

**Elk Falls Property Owners Association
Annual Meeting Minutes
December 6, 2020 2:00 pm
Virtual Meeting on Webex**

Call to Order

The meeting was called to order by Renae Braun at 2:08 pm.

Confirmation of a Quorum

38 property owners were in attendance and 5 proxies were submitted.

Welcome and Introduction of New Members

Renae welcomed everyone to our first virtual Annual Meeting in the 55 year history of the association. The 2021 annual meeting was originally scheduled for May but postponed due to the pandemic.

We have several new residents attending:

Kim and Joe Stammer currently reside in the Baltimore Maryland area and just purchased a home on Lower Aspen.

Brad and Emily Morton moved into their home on Jensen Road in July.

Glenn and Rosa Koutecky just purchased a vacant lot on Circle Drive and plan to begin construction of their new home in about two years.

Aaron and Courtney Rife purchased a home 2 months ago and are also on Circle Drive.

Staunton State Park - Update

Zach Taylor is the Manager of Staunton State Park and was present to provide an update on park activities. This year the park saw a huge increase in visitation, a 70 to 75 percent increase over 2019 through November with the month of December still to go. That equated to well over a quarter of a million visitors to the park.

Zach expressed his appreciation for the neighborhood's patience and support as construction activity of a new road and parking lot got underway in October. This work will continue in 2021 to extend visitor ability to drive another 2 miles into the middle of the park and the addition of a new parking area just west of Staunton cabin. Zach noted that there has been a great deal of construction traffic going into and out of the park, some of which unfortunately missed signage to use the main entrance and ended up driving through the neighborhood, and some attributable to park staff needing to use Upper Ranch to access the west end of the park during construction. He expressed his thanks for patience from those that live on Upper Ranch. Work has stopped for the winter but will resume in April with expectations to be completed in May.

A few other projects were discussed. One being the new archery range down on Mason Creek which is nearly complete. The range will be open to the public offering up to 17 lanes from 10 yards out to 100 yards. At this time there will not be a charge for use of the range, but that may change in the future depending upon review of range costs and targets.

Another being an additional trail connecting North Elk Creek trail to the Cub Creek trail northwest towards the Mount Evans wildlife area. Much of that trail is on a Forest Service road that is steep, uncomfortable for both hikers and bikers. That trail will be moved from the road and put back on a single track that is more comfortable and sustainable. That project is expected to be completed in the spring or summer.

Zack emphasized the importance of adhering to the 30mph speed limit along Elk Creek Road. We have seen a great deal of wildlife activity running between the meadow, the park, and the neighborhood. A lot of Elk, Deer, Squirrel and Moose. There have been four sightings of Mountain Lion and plenty of tracks so far this winter. We are excited about all that activity and want those animals to thrive and survive.

Starting November 1st, the agency introduced a new Walk-in Pass at a cost of \$4 per day. Of course, you cannot park on Elk Creek road and walk in, but for those nearby residents that wish to leave their car at home and walk in, ride your bike in, or ride your horse in to use the Park, enter through the main gate and purchase a Walk-in Pass at a reduced cost from the normal daily \$9 drive-in use fee. Your best deal is still the Annual Pass which doubles as a walk-in pass and gives you up to 13-months of unlimited access if you buy at the beginning of the month. For more information, visit the State Park web site.

A mention goes out to Friends of Staunton State Park. They have been hard at work supporting the park with the Accessibility & Track Chair Programs, and by raising funds and gathering applications for restoration of the park's historic cabins. As you may know, Francis Staunton donated 1700 acres and 8 structures to the state back in 1986. We have done what we can to restore those cabins but with them on the National Historic Registry, the park is limited to what it can do. Our Friends group received a \$50,000 grant to support historic restoration of the Staunton cabin. This is making possible repairs to the roof and foundation so that we can hopefully keep the cabin standing for the next 150 years.

Zack is hopeful that the road and parking area expansion will help in reducing congestion in and around the park at peak times, in particular the back-ups that occasionally occurred with vehicles waiting backed up all the way onto Elk Creek Road. The park has 4 full time staff – himself, Andrea and Dale are Rangers and Dave is a maintenance technician. Additionally, they tend to hire between 10 and 12 temporary employees each year for the March to October season. Anyone interested should fill out an application for consideration.

A question was asked about how the park will manage visitor traffic into the various areas of the park. Zach explained that updated signage will be used to help visitors understand what is available from the different parking areas, to know before you go. There will also be continued dependency upon volunteer help to guide and direct visitors.

Another question was posed about letting visitors know of their responsibility to leash and pick up after their dogs. Zach explained that the first point of contact on this topic is every visitor identified as having a dog is greeted with a dog treat and told they must keep their dog on a leash and clean up after their pet. Secondly, all trailheads have signs that re-state those rules. The park provides dog waste bags and trash cans at multiple locations. And finally, the Rangers and volunteers out on the trails will enforce those laws. Rangers were able to write many citations this past year causing violators to go talk to a Judge about why they did not comply.

A resident voiced concern over traffic on Elk Creek road getting worse and posing a danger. Has there been thought about putting in a center line to make that road safer? Zack explained that although he agrees with the danger, the State Park does not actually have a say in that. CDOT and/or Jefferson County did a traffic study on Elk Creek in 2019, but the amount of traffic on Elk Creek did not meet the qualifications for them to stripe the road.

In response to a final question, Zach clarified that when purchasing a pass, your receipt becomes proof of your pass purchase that you would want to carry with you for walk-in or bike-in access, rather than needing to carry with the tag from your vehicle.

Elk Creek Fire Protection District – Update

Chief Jacob Ware introduced himself as the new Fire Chief replacing Chief McLaughlin in February of 2020. Chief Ware has been in the area living up on Shadow Mountain since 2002, joined Elk Creek Fire

in 2003 as a volunteer while working for the Forest Service and continued in that capacity until getting a full time appointment with Elk Creek Fire in 2008.

The Fire Department is going through a number of changes. Receiving a tax levy increase last year has made it possible to fund a number of infrastructure improvement projects such as the repaving of the lot at Station 1 – which had not been done since 1995, replacement of some of the station's bay doors, and replacement of very old lighting fixtures. The district has also been able to replace some older trucks, retiring a 2003 pick-up truck with over 200,000 miles on it and getting some newer command vehicles. Next year the district will be replacing an ambulance with financial assistance from a 50/50 matching grant program – with the cost of a fully outfitted ambulance running about \$240,000, such funding makes a big difference.

Another project was an increase in staffing to 4 per shift, so four career professional firefighters and usually two volunteers.

A continuing struggle is volunteer recruitment retention. There is tremendous interest from people in the community to become volunteer firefighters, but due to the pandemic the district will likely push a planned January academy to probably the March 2021 timeframe.

Another big change is the hiring of a joint training chief. Working closely with the Inter-Canyon fire department, the district was able to bring on Mark Wesseldine, former Chief at Platte Canyon Fire Protection District, under a cost share agreement with Inter-Canyon which has been working out very well.

Finally Chief Ware indicated that there is consideration underway for consolidation of Elk Creek and Inter-Canyon fire protection District. There has been talk of this for years, the districts are now looking at hiring a consultant for a feasibility study. The benefit would be getting more bang for the taxpayer's buck and increased service for the public - a lot more people coming a lot sooner. The change is intended to increase response capability.

Chief Ware then introduced Wildfire Captain Ben Yellin to discuss what the district has been doing on the wildland and fire mitigation fronts.

Ben first noted the chipping program that was very successful again this year and the plans to expand the program next year through inclusion of the Inter-Canyon district. Additional personnel are being brought into the Wildland Fire Suppression Module, to expand the module's capacity to respond to wildfires, cut landscape scale acreage on steep slopes and get more chipping done. More updates will come in the new year regarding who is hired and how to sign up for the chipping program.

The home assessment program, called Wildfire Prepared, was created this year, and will be expanded to include the Inter-Canyon district. Its basically a 2-3 hour assessment of your house looking at the structure and defensible space around the house. Julia, a part time employee hired to perform these assessments will provide a bit of education tailored to you home and prepare a prioritized report of everything you can do on and around your home to make it more resilient to wildfire. Additional information about the Wildfire Prepared assessments can be found on the district's web site.

Ben wrapped up by noting that the district's efforts emphasized coordination with neighbors, for example the State Park and coordination with the Colorado State Forest Service for development of broader plans. Review of the publicly available Rocky Mountain Restoration Initiative provides good perspective on what work has been done, as does the fact that the Elk Creek Fire district has succeeded in becoming one of three communities across the state to prioritize fire mitigation work that can be further explained in the Colorado State Forest Action Plan. This alignment with things at the state level helps bring more funding into the area.

A question was asked about an updated evacuation plan for the Elk Falls Ranch neighborhood. Chief Ware responded that the county is working evacuation plans and the district has been pushing for evacuation plans to be written by the county for some time. However, planning remains inadequate – there is just not a good sound plan. Ben added that the district works very well with neighborhood's

Firewise committee. Dan Mueller (committee Chairman) has done a great job helping to update plans and move forward with initiatives like evacuation route signage and route hardening.

A question was asked about an insurance rate increase a few years ago that was caused by a change in the designation of the fire district or fire risk - and does the fire department have anything to do with that? Chief Ware suggested that the change may have come about as a result of insurance companies changing the ways they assessed risk for homes. Short of increasing the number of stations or increasing staffing, which is unfortunately not cost effective, there is not a lot the district can do about rates. However, the Home Assessment program includes work with some insurance companies to recognize the program as a proven vetted process, yielding a certificate issued to homeowners that comply with the Wildfire Prepared assessment. In Boulder and a number of places on the west slope, some insurance companies have agreed that the certification process is a good thing, and they will actually honor it to help people with their insurance rates.

Firewise Report

Dan Mueller introduced himself as the neighborhood's Firewise Committee Chairman. Dan first explained what Firewise is - a national program, designed to help communities be more aware of and better equipped to minimize wildfire risk around homes and in their neighborhoods. To prepare for that potential big event and teach us how to respond appropriately, saving lives and property. Education, Assistance and Certification.

Dan introduced the neighborhood's Firewise committee members: Bob Fletcher, Anita Nissly, Mike Pesta, and Mike Long. And summarized the investment that Elk Falls Ranch residents made in 2020 wildfire mitigation that has once again earned us annual certification as a Firewise community:

- 627 hours worked.
- \$16,872 worth of time invested.
- \$3,720 dollars spent.
- 36 administrative hours.

A summary of the Firewise committee's 5-year plan followed including the following:

- Reduce hazardous fuels at landscape level.
 - Chipping/slash removal program coordination with Elk Creek Fire.
 - Encourage homeowner participation in Elk Creek Fire's home assessment program.
 - Mitigate undeveloped lots and common space.
 - Volunteer assistance for those in need.
- Educational programs.
 - Provide reference materials and links on defensible space, evacuation, and preparedness.
 - Organize a mock evacuation.
- Coordination with Elk Creek Fire for updated area risk assessments.
- Integrate wildfire mitigation into EFPOA board and planning docs.
 - Establish a permanent wildfire/Firewise committee in bylaws.
 - Include Home Ignition Zone requirements in codes, covenants, and restrictions.
 - Include building material restrictions for new construction and retrofits.
- Improve and identify access and egress routes.
 - Install evacuation route signage.
 - Maintain fuels control adjacent to access & egress.
 - Identify additional pull off and turn around areas.
 - Improve homeowner address signage – available at the Elk Creek Fire station

Dan concluded with an update on the chipping program. In spite of interruptions in collection due to the crew being pulled to fight wildfires and an equipment failure, most piles have been collected. We had

35 households participating and the neighborhood generated a total of 165 piles of slash for chipping crew disposal.

Approval of 2019 Annual Meeting Minutes

Motioned to approve by Renae Braun, seconded by Dan Mueller. Polling was opened up via WebEx and the roster of dial-in participants was read off to secure votes from those residents not using the web interface. All were in favor. The motion passed.

President's Report

Renae stated that the last meeting was in May of 2019. Bev and Mike Long were each elected for their first term on the board. They have really brought a lot of energy to the board. As the association is self-managed, serving on the Board of Directors is a fairly large time commitment. Our 2020 Annual meeting was scheduled for May of this year, which would have been an opportunity for new board members to be elected, had the meeting not been postponed due to Covid restrictions. During that time, we had 2 board members resign – Taylor Carpenter and John Nelson. Although they are not in attendance today, the board wishes to extend its thanks to Taylor and John for their years of service and their contributions. To fill those vacancies, the Board appointed Dan Mueller as Secretary and Dave Shaffer as roads chair. Thanks to Dan and Dave for stepping up.

Renae then reviewed our accomplishments since the May 2019 meeting:

- New software for hosting remote meetings thanks to Dan Mueller.
- New website thanks to Taylor Carpenter, Bev Long and John Nelson.
- New communication software and resumption of the newsletter thanks to Bev Long.
- New larger parcel boxes thanks to Mike Long and John Nelson.
- Refurbished message board thanks to Bob Wallace, Marc Snowden, and Bob Pilcher.
- Refurbished newspaper boxes thanks to Bob Wallace and John Nelson.
- Refurbished "Elk Falls" entrance sign thanks to Jack Gunn.
- New attorney.
- New snowplow vendor and new road base – more details during the Roads Report.
- Increased collaboration between the Elk Falls Firewise Committee and the EFPOA Board of Directors – Renae added that with the increase in devastating fires, she has found a new appreciation for the work being done by Firewise and shared her belief that supporting Firewise is one of the most important things we can do.
- First budget and first budget meeting held in February 2020. The 2021 virtual budget meeting is planned for early 2021 and will include presentation of the 2020 financials.
- Broadband grant application is a go for January 2021 - thanks to Bev Long for being the Broadband Initiative Lead and Elk Falls Ranch Champion.

Renae explained that we did not outsource the back office functions this year. As a result, we saved about \$8,000 in 2020. We will reevaluate the outsourcing decision in 2021 as Renae and Bev are sharing a great deal of that work right now – they will have to decide if they are willing to continue to do that.

We have the potential for 4 new homes in the neighborhood due to recent sales of undeveloped lots and are glad to have Mike Long on the Board as he is a Structural Engineer and will be relied upon to evaluate each of the building plans, which require board approval before construction begins. As a reminder, the covenants also require board approval for many home improvements including decks, fences, and additions.

Paul Vastola spoke up to express thanks to Bev Long for her work on the Broadband Initiative and asked if we should make an outreach to the community reminding them of the many good reasons we

should commit to a broadband upgrade now – Work from home, School from home, home value and buyer demand to name a few factors. Bev responded we have included communities defined and actually do not want to expand to additional communities as that would not actually help the cause, but that the initiative would be to secure more commitments from individual property owners within those communities. For example, contacting new residents that might not yet be aware of the initiative.

Roads Report

Dave Shaffer introduced himself as the new Roads Chairperson. Dave mentioned that prior to becoming the Roads Chairperson, he had worked with John Nelson on a volunteer basis before John's resignation, which helped him get up to speed on all that's going on. Dave provided the following summary of 2020 roads activities:

2020 Road Maintenance Activities

- Full sub-division road grading completed early Nov – results were not ideal due to lack of moisture and some frozen spots.
- Snow plowing was done 5 times last winter - Jan (1x), Feb (2x) and Mar(2x)
- New snow plowing contractor for this winter will save \$ and has the capability to spread sand/salt while plowing
- No snow events this fall have met the 4" plowing threshold
- Contractor applied salt to several problem areas on Dec 2nd
- Spot grading/repairs accomplished periodically – Used Tiny Tractor services
- Road culvert inventory/inspection completed in September – 3 culverts identified as requiring future maintenance
- Driveway culvert inventory started
- Miscellaneous culvert openings cleared
- Miscellaneous check dams installed

2020 Road Capital Improvements

- Road base applied to upper Juniper Rd. and Circle Dr. in May – good moisture levels resulted in very successful grading that seems to be holding up very well.

Dave shared a map of sections of the neighborhood that received recent road base additions, and a map showing locations of culverts and those requiring maintenance. Then discussed the following 2021 road maintenance plans:

2021 Road Maintenance Plan

- Spring and fall road grading (if needed)
- Spot grading/repairs as needed
- Clear blocked culverts
- Spring and fall road culvert inspection
- Culvert maintenance and check dam installation as needed
- Install culvert markers as needed
- Identify/mitigate road erosion caused by driveway sheet runoff

A question was asked about a culvert damaged by a truck delivering gravel to the state park, Dave responded that he was able to repair the damage at no cost. Another question asked Dave if he had contacted Mountainview Waste regarding the speeds at which some of their drivers have been observed driving through the neighborhood. Dave had not yet attempted to contact them, and there was some discussion about alternate waste collection companies.

2021 Road Capital Improvement Candidate Projects Under Consideration

- Apply road base to Juniper Rd. from pavement near Elk Creek Rd to pavement at end of Dunwody property
- Apply road base to Cedar Ln. and first part of High View
- Apply road base to Upper Aspen Ln. from Circle Dr. to near curve at Blk 3, Lot 3
- Widen Upper Ranch Dr. to ~20 ft to Rock Creek Rd.

Dave shared a map of the 3 road sections being considered for road base addition in the 2021 plan.

A question was asked if the POA still has a culvert rake available for property owners to use to help clear out their driveway culverts. Dave responded that the rake is available, he has it in his shed and residents need only contact him should they wish to use it.

A follow-up question was asked about hiring a contractor to come out with a water truck to blast out culverts with high pressure. Dave indicated that option had not been considered but could be if enough residents expressed interest to blast out their driveway culverts.

Another question inquired about the need to notify the Dunwody's of our plans to apply additional road base to Juniper as that section of road runs through Dunwody property. Dave clarified that the conclusion of the past lawsuit gave the neighborhood the right to maintain that section of road, but that the POA is planning to give him a courtesy call.

A resident raised the concern that Google maps is now routing all neighborhood destination traffic into the neighborhood via Upper Ranch rather than Juniper Road. There was discussion as to how much of a traffic impact that change will make and possible corrective action that should be considered.

Another resident shared the fact that Google Maps also recently removed Aspen Lane Court from their maps. It was suggested that Google be contacted to inquire about how to correct both of these problems.

A copy of the court ruling which gave the neighborhood rights to use and maintain the road through Dunwody property will be posted for those that wish to review the terms of the decree.

Dave shared one final slide on how residents can help maintain good road conditions:

Residents can help

- Please do not exceed 15 mph
- Please avoid sudden starts/stops and spinning tires
- Please keep driveway culverts clear
- When plowing snow, please avoid removing road base or moving decomposed granite into roads with road base
- Notify Roads Chair of road issues (Dave Shaffer - elkfallsroads@gmail.com)

Covenant Change to Disallow Short Term Rentals - Update

Rena indicated that a new more responsive attorney was retained about a year ago, and in June the Board began working to draft the final covenant changes to be sent out. However, at about the same time Park County started working on a policy to regulate short term rentals. As a result the Board decided to wait until the Park County policy was in place before finalizing covenant changes to be voted upon. Rena has been to a couple Park County work sessions and feels the county is doing a fantastic job establishing regulations. Once Park county regulations are in place, the board will distribute information to residents to understand pros and cons and prepare for a vote.

Concerns were raised by multiple residents as to how the new regulations would be enforced and the fact that the Sherriff's department is under-staffed and over-worked.

New Business

A resident suggested that future EFPOA meetings be recorded and made available to residents through the type of web session being used for this Annual meeting.

Another resident asked for many residents to pursue correction of the Google Maps changes discussed earlier – assumption is that the more people that request the corrections, the more likely Google will be to make the corrections sooner.

Nomination of Candidates

Rena explained that as this is not a normal in-person annual meeting, handling of nominations and voting will need to be handled through mail in ballots with associated fees, if we have any contention for any of the board seats. All current Board members have indicated a willingness to serve another term, which will be a shortened term until our 2021 annual meeting. The board hopes to have that meeting in the summer and outdoors so that it can be conducted in person.

Rena asked for any nominations from the floor. There were no new nominations. Nominations were closed.

Election of Board Members

All five current Board members volunteered to continue to serve for an additional term. A voting window was opened up on the WebEx session to allow residents attending through a web session to vote using their computer, and votes were taken audibly from residents attending through a dial-up phone call only. All five current Board members were re-elected to another term.

Adjournment

Rena motioned to adjourn. Suzy Nelson seconded the motion. All were in favor.

The meeting adjourned at 4:30 pm

Respectfully submitted

Dan Mueller