't do everything but will help. We will continue to do whatever is possible based on budgets and conditions. It was also requested that members ask their contractors to drive slowly on the roads. There are many people speeding on the roads.

e. Dead trees behind lodge

A member noted there are quite a few dead trees on BLE land behind the lodge. Tim said we could ask volunteers to drag them down to the campground so they can be chipped on the chipping day, which will likely be in early October.

f. Road on Ranch Property

A member asked about BLE's relationship and responsibility with respect to the road through the ranch. Tim noted that we have an easement for 30 ft. The rancher's family have been observed shooting the ground squirrels from the road. The police have been called and determined it is legal since it's a private road and it's their property. The squirrels dig holes that are dangerous to the cows.

g. Telephone Landlines

It was noted many are being told CenturyLink will no longer install landlines, although some have gotten them.

h. Emergency Radio

A member noted there is a Twin Lakes emergency radio in case of an emergency during a power outage. Karen believes BLE received an emergency radio several years ago, but nobody has seen one recently.

11. Adjourn

Kim

Meeting was adjourned at 11:05 am