

**ELK FALLS PROPERTY OWNERS' ASSOCIATION, INC.**  
**ANNUAL MEETING MINUTES**  
**19 MAY 2019**  
**ELK CREEK FIRE STATION**  
**11993 BLACKFOOT ROAD, CONIFER, CO**

**Call to Order -**

The meeting was called to order by Renae Braun, seconded by Rachel Nelson at 14:05.

34 Homeowners in attendance and 5 proxies were submitted.

**Welcome and Introduction of New Members-**

Orion Madson, Living Full-time on Circle Drive.

Non-EFPOA member living in Community: Rachel Cohen & Peter Paul, living at 11802 S Elk Creek Road.

**Park County Broadband Initiative** - Park County Commissioner Mike Brazell

Park County has been working on broadband for five to six years. Broadband is a problem throughout rural Colorado. Initially looked at bringing broadband all the way from Pine Junction to Kenosha Pass. Broadband is a financial, not a technical problem. Reduced scope of potential project to 1,200 homes in greater Burland area. Working with South Park Telephone (SPT) to determine how to deploy fiber to these homes and leverage public grant monies to do so. Plan on applying for a grant in an upcoming grant cycle. Staunton State Park also has a need for broadband. Their visitor center is four to five miles from the edge of the Burland project.

Neighborhoods need to partner with providers that have access to capital. IREA is also an important partner due to their infrastructure and critical to cost effective deployment. SPT has been in business for a long time and is currently working on two projects in Park County, one of which is Burland. SPT is asking for a financial commitment from residents or HOA. An initial financial commitment from residents or HOA is approximately \$10,000 to complete a study to assess the cost to bring fiber to individual homes (i.e. study will determine if the cost to the individual homeowner is \$500 or \$2,000).

Currently no plans to connect Elk Falls in the next year or two. Won't get served unless you have a personal commitment. In a high density area (one to three acre lots) no reason not to have fiber. Because this is not a county effort, a provider would look at servicing Elk Falls homes in both Park and Jefferson counties. The fiber can be either buried or aerial.

Typical high speed monthly rates are about \$1 per MB. When you have fiber you don't have buffering issues and you never worry about connection issues or connecting multiple devices. Projects usually take two years from start before you see the service in your home. Broadband is now as critical as other utilities to support online learning, work from home, internet of things, etc.

Next steps:

1. Get involved by attending Broadband Advisory Board meeting on 2<sup>nd</sup> Monday of the month at 10 am at Fairplay Community Center. John Carr, EFPOA property owner, is President of the Advisory Board.

### **Staunton State Park** - Park Manager, Zach Taylor

Grand opening of new visitor center is today. Zach suggested holding next year's EFPOA meeting at the new visitor center at Staunton. The visitor center is open from 8:00am - 6:00pm, seven days a week. Zach's office has moved from the Boyd house to the visitor's center and he is very accessible to the public for any comments or concerns.

Three full time rangers work in the Park (Zach, Dale and Andrea) in addition to maintenance crew of one.

Zach is hoping Elk Falls residents can help discourage social trails developing to and from the neighborhood. He asks that all visitors report to the Park entrance, for access to the Park. Homeowners should notify the rangers if they see someone entering the park illegally. Rangers will increase patrols in Elk Falls during the summer.

Bears are active. Homeowners should keep their trash locked up and move it to the street shortly before pickup. Locks on trash cans are recommended. Once a cub learns trash cans contain food they will never unlearn it, and will always look to trash cans as a source of food. The Park uses non-lethal deterrents including pepper barrels to teach bears to be afraid of humans.

The Park has done thousands of acres of fuel mitigation and fire management working closely with Chief McLaughlin to ensure crowd spacing and duff and debris is removed to eliminate fire from spreading. The Park is now more accessible for Elk Creek Fire so that they can get in and put out a fire quickly. He encourages Elk Falls residents to maximize defensible space around homes. Future mitigation is planned for the steep areas of the Park that border the subdivision and are not accessible with machinery. Partnership with Upper South Platte Partnership and Colorado State Forest will help fund this costly manual work.

Broadband to the park via Century Link would cost \$600,000 because existing conduit is failing. At this time, this is not a practical or probable option for service. Instead, cradlepoint by Verizon will provide temporary internet service for Staunton. This is a cellular signal that is converted to data and is faster than satellite. The Park decided to move away from CenturyLink, but is still considering Comcast as a potential provider. The Park requires dependable and fast service to sell passes and licenses through the visitor center and to manage the Park. Staunton is also working with the Park County Broadband Initiative for a permanent solution.

Phase Three development is in it's very early stages and will include further access to the Park, new roads, car camping and development of the newly acquired Dine's property. It will also help to make Davis Ponds ADA accessible. The Park plans to hire a consultant for planning and design but no contract has been awarded yet. Zach has asked to slow things down to provide time to adapt to increase in visitors.

There is no new evacuation plan for the Park, it is on the to-do list. A potential egress out of the west side of the park could be an option.

There are 25 primitive campsites and no fires are allowed. Rangers wrote six tickets for illegal campfires this year at the campsites. One fire in the park was discovered in September 2018 (at an illegal campsite) and immediately extinguished. Gates are open all night now that there is camping.

With the completion of the visitor center, the Boyd House will either be used as housing for seasonal employees or as a home for the Park Manager and family.

Cub Creek Trail from Conifer is a moderately difficult trail that is now linked to the North Elk Creek Connector providing access to Staunton. The trail descends from Arapaho National Forest into the State Park. It is a non-motorized trail with light traffic. The honor system is used for purchasing park passes.

An archery range will be accessible to the public and located in the Mason Creek drainage.

Zach has requested, from the State and the County, that improvements be made to S. Elk Creek Road because of high traffic volume. Striping is especially important for roadway safety but the county has yet to comply.

#### **Elk Creek Fire Protection District** - Fire Chief, Bill McLaughlin

Due to proposed new housing developments in Jefferson County, an updated fire risk assessment has been completed for the area. Prompted by the devastating fires in CA, modeling has been done to assess the risk in our area and develop plans to improve the situation. Insurance companies ranked JeffCo #1 in the state and #9 in the nation for extreme fire risk. Affordable insurance for fire damage and loss is becoming increasingly more difficult to find.

An updated risk assessment for Elk Falls was sent to Firewise in the past week. Updated risk assessments for Elk Falls found that most homes identified at the high, very high or extreme risk of wildfire (with the exception of three homes). Homeowners can improve the risk through forest mitigation and hardening of home (retro fitting to make it more fire resistant). Elk Creek Fire has programs to help homeowners.

Elk Creek Fire Department has improved their grant funded Chipping Program. A new grant provided funding for a truck to take away chipped material and additional personnel to perform fire mitigation. This program is free to Elk Falls homeowners. One day this summer will be dedicated to our community to chip slash homeowners bring out to the road and haul it away.

For detailed instructions and to request the services, visit:

<http://elkcreekfire.org/chipping-program/>

2018 was the hottest, driest summer on record. In Colorado, over 500 homes were lost. Thirty local fires in 2018 never got greater than five acres due, in part, to additional personnel funded by a grant. Ten additional crew members will also be doing the difficult hand mitigation work that private mitigation companies will not do. This Program is being funded by a partnership between private companies such as Miller Coors, Denver Water and US Forest Service. Every dollar put into mitigation saves at least six dollars in fighting fires down the road and protects water sheds and reservoirs used as urban water sources. Elk Falls has been identified as a most critical area for protecting homes and water and is the next eligible community for receipt

of funding for a mitigation program. If homeowner is willing to mitigate the forest on their property, 50% will be funded by the grant and the other 50% is eligible for tax credit on state return. Earliest this would start is 18 months from now and has a one year window. Trying to time the Elk Falls mitigation with mitigation on the park side. This work will create breaks to keep the fire on the ground and prevent high intensity fires and tree top-to-tree top spread. The approach is to thin the smaller trees and leave the larger trees.

Chief McLaughlin also called on the community for volunteer firefighters. State funding cuts have prevented fire districts from expanding emergency operations which could lead to catastrophic results.

Benjamin Yellin with Fire Adapted Communities Learning Network provides advice to communities and homeowners (at no cost) regarding reducing wildfire risks and how to “harden your home.” He is currently stationed in Conifer and can be reached at: <https://fireadaptednetwork.org/member/benjamin-yellin/> or through Elk Creek Fire Dept.

Jefferson County Sheriff Department has worked on improved mapping and plans to reduce congestion during an evacuation. No other work has been done on an evacuation plan specific to Elk Falls but it is on the to-do list.

In case of an emergency or if you see or smell smoke, please call 911!

#### **Firewise Report** - Mike Pesta filling in for Bob Fletcher

Elk Falls has been recertified as a Firewise community in 2019. 595 hours of labor submitted and \$9k in expenses. Only 16 out of 150 Elk Falls homes reported work or financial expenses directed towards wildfire mitigation and risk reduction. Please report all efforts to [RobertFletcher68@gmail.com](mailto:RobertFletcher68@gmail.com) no later than October of each year so that we can maintain our Firewise designation. It is important to get a home assessment provided for free by Elk Creek Fire. All hours spent on the Chipping Program should be reported. Notify the Firewise Committee if you need help mitigating your property.

Some insurance companies (including USAA) provide a 10% insurance discount to Firewise communities, check with your provider. Elk Creek Fire is looking at a program to certify homes which may allow them to qualify for a discount on insurance costs.

Mike encouraged attendees to pick up a Firewise brochure on way out with risk reduction tips.

Firewise Committee just received an assessment from Elk Creek Fire covering Elk Falls Subdivision. Bob will send the report to the EFPOA Board.

**Approval of 2018 Annual Meeting Minutes** - Motioned to approve by Sam Shapiro seconded by Rachel Nelson. All in favor motion passed.

#### **Roads Report** - John Nelson

John presented a 15-minute Powerpoint Presentation featuring road improvement accomplishments since the last annual meeting, maintenance challenges, and planned improvements over the Summer of 2019. Owner responsibilities were stressed to include

driveway culvert maintenance and obeying the speed limit. He answered numerous questions from owners.

Road report highlights included:

- Snow plowing stats for the Winter of 2018/2019
- Culvert flushing
- Past and future grading activities utilizing smaller equipment and road base targeting specific sections of EFPOA roads
- The fielding of estimates to pave and or improve, with other materials, the bumpy lower section of Upper Ranch Drive from the mailboxes up to the juncture of Rock Creek Road, and possible further depending on costs.
- Contracting of a Roads Study utilizing a professional engineer to inform road improvements.
- Planned rehabilitation work of existing, weathered signage.

Marta Nelson, a new EFPOA resident, volunteered to serve on the Roads Committee.

### **Treasurer Report** - Renae Braun

We continued to build our reserves during past year, expenses did not exceed revenues.

Research was done on outsourcing of back office functions to a qualified company. Not happy with two bids received because they were too expensive. Law requiring licensing of HOA management companies has expired and will not be renewed. This increases the number of companies that can provide the service and may drive down cost. The management company would provide software including an online directory for current EFPOA residents and secure software for payment of annual dues.

A homeowner asked whether a lien is filed on delinquent dues. Answer: sometimes, depending on how much is owed, and whether homeowner is on a payment plan. POA has a statutory lien on every property. Title companies contact us for a status letter when a property is under contract.

Will the management company process accounts payable? Yes

Will the management company file tax return? Probably not, postcard 990 is easy to file

Is monthly billing of annual dues an option? If someone needs to go on a payment plan that's fine. The management company fee will increase if we move from annual to monthly billing.

The management company will charge homeowners for status letters when they go to sell their home. Currently homeowners do not pay for this service.

The new management company will assist with budget preparation.

Five member board is elected to manage the association. Financial controls include: dues cannot be raised over \$300 without approval of membership. Majority of Board Members must approve all expenditures. A homeowner completes a financial review every year.

The new management company will supply software which allows members to self service and make changes to name, phone numbers, mailing address and authorize publications of their information in community directory.

Bob Phelps has created a directory:

<http://elkfalls.com/directory/>

User = last name

Password = numeric address

Taylor discussed plans for new website.

A resident asked if online payment would be secure. If management company is taking credit cards they have to be PCI (Payment Card Industry) compliant. The management company we are looking at is a large accounting firm who has the number one selling HOA software.

**Covenant Changes regarding Leasing** – Attorney's have drafted covenant changes to require rentals to be greater than 30 days. Our covenants do not allow for commercial use. Colorado Supreme Court ruled a few years ago that short term rentals are considered residential use, not commercial. Voting will be done by mail and ballots will be mailed to all homeowners. Each block could have a different outcome. This is a hot topic all over the state. Jefferson County regulates short term rentals but Park County does not.

### **No New Business**

### **Nomination of Candidates for EFPOA Board of Directors**

Renaë thanked Dave Dimeo for serving on the board and thanked Bev and Mike Long for agreeing to join the board.

Rich Kellogg nominated himself from the floor.

Renaë Braun  
John Nelson  
Taylor Carpenter  
Bev Long  
Mike Long  
Rich Kellogg

**Election of Board Members** – Ballots were counted by Paul Vastola and Mike and Pat Pesta.

Renaë Braun – received 28 votes  
John Nelson – received 32 votes  
Taylor Carpenter – received 32 votes  
Bev Long – received 25 votes  
Mike Long – received 29 votes  
Rich Kellogg – received 13 votes

**Adjournment** - Motion to adjourn the meeting by Sam Shapiro and seconded by Bonnie Borkowski at 16:30.