## FALLS CREEK RANCH ASSOCIATION, INC. BOARD OF DIRECTORS MEETING

A meeting of the Falls Creek Ranch Association, Inc. Board of Directors occurred on October 16, 2019 at the home of Paulette Church.

## **1. CALL TO ORDER/ROLE CALL**

President Paulette Church called the meeting to order at 5:34 p.m.

Board Members Present: Paulette Church, Les Lynch, Susan Morton, Terry Greiner, Joan Heil

Community Members Present: Mary Ann Bryant, Barry Bryant, Clyde Church, Barb Melton, Larry Melton, Sara Carver, Doug Parmentier, Ceci McQuinn, Deirdre Heine, Chris Heine, Lisa Autry, Ed Kileen

## 2. APPROVAL OF AGENDA/CONFLICTS OF INTEREST

The agenda for the October 16, 2019 meeting was unanimously approved.

The Board Members present were surveyed for conflicts of interest and none were found.

# **3. COMMENTS BY COMMUNITY MEMBERS**

There were several community members present and comments are as follows:

Barry Bryant discussed changes being made to the lake area by the Lake Committee. Generally, the feeling is that residents were not informed of all the changes occurring at the lake and there is a belief by some residents that changes being made are taking away from the natural state of the lake. The residents with concerns at the meeting asked that they get more detail about the improvements being made.

# Action Item: Barb Belanger and Paula Mills plan to provide more information to the Board about changes being made to the lake.

# Action Item: Susan Morton to make this an agenda item for the November meeting for the Board to confirm changes being made and address additional questions.

Barry Bryant expressed concern about some development going on that is adjacent to the Falls Creek fire road. Barry indicated that he and Mary Ann had walked the fire road this week and a developer has bulldozed what looks to be a road that may intersect with the fire road on FCR property. Property boundaries could not be confirmed. Mary Ann Bryant expressed a need to see the Church Camp Agreement as proposed by our attorney.

Action Item: Paulette Church will talk to our attorney about this recent development of the bulldozed road near the fire road on FCR property.

Action Item: Paulette Church to get the signed Church Camp Agreement to Susan Morton so that she can distribute to membership.

Action Item: Susan Morton to put recent development of the bulldozed road near the fire road on FCR property on next Board agenda for Paulette Church to address after talking to the attorney.

There was also member discussion about a realtor Open House to be held at Falls Creek this Saturday. The BOD was unaware of this happening and were not asked to give approval. Members were concerned regarding the "party" atmosphere and non-residents having access to the lake, the defunct tennis courts, and the horse stable, not to mention roaming around the neighborhood. Concern was expressed about potential liability. Someone mentioned that residents should be notified.

Action Item: Paulette Church will talk with Wells on Thursday and organize residents around managing this, if possible.

Action Item: Susan Morton to notify residents as soon as some issues are resolved.

#### 4. APPROVAL OF PREVIOUS MINUTES

The minutes for the September 12, 2019 Board Meeting were unanimously approved.

#### 5. PRESENTATION AND ACCEPTANCE OF FINANCIAL REPORT

Les Lynch, Treasurer, submitted the following report via email:

Bank Balances as of 10/7/19:

Operating Fund Balance-\$205,743 (+\$35,160 from August)

Reserve Fund Balance-\$32,819 (+\$47 from August)

Capital reserve Fund Balance-\$250,144 (+\$2 from August)

Accounts Receivable as of 10/7/19:

HOA Dues - 15 lots are in arrears. Email sent to each to pay the minimum of \$1,500 ASAP.

Final FY 2019 Financial Report to be completed by accountant mid-October.

Les reported that the Y/E financials are not completed but should be completed within several days. Les will report on these at the next Board meeting. Susan asked that she be sent the reports as soon as available since, by law, we are required to post them within 90 days on our website.

Les indicated that 18 lots are in arrears for past due water bills. Susan asked how long these had been in arrears and Les responded within the last 60 to 90 days.

# Action Item: Les Lynch to review the Y/E financials with the BOD at the next monthly meeting.

The Board accepted the Treasurer's report for this month.

## 6. COMMITTEE REPORTS

## **FireWise**

Paulette Church provided the following report via email:

- Waggoner Timber Services, LLC and CW Timber and Iron, LLC: They continue to remove the logs already harvested to their property in Palisade until the mills open for ponderosa. Chet is working on agreements with mills for next summer for ponderosa logs and with one mill for cottonwood. They have removed their 5th wheel and Bob's John from the picnic area. We hope to work with them on an agreement for next summer for areas not reached this past summer.
- **Paper Leaf Bags for Pine Needles and Cones Are Back:** We currently have about 150 paper bags for pine needles, cones and leaves. These will help with fall cleanup around the Hazardous Ignition Zone of homes and outbuildings between 6 and 10 feet.
- New Grant Opportunities: Colorado State Forest Service has issued RFPs for two possible grants. One is for fuels reduction and the other is for capacity building. These are matching grants where funds and volunteer hours can be used to meet the match please turn in all volunteer hours for this summer and fall!!! Phil Boroff represented our request for letters of support of the Board of County Commissioners, an essential element of our applications. The committee is planning the projects to propose for both grants.
- **Preparations for Final Seeding:** In addition to all the chipping of slash, we plan to prepare the areas damaged by logging equipment, areas of large weed growth, and any remaining burn areas we can reach for a November 9th seeding workday. The Southwest Conservation Corps will have 8 youth assist us with seeding on the 9th and 10th. We plan a morning workday on the 9th with a BBQ and potluck in the Fire House at noon. Plan to join us.

At the meeting, Paulette reported that the loggers are coming to the Ranch on Saturday (10/19) to get their remaining equipment and the logs left behind.

Joan Heil asked Chris about harvesting of cottonwoods and Chris reported that a mill has been found in Cortez that will take cottonwoods. Paulette indicated she would talk to Chet about this.

## Action Item: Paulette to speak with Chet about potential for harvesting cottonwoods.

### **Post Wildfire Restoration**

There was no report from the Post Wildfire Restoration Committee co-chairs.

<u>Architectural Control</u> – Mary Ann Bryant reported via email that there are currently 16 open projects.

There was a discussion about woodburning firepits on the Ranch and a question from a new resident about the possibilities. Generally, in our Protective Covenants, open campfires are prohibited and as a matter of practice, the Ranch discourages woodburning fireplaces/pits on the Ranch especially during dry conditions. Barry Bryant mentioned that this has come up before and has never been resolved and thinks we need a formal policy. Ceci McQuinn asked about residents who happen to have a woodburning fireplace/pit outside now like the McQuinn's outdoor fireplace. The group agreed that the ACC should come up with a formal policy to address these issues.

## Action Item: Mary Ann Bryant to develop a policy and review with the Board.

#### **Beautification/Entrance**

There was no report from the Beautification/Entrance Committee.

#### Lake Recreations, Beach, and Dam

Paula Mills and Barb Belanger provided the following report via email:

1. Accomplishments last Month:

a.Completed construction and installation of a new Paddleboard rack and stabilization of Kayak Rack at the "Paddle Area".
b.Completed excavation of new area for relocation of Canoe Rack.
c.Completed excavation of new path/connection from Paddle Area to Dog Beach/Dry Hydrant Area, drop-off, material access and new rowboat storage area.
d.Installation of new signs created by Jenny Bell Holmen.
e.Installation of new dog bag dispenser at Dog Beach. Please take your full Poop Bag with you and dispose of it properly.
f.Special thanks to George McQuinn, Mark Smith and Randal McKown!!

2. Planned for remaining of Fall Season:

a.Continue sloping excavated Canoe Area for reseeding.
b.Store furniture for winter.
c.Clean out storage boxes.
d.Weed "Main Beach" and "Rowboat Area."
e.Install Gravel.
f.Re-seed paths and stabilize berms.
g.Furniture purchase with Mountain Living at end of season sale.
h.Un-budgeted need: aerator for winter to keep fish alive. Mark Smith to gather information and pricing.

3. Planned for Spring:

a.Install weed barrier, gravel and sand at all new areas.b.General Spring cleanup.c.More carp and trout.

4.ALL WATERCRAFT MUST be removed from the Lake by October 15<sup>th</sup> for the completion of excavation and winter preparation.

a.Contact Barbara @ 970.799.2400 if you would like you craft(s) delivered to your home for a fee of \$25.00. b.Plan watercraft delivery days.

Note that there is a picture (map) below for the layout of planned/current projects.



## **Roads**

Ed Kileen provided the following report via email:

In the month of August and September the roads committee worked on the following projects:

1. Installed speed bumps - effective in slowing MOST traffic, although we seem to have 1 to 3 cars that regularly exceed limits even with speed bumps in place.

2. Uninstalled north speed bump in late September but will reinstall in Spring.

3. Bought water trailer for FCR and have used regularly to water FCR Main - has helped with road integrity and keep dust down.

4. Graded FCR Main and all of side roads (and added material) with MMM committee to fix some 416 impacts (Greenberg crossing, Dyke crossing, Snowshoe, Oakcrest). There is still some material needed for upper Oakcrest which will be added in the Spring.

5. All bar ditches were cleaned and are handling water flows as designed.

## **Utilities**

Eb Redford provided the following report via email:

- Water Tanks Repair Projects: The Lower water tank had some minor leaks. Marine Diving Services from Denver came onsite for repairs on Sunday 8 September 2019. They started at 08:00 and finished by 11:00. After donning de-contaminated underwater diving suits, they entered the tank via the top hatch and applied NSF grade epoxy to all interior vertical and horizontal joints. Leaks fixed. An inspection report with pictures is forthcoming.
- The backup generator for each WTF (Water Treatment Facility) was successfully tested with a full load.
- The annual testing for Lead and Copper for both the Upper and Lower Systems was completed and submitted to the State of Colorado. No issues were found.

## Water Supply Task Force

No report from the WSTF committee.

## 7. RANCH LIASION REPORT

Mike McQuinn relayed Ray Smith's operator's log via email as follows:

During the past work period tasks performed have been:

- Collected bacteriological samples and delivered to San Juan Basin Health before the 15th of each month.
- Assisted with tank maintenance.
- Cut ditch in Middle Meadow for flood diversion.

- Worked low flow crossings.
- Repaired water trailer.
- Maintained FCR roads.
- Assisted McCarty Excavation at North end of main culvert rehab.
- Re- sampled lead and copper at a residence on Meadow Ridge.
- Replaced water meter head at lot 56.
- Replaced hydraulic hoses on backhoe.
- Replaced cutting edges on road grader and purchased new tire chains.

Bacteriological samples are collected monthly to remain in compliance with the state health department - fecal and colliforms are not present.

Sunday, September 8, the dive team from Colorado Springs was here to seal up seams inside of the lower tank. In the early spring, Chris and I were on leak detection survey when water was observed escaping from one of the panel seams on the lower tank. It was reported to Eb and the situation was immediately addressed. The team worked sealing the panel seams on the southwest side of the tank. The work was successful and completed around noon.

Using the road grader, was able to cut a ditch to divert flooding across the Middle Meadow across from Dyke Canyon Trail to well number three to accommodate higher flows from Dyke Canyon, low flow diversion, and northern tributaries. It seems to work well and has not interfered with haying.

There are 6 low flow crossings that have been worked into FCR roads to redirect flood waters when they occur. Throughout the season these diversions erode considerably. All crossings were worked, and new material was added to help with a smoother transition for FCR residences. This will become a normal part of road maintenance, without the crossings the roads will be very rough, even impassable in these areas during storms. They work well, maintenance is not difficult, a low budget solution.

FCR has purchased a 500-gallon water trailer, the unit was fitted with a new pump, re-plumbed for a new spray bar, and all wheel bearings and races have been replaced. These items added were less than \$500, a small amount compared to what the unit can accomplish. FCR in the past has rented full size water trucks to do roads. It is always good to keep that option, however, the new trailer cost, with improvements, is still less cost than renting the water truck for one season. The trailer has paid for itself already in rental cost alone compared to a rented unit used earlier this year. The unit is very versatile allowing FCR to do a shorter section at a time on roads allowing the blade operator the opportunity to work the roads slower giving a much better finished product. The trailer is a perfect fit for the Dodge Ram, easy to fill, easy to turn around, it is a very cost-effective answer to watering FCR roads.

With the help of FCR volunteer assistance on driving the water trailer, was able to perform Fall maintenance to all FCR roads. The task takes me about two weeks to perform. All interior roads were pulled down to main intersections, then the larger roads pulled to FCR Main, then FCR Main was worked from High Meadows to the front gate of FCR.

Assisted McCarty Excavation on finale grade at the High Flow culvert crossing located at North Main. The burn scar from the 416 fire brings down debris and large boulders during storm events at the North end of FCR Main High Flow culvert crossing. This activity tends to wash the road out or deposit large amounts of debris making the crossing impassable. FCR does respond immediately to accommodate those on the other side but residences are inconvenienced until waters recede and debris cleared. This can take up to two hours depending on the storm. FCR hired McCarty to work this area once again. They do the job very well and have the needed equipment to do the task. The area was put back together with some enhancements. FCR assisted spreading road base and final grade.

Needed to resample Lead and Copper at a residence on Meadow Ridge. First draw had improper ID number. The Colorado Department of Health has adopted a new system in filing for the Lead and Copper rule. It is a confusing kick off, but I was given ample time by FCR and the state to get all in order. Annual sampling has been completed during the timeline given and all samples returned with below minimum levels detected. Nitrates were taken from both systems as well with the same results. More info if needed can be provided by myself or Eb (Utilities Chair).

Eb (Utilities Chair) and I replaced and rewired a new meter head at lot 56. The newer units come with incapsulated wiring upgrade. The original units used screws to secure wire to the unit. Throughout the years, over tighten on installation, corrosion, or gremlins tend to allow these units to fail. When this occurs, the unit is replaced with the upgrade. Two of these units in distribution have already encountered the problem and have been upgraded.

Replaced hydraulic hoses on front bucket of backhoe, and replaced cutting edges on road grader, new chains were also purchased for the road grader.

The fire mitigator team has had the Dodge for the month, it was returned washed, fueled, and in fine maintenance condition. Mark S. and George M. worked the lake area using the Dodge and the backhoe according to the Lake Committee plan. The equipment was kept up and returned in fine maintenance condition. The areas that they worked look good.

Pulled maintenance on ranch house and worked the yard. A new lawn mower was purchased from Kroegers for the price of \$225 to perform the task.

Upcoming tasks are:

- Pull complete service to backhoe and road grader
- Clean shop
- Make up new chains for road grader
- Finish yard at ranch house
- Dig in for winter

I am requesting to take some vacation / flex time during October, this month is our birthdays and wedding anniversary (41 years). I also intend to finish personal tasks around the ranch house to

ready for the snow fly. I will be on site and available, again this time requested is to perform personal tasks here on the ranch and we have no plans to be gone.

### 8. NEW BUSINESS

### **Changes to Ranch Phone Programs**

Terry Greiner has been evaluating our current phone plans for the emergency phone and for the ranch phone that the Ranch Manager uses. Terry continues to follow up with the excess usage on the ranch phone and has found a plan that will accommodate both the emergency phone and the ranch phone for less expense than currently. There was some discussion that we make sure that the ranch phone is being used for ranch business and not for personal use, given the high number of gigabytes that are being used.

## Action Item: Terry Greiner to continue to follow up on this issue

### Post Wildfire Road Repair Work

Chris Heine indicated that a lot of this work has been accomplished in the last month, but a few more projects remain. Susan Morton asked the cost YTD and Chris replied about \$6,900 and that the remaining costs would be, possibly, in the \$2,000 - \$3,000 range or less. There was a comment that we should be sure there is only one single point of contact with the Stegners. Susan asked about the status of the Steinbach project and Chris replied that the work is completed with the Steinbachs paying for materials and the Ranch providing labor/equipment. Paulette Church read a thank you note from the Steinbachs.

#### **Motorcycle Storage Proposal**

Ed Kileen gave some history as to some of the recent motorcycle storage/use on the Ranch. Ed and others interested in storing motorcycles and riding them a very short distance to the gate and out on the County Road are in the process of developing a proposal, similar to what the horse committee has done, to allow storage of motorcycles in their own building behind the fire station, which would allow the motorcycle owners to drive a short distance out the gate and onto the County Road without having to trailer their motorcycles out. There is no intent to drive on other ranch roads.

Ed indicated he has been talking to other residents about this possibility and has gotten good feedback. Some residents present expressed concerns about noise and our need to keep the Ranch as natural as possible and to not allow "creep" to this concept. Others thought a straw poll of the residents would be a good idea before moving forward with a membership vote.

The group generally discussed the need for very tight and clear rules and regulations and the need to go to the membership for a vote because this does change the use of Common Property and

violates an existing Protective Covenant. Barry Bryant provided a handout with some more specifics to consider.

The Board asked Ed to move forward with this and bring to the Board a clear proposal with rules and regulations for the members participating.

# Action Item: Ed Kileen to further develop this concept to bring to the Board at a later date.

## **Change to Common Property Rules/Regulations**

Susan Morton presented a couple of changes to the existing Common Property Rules/Regulations that cover rock gathering and storage of residents' personal property.

The group generally discussed this and asked Susan to take out specific identifying characteristics (i.e., "Greenberg Ditch"), to make sure that the ACC needs to be involved on private projects, and to add in that a resident is supposed to be present when rocks are removed by a contractor for a project.

Action Item: Susan Morton to revise the text as stated above and send to the membership for review/feedback for 30 days before a vote at the next Board meeting.

Action Item: Susan Morton to add approval of Common Property Rules/Regulations change to next Board agenda.

## **CSFS Grants**

Paulette Church provided information regarding 2 grants that she wants to apply for from the Colorado State Forest Service.

In summary, the first grant is for the Ranch to purchase a used chipper. Paulette indicated that we had spent \$10,000 this year alone renting a chipper. This grant will ask for \$18,000 with the Ranch matching \$12,000 and volunteer hours. Paulette indicated that she does have County support for this grant. Susan Morton asked how much a chipper will cost and the response is that a used chipper can usually be purchased for around \$30,000 or less.

The second grant is for mitigation work and the Ranch is asking to purchase a new, larger chain saw, associated training in its use, logger time, sawyers time, and hourly staff time. We are asking for \$21,000 and FCR would match with \$8,000 and volunteer hours.

A motion was made that the Ranch agrees to pay \$12,000 and \$8,000 towards these grant activities if the grants are received. The motion was seconded and unanimously approved. (Note that the matching grant amount needed to be increased and the Board voted by e-mail after the

meeting to increase the matching from \$10,000 to \$12,000 for the chipper grant. This will be confirmed at the November meeting.)

# Action Item: Susan Morton to add an agenda item to the November meeting that confirms this change.

# 9. OLD BUSINESS

## Common Property CP-4 Form (Rock Removal)

Susan Morton indicated that the new form (CP-4 for Rock Removal) was sent to the membership on 9/14/19 and asked the group if they had received any further feedback. The consensus is that no further feedback was received. A motion was made, seconded, and approved to put this form on the website for use by the membership.

Action Item: Susan Morton to ask Jackie Zimmat to put this form on the website after the Rock Removal and Storage changes to the Common Property Rules/Regulations are voted on next month (because the whole link area needs to be re-arranged).

## New Water Usage Policy

Susan Morton indicated that the new water usage policy details had been sent to the membership on 9/15/19 and asked if any feedback had been received. Barry Bryant indicated that the only feedback that had been received is to make sure the policy was clear about no retroactive actions and that he and Mary Ann had modified the policy as requested. Joan Heil talked a bit about "first time offenders", but, generally, the remaining Board members think that the policy is just fine the way it has been presented.

A motion was made, seconded, and unanimously approved to put the policy on the website and begin implementation as needed after 30 days of posting.

## Action Item: Susan Morton to ask Jackie Zimmat to put the new policy on our website.

## **Specific Record Retention Needs**

Mary Ann Bryant pointed out two areas of record retention needs that are important to update so that we are compliant with state law:

- Y/E financials should be posted on the website by 10/31/19 (Les Lynch)
- We only have last year's insurance policy posted on the website and need the current year that begins on 2/15/19 (Joan Heil)

Les Lynch indicated that he expects the Y/E financials to be ready in a few days and will get those to Susan Morton to post on the website.

Joan Heil indicated that she thought she had provided the new year's insurance policy to Susan, but Susan says the last one she got, earlier this year, was for the PRIOR year, she still needs the documents for the CURRENT year (2/15/19 - 2/15/20). Joan also indicated that she still needs the contact information from Paulette for the Payroll Department so that she can complete the Workman's Comp audit.

Action Item: Les Lynch to provide a copy of the Y/E financials to Susan Morton who will request Jackie Zimmat update the website with these.

Action Item: Joan Heil to provide a copy of the CURRENT year insurance summary to Susan Morton who will request Jackie Zimmat update the website with these.

Action Item: Paulette Church to get Joan Heil contact information for the Payroll Department so Joan can complete the Workman's Comp audit.

## **10. NEXT MEETING**

The next meeting will be held in the home of Paulette Church at 5:30 p.m. on November 14, 2019 (Thursday) at 400 Oakcrest Drive. All members are welcome to attend. Committee reports are due on 11/4/19 and the agenda will be noticed to the membership on 11/7/19.

## 11. CALENDAR OF MONTHLY ACTIONS

Susan Morton reported the reminders for the Calendar of Monthly Actions to be:

October: Present/review income tax filing with BOD (Les Lynch working with BOD); Submit income tax filing (Les Lynch) – this has been deferred until November due to the lateness in October of anticipated receipt of the income tax filing.

November: Ed Kileen, Roads Chair, to distribute Winter road rules to the membership via Secretary, Susan Morton

## **12. ADJOURNMENT**

The Board, by motion duly made, seconded and unanimously approved, adjourned the meeting at 8:30 p.m.

This document constitutes a true and correct copy of the minutes of October 16, 2019, Falls Creek Ranch Board of Directors meeting.

Respectfully submitted,

Susan Morton, Secretary, October 23, 2019

## Summary of Action Items by Person:

## **Barb Belanger/Paula Mills:**

1) provide more information to the Board about changes being made to the lake

## Mary Ann Bryant:

1) develop an ACC policy for wood burning fireplaces/pits and review with the Board

Previous tasks still pending:

1) develop a formal records retention policy and bring to the BOD in the future for review (status: working on)

## **Paulette Church:**

talk to our attorney about the recent development of road work intersecting our forest road
 talk with Wells on Thursday (10/17) and organize residents around managing the Open House
 speak with Chet about potential for harvesting cottonwoods

Previous tasks still pending:

1) talk with Dumpster Volunteer Group about exploring and recommending coded locks for dumpsters (status: working on)

2) working with Peggy Lynch, write a clear and concise summary of the new Church Camp Easement and forward to Susan Morton to send to the membership along with the final document (status: working on)

3) provide contact information for the Payroll Department to Joan Heil to help with completion of W/C Audit (status: working on)

## **Terry Greiner:**

1) follow up on phone plan/usage

## Joan Heil:

1) provide a copy of the CURRENT year insurance summary to Susan Morton who will request Jackie Zimmat update the website with these

## **Ed Kileen:**

further develop motorcycle storage/use to bring to the Board at a later date
 provide Winter roads/driving information to Susan Morton by November for distribution to the membership

## Les Lynch:

1) pass on Y/E financials to Susan

Previous tasks still pending:

1) review income tax filing in September (status: waiting for CPA firm)

2) for October, present/review income tax filing with the BOD and submit the income tax filing (status: waiting for CPA firm)

## Susan Morton:

notify residents about Open House on Saturday, 10/19, as soon as issues are resolved
 ask Jackie to post the Y/E financials to the website when they become available

3) revise the text for Common Property Rules/Regulations change according to feedback received and send to the membership for review/feedback for 30 days before a vote at the next Board meeting

4) add agenda item to next Board meeting to approve Common Property Rules/Regulations change

5) ask Jackie Zimmat to update the website with the most current insurance summary when it is received from Joan Heil

6) distribute Winter roads/driving information to membership when received from Ed Kileen

7) add agenda item to next Board meeting regarding the Lake plan

8) add agenda item to next Board meeting about recent development near the fire road that crosses FCR property

10) add an agenda item to the November meeting that confirms one of the CFS grants FCR matching amounts changes from \$10,000 to \$12,000

11) Ask Jackie Zimmat to post the new Water Usage/Billing Policy on the website

Previous Tasks Still Pending:

1) ask Jackie Zimmat to place CPC-4 Form on the website after the next BOD meeting, assuming there is approval (status: waiting for CP rules/regs to be reviewed by membership and approved by the Board in November)

2) send out final Calendar of Monthly Actions to the BOD when this is complete (status: working on)

3) obtain final, signed Church Camp Easement and ask Jackie Zimmat to post to website (status: waiting)

4) send website link to membership for the final, signed Church Camp Easement once this is posted and after obtaining a brief summary from Paulette Church/Peggy Lynch (status: waiting)