

**Falls Creek Ranch Association, Inc.**  
**Minutes of the September 23, 2020 Board of Directors Zoom Meeting**

Meeting was called to order by President Paulette Church at 6:04 pm.

Paulette welcoming residents to the meeting: Bobbie Baird, David Burke, Clyde Church, David Hardy, Tom Jones, Ed and Jessie Kileen, Ceci McQuinn, Diane Brady, Eb Redford, and Terry Ryan

**Board Members Present:** Terry Greiner, Elaine Ehlers, Les Lynch, James Glover, Paulette Church

**Agenda:** No changes or additions to the agenda.

**Conflict of Interest:** None noted

**Open Comments:** Terry Ryan thanked all for their volunteer work. Eb noted no rain in the forecast.

**Approval of Minutes:** Board Meeting August 27, 2020 No objection to minutes as submitted so they are approved as published.

**Financial Report:** Les reviewed the changes in the Operating, Capital Reserve Fund, and the Grant Fund. We have received Assessment payments from most owners last month and this month. Two-year easement notes for piping up water from the Animas Water Company have matured and are due in the amount of \$30,000 plus interest on October 12<sup>th</sup>. We also need to transfer \$40,000 earned from utility bill payments from the Operating to the Capital Reserve Fund sometime this fiscal year to support future work on the water system. Terry moved to transfer the \$30,000 now and \$40,000 later in the fiscal year, James Seconded and the motion passed. When Jessie asked, Paulette said that the funds to pay for Jay and security items used the Board Professional Services and the remaining Annual Meeting funds, approximately \$4,750 last year. A small amount of the costs will be billed to the current Budget's Board Professional Services line. Les noted that we will need to replace the grader in the near future so we continue to work to build our Capital Reserve Fund. There being no objections, the Financial Report was accepted.

**Committee Reports:**

Paulette reviewed the reports:

Fire Wise Ambassador – Discussed proposed Outdoor Fire Policy at Town Hall (9/12) to clarify Covenant 25: Board will consider policy and input received; mitigation continues along Falls Creek Main; committee exploring how to improve our emergency fire response; Colorado State Forest Service and NRCS will be inspecting mitigation work done and seeding since 416 Fire.

Post Wildfire Restoration – No report

Architectural Control – 16 open projects

Beautification/Entrance – No report

Common Property – No report

Horses – Welcomed Harper family's new horse.

Road – No report

Utilities – No report

Water Supply Task Force – Reviewing status of Replacement Well 2; Mason Cabin test didn't make expectations so closed up and ground will be rehabbed; Deer Trail well pump test will begin this month; Water quality testing will be conducted over next 6 months in hopes of connecting to upper WTF building next summer.

Lake Committee – Paula Mills and Tom Bauer have resigned as of October and Ceci McQuinn and Paige MacKenzie have joined the committee. New table and 8 chairs have been ordered. Work on area by dry hydrant will wind up end of this month. Mark Smith is checking on water weeds to see if any of ours are noxious. Residents need to take boards, kayaks, canoes, and boats home for the winter in early October.

Dam Committee – The dam continues to be in good operating condition Water is flowing through the spillway at 0.3 cfs, i.a.w. downstream contractual agreements. Corrective actions from the DWR inspection are being completed. Preventative maintenance will continue during the month of September.

Entrance/Security Committee – Jessie asked for her committee report to be added to next month's agenda and Paulette asked Elaine to add it to the agenda.

### **Ranch Manager Liaison Report –**

Collected Bactis and delivered to San Juan Basin Health before the 15<sup>th</sup> of each month; sent certificate of deliveries; worked on maintenance of road grader; and took training courses for renewal of water license.

### **New Business**

- Review of Visionary Proposal for Internet at Falls Creek Ranch – Terry Greiner

A draft Statement of Work was sent to the Board for review and Terry asked for questions. The upper addresses by the water tower were incorrect and Terry corrected those to lots 82 and 83. Visionary is offering 6 free accounts for Ranch use by Ray and for the water maintenance system. Visionary would bring electricity to the water tanks which would give us more options for the SCADA water monitoring system. Paulette sent the proposal to Bryants and McBrides for their input as that tower would be installed this year if the proposal is approved. It does not need lights for aircraft since it is lower than neighboring homes. Denny Ehlers sent his opinion that the Board can grant utility easements under Covenant 27 and it is consistent with the CCIOA current regulations. Phil Boroff,

Common Property Chair, does not have any objections. Terry said this would be a staged installation with the initial pole installed this fall with towers on water tanks next late spring. The Ranch would not be covered with internet access until all 3 towers are installed. Terry believes Visionary will pay for the electricity installations, connections, and use of electricity at the towers, so this would be at no cost to the Ranch. Forty-eight lots on the Ranch are interested in subscribing to the internet service. Eb noted that he could upgrade the water management system if electricity was brought to the water tanks, replacing the solar cells in use now. Terry suggested that he talk with the nearby homeowners prior to pursuing an agreement, including Randall and Barbara who have not been contacted. Elaine will add this to our agenda for consideration for next month.

- Request to purchase specialized equipment for Falls Creek Rapid Response Fire Team – Paulette Church

Paulette shared a PowerPoint regarding equipment needs for Falls Creek Rapid Response Fire Team being proposed after a small fire was discovered recently on the Ranch. It took San Juan Hot Shots 45 minutes to arrive on scene and much was done before they arrived. Durango Fire takes about 30 minutes to respond. Equipment needs include fire extinguishers, McLoud tools, Pulasky tools, backpack water bladder with a hand pump, 1" water weeping fire hose, backpack water hose carrier, fire duffle bags to hold materials, radio holsters, hose adapters, and other miscellaneous items. Cost is about \$2,600 and is not in the budget. Discussion was that \$2,600 was a reasonable amount to invest to protect the Ranch from beginning/small fires. We would work as volunteers because Durango Fire will only train us as full firefighters with wildland, structure, EMT, and truck operation training. All Board members agreed to establish a Falls Creek Rapid Response Fire Crew and begin purchasing equipment and seek training. Paulette will coordinate this group as radio base until the group selects a person as Crew Chief.

We also need to recruit a new Falls Creek Emergency Response Coordinator and this person should be part of the Rapid Response team to provide support for them while on scene.

- Bear Proof Dumpster Options - James Glover

James and Paulette are looking for options to our current dumpsters that would be easy to access and automatically close to keep bears out. We are working with Waste Management and their equipment or could purchase our own. We don't want to be fined for not keeping bears out of our garbage. We are looking at 6-yard dumpsters with side doors rather than heavy lids that some can't manage. We may need more dumpsters. Paulette explained that this summer we increased significantly the amount of trash and recycle materials due to increased shipping and more people living on the Ranch. We added one of each and hope we don't continue to need them in October and can cut back and still meet the needs and keep the bears out.

## Old Business

- Draft Outdoor Fire Policy – possible vote item - Paulette Church  
Comments from the public are limited to three minutes.

Jessie Kileen commented about the Red Flag statement made at the Town Hall meeting being in error as it does not limit propane use, nor is propane prohibited during the Colorado Burn Ban. Jessie opposes the proposed policy due to the excessive limits and problems enforcing it. It goes much further than a definition of the “campfire” in Covenant 25 and perhaps should be considered separately.

Clyde Church explained that Falls Creek policies are overruled by La Plata County and the state of Colorado fire restrictions.

Tom Jones opposes all open wood fires on the Ranch. He believes this is the intent of the original authors of Covenant 25. He opposes the policy because it is too complicated and that it proposes an increased risk to the Ranch just for ambiance. He does not object to charcoal grills or use of wood-fired smokers. At the Town Hall about 80% were objecting to outdoor wood fires. He encouraged us to take this issue to the Ranch at the Annual Meeting for a vote since it would modify a covenant. He believes surveys should be sent out only by the Board and not informally on Next Door.

David Hardy listened to the Town Hall and expected to see a statement “that all outdoor wood fires are prohibited on private land at Falls Creek.” If it is discouraged that will not keep people from having such fires. He is not opposed to propane fires.

Diane Brady asked if we are working on a survey at this time and if yes to be sure to separate charcoal, wood, and propane fires. Also have a detailed question about types of equipment. Be sure to add a question about increased costs people are willing to pay due to increased liability risk.

Terry Ryan supports a ban of all recreational outdoor wood fires.

James Glover agreed their needs to be a definition of what is a “campground” fire but it should be a membership vote because it would change a Covenant. The policy is complex because it needs to be complex but everyone needs to give their input. He interpreted the Covenant as not limiting the use of wood-fired fire pits. An informal survey on the policy showed support for wood-burning fire pits. At times of low risk a homeowner could move 10 feet into the bordering National Forest and have a campfire with or without a fire ring. He cautioned about the requirement for inspections and the possible liability for the volunteers. He is concerned about the slash yard and when big burns occur there which he thinks is a bigger risk.

Ceci McQuinn showed her outdoor fireplace that is wood burning. It has a spark arrestor and is on a 20-foot size paved patio. She and her family wish to continue using it since it is very safe in a permanent location as an outdoor fireplace, not just a fire ring.

Elaine Ehlers asked if there is an agency that could approve a fire permit after a homeowner pays a fee since the Covenant was written so long ago. Rather than use volunteers, a homeowner could get a professional opinion to present to the Board. Paulette will check with Durango Fire to see if they could

provide this service.

Paulette will work on a survey and not entertain a vote this evening. The Board will also consider the issue as a membership vote. What we have now is no limit so she sees a need to offer some definition soon to provide increased safety for the Ranch.

James asked about the alternative to voting on the proposed policy. Paulette said we could define a “campfire” as a board temporarily and then the Board could work on a proposal that might change Covenant 25 and would require a vote of the membership. Tom Jones added that the Board has a lot of power to define without changing the Covenant. James thinks we need to keep the focus on outdoor wood fires and not stray to all other sources of flames. We need to contact writers of Covenant 25 to learn their original intent. Paulette suggested we separate this into two different considerations.

Board will discuss a very limited statement defining outdoor wood fires and conduct a survey to begin work on a policy to be voted on by the membership at the Annual Meeting or before via Constant Contact.

#### **Executive Session - Begun at 8:09 pm**

- Discussion of Board’s role regarding resident conflicts

**Calendar of Board Actions: SEPTEMBER:** Reminders for late assessment collection ( Treasurer/ Bookkeeper) ; Review income tax filing ( Treasurer/ Bookkeeper); **OCTOBER:** Present/review income tax filing with BOD (Treasurer/BOD); Submit income tax filing (Treasurer)

**Next Meeting/Adjournment – 10/28/20 at 6 pm on Zoom**