

Elk Falls Property Owners Association Board Minutes
10 September, 2009

Home of Robbie Robinson
19:00

Called to order at 19:08

Members present:

Robbie Robinson, President
Fred Wells, VP & Architectural
Suzie Nelson, Roads
Bob Phelps, Secretary
Renae Braun, Treasurer

Guests present:

Vera Dunwody
Drayton Dunwody
Bonnie Borkowski
Donna Robinson
Ken Flermingloss

Minutes

Corrected minutes from the previous BOD meeting were approved.

1. Road report – Suzie Nelson

Snow plowing bids:

- Quality paving – \$75/hr, 1hr min plus \$25/axel if chains needed. Start at end of October. Doesn't cover damage to flower pots, mail boxes, etc. Concerned expressed because the company is located in Henderson.
- Colorado Black Bear – \$75/hr to plow by 7am when 3 inches of snow. Salt & sand are extra. No charge for travel time. They had contract last year. Lives in Conifer. Same price as last year. Concerns – they don't use skids on their plows. Whether this is bad or good is unclear because it may leave residual snow which becomes ice vs. degrading the road surface. Don't have big equipment.
- Diversified Services – Joe Kula \$100/hr. \$150 move in for tractor if needed for a big storm.

Fred was happy with Black Bear's performance last year. Ken express concern that they charged for slack time. Robbie – suggested Suzie call Quality about travel time and Black Bear about equipment. Given results of these calls we should have an e-mail vote by board. NB - Ken signed contract with Quality for this year already but it was not approved by the board. It's not clear if that clouds things

Drayton Dunwody stated that he will maintain and snow plow the roads they are claiming as their private roads to ensure quality on those roads and will match the price of whomever we choose. Drayton stated that they would not provide the survey which they claim establishes their ownership to the claimed roads, and that they have retained an attorney to defend against any claims of the homeowners' association or private landowners regarding the right to use the roads for access. Both Drayton and Vera stated they would not grant a perpetual easement across the claimed roads for access of Elk Fall's residents.

Grading bids:

- High Country Trucking – no bid this year. Previous contract \$112/hr.

- L&S Motor Grader Service – \$140/hr. Expects 30 hrs. \$4200. Located in Baily. LeRoy Anderson. Has big equipment.

No decision was made.

Drayton Dunwody plans some ditch pulling soon which will require closing the road from Elk Creek Road to Fred Wolf's house. Drayton will give the Board advance notice of the date the maintenance is to occur. The board will give the membership advance notice via email of the need to close the road for maintenance. Drayton also stated that he would post signs to inform drivers that the road is temporarily closed for maintenance.

Drayton Dunwody offered to share cost of some culverts that would benefit both. Suzie will look at proposals and make a recommendation.

2. Treasurer report - Renae Braun

There were no new bills. Our insurance premium was paid. There was a question about supposedly POA owned property. The insurance policy lists 351 Lower Aspen as a premises occupied by the POA. This is not a valid address and the Board could find no reason why this address was listed. Renae will initiate a request to remove this address from the policy. The Board has no property except for a small tract near Suzie's driveway.

The bank wanted corporate resolution signed. Fred moved to add Robbie as another signature, delete David Crespo, and ratify resolution as amended. Passed.

Colorado casualty liability insurance \$1,325 approved as above.

Moved & seconded to accept report. Passed.

3. Architecture report – Fred Wells

There was one request to add new garage and other amenities. The new owner wants approval before purchasing house. Robbie felt it was OK if owner agrees and county issues a permit. No objections from other board members.

Robbie asked Fred to write up guidelines for deposit amounts and return criteria.

Victor Martinez bought foreclosed house and wants to install a horseshoe driveway. The Board felt he needed to get a permit from the county for an additional access to the road.

There was a discussion about Herring's new house, standing stones marking the driveway, road damage, and potholes in front of the lodge possibly from construction trucks. One of the standing stones has fallen over and the Herrings were previously notified that it needed to be fixed or removed. So far no response has been forthcoming. It was suggested we hold their deposit until they fix (i.e. remove them from the road right of way or otherwise modify their placement to satisfy the Board's concerns) the driveway stones. Moved and seconded to approve. Passed.

The Dunwody's will get three bids for repairing potholes in front of lodge.

4. New Business - Robbie Robinson

Re: Old mail box slab – It will cost about \$1000 to break up and remove the slab. \$500-600 to haul only if we break it up and it contains rebar. Free if no rebar and we break it up. Robbie will do more research.

Re: road vacation – Robbie talked with Shaun from Jefferson County. Another subdivision is ahead of us so we can learn from their experience. We now have an application. To proceed we need road survey which may cost \$4000-5000 followed by a public meeting. Approval is probably administrative (i.e. not requiring a county board hearing). Fred stated the survey probably will find roads are not where they should be according to plat which may cause issues with some homeowners.

There was a long discussion about ownership and right of way of Dunwody's roads. There was no resolution.

The board appointed Bob Mecler, Jane Hulko and Bob Phelps to informally discuss mutual interest issues with the Dunwodys. Some of the issues to be discussed should include safety, access, signs, vandalism, noise, road maintenance, etc. It was felt to be particularly important that a two way conduit be established to discuss mutual concerns and/or complaints

Bonnie asked about moving mailboxes. She felt that having to travel the extra distance to the mailboxes for some residents would be a particular hardship and a waste of resources in this "green" age. She was informed that the decision to move the mailboxes had already been made by the previous board. However we are awaiting the signed contract/easement from the State Parks.

The meeting was adjourned.

Respectfully submitted,



Bob Phelps, secretary

5. Actions via e-mail since the meeting

- Approved expenditure of \$75 for a Halloween party for kids.
- Received the mailbox easement from the state and it is being reviewed.
- Renae Braun prepared and filed the required Corporate Authorization Resolution.
- Robbie drafted a letter to be sent to homeowners about current events. Fred suggested changes. It will be reviewed at the next Board meeting.
- Black Bear was chosen for snowplowing. The contract has been reviewed and should be signed soon.
- High Country Trucking was selected for road grading.
- Quality Paving was informed we will no longer require their services.