

**FALLS CREEK RANCH  
BOARD MEETING MINUTES  
September 28, 2023 – Approved October 26, 2023**

**Call to Order and Roll Call**

**Board:** Mark Smith, Robin Lucie, Charlie Simons, James Trammell, Paulette Church

**Residents:** Eb Redford, Mary Ann Bryant, Barry Bryant, Bonnie Bassett, James Grizzard, Pete Sangas, Gale Marinelli

**Approval/Changes to the Agenda:** None made

**Board Member Survey for Conflicts of Interest with Agenda Items:** None noted

**Open Period Comments from Residents on Issues Not on the Agenda – Time limit 3 minutes per person –** No comments

**Approval of Previous Minutes – August 24, 2023, Board Meeting**

- Approved as submitted

**Treasurer’s Report – Ending August 30, 2023**

Our cash balances reported by Robin as of 9/28 were:

Operating	\$264,098
Capital Reserve	\$159,528
Grants	\$ 30,000
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Total	\$453,626

We’ve received 70% of our full-year assessments with \$99,000 remaining to invoice for in February. We will transfer the \$40,000 of capital reserve and \$1,500 tennis court reserve to the capital reserve bank account from the operating bank account in the coming month.

Fredrick Zink filed an extension for our FY 2022-23 tax filing. Our financial statements for last year are mostly final but we have a few clean-up journal entries to make regarding our capitalized assets and depreciation schedule.

The first loan payments for the Road Notes will be made via ACH from Bank of the San Juans on Monday, Oct 2. The total monthly payment is \$3,773.17

- Financial report was accepted as presented

### **Committee Reports -**

**Architectural** – There are currently 14 open projects on the Ranch. Members are reminded to contact the committee chairs when your project is completed so we can reflect that in our Ranch ACC records.

**Beautification** - None

**Common Property** – Phil Boroff has agreed to stay on as the supervisor of our seasonal work crew and help plan the Firewise Work. We do need someone to be in charge of signs on Common Property, weed eradication, meadows, and the picnic area. It would be best to have an oversight chair as well. Please let Phil or Paulette know if you are willing to help the Ranch in any of these roles.

**Dam** – It's been a great summer season at the lake and dam. The lake quickly filled to capacity in April, and although we are obligated to release a very large volume of water throughout summer, we have kept the lake full. It doesn't get any better than that.

FCR/Turner Dam is a rolled earth dam constructed in 1965. It is classified as a High Hazard dam and is regulated by the Colorado Division of Water Recourses, which reports to the State Engineers office. Our lake covers about 42 surface acres and has storage capacity of about 472-acre feet or 154 million gallons of water.

Our Dam Safety Inspection, conducted by the Colorado Dam Safety Engineer is scheduled for 9/28. This annual inspection will examine the physical condition of our dam and FCR operating procedures. We have a great dam. It's well designed, constructed, and maintained with FCR considered a "model" reservoir operator. As in the past, we expect a positive Dam Safety Evaluation.

A special "shout out" to the Glovers, Richard Patterson and Kern Rucker's team for their ongoing work to care for this amazing asset.

**Firewise Ambassador** – Clyde and Paulette Church attended the Colorado Forest Collaboratives Summit in Salida, Colorado and had a chance to meet with the leadership of the Colorado State Forest Service, Colorado Department of Natural Resources, and leaders of collaborative across the state. The work we are doing was confirmed as highly effective in getting fires to drop to the ground and stay out of the crowns where they are the greatest threats. The two demonstration areas they featured have removed about 75% of the trees to form a series of shaded fuel breaks but I believe we don't need to be that drastic in our work. We are collaborating with San Juan National Forest as they build such a fuel break around our perimeter on their side of our border.

We are finishing up the area along Main and north of Aspen and we are beginning marking trees on the east side of the Ranch from Ponderosa Park to the northern edge of Oakcrest. We will need to hire a contractor to help with this work on the steep terrain.

**Front Entrance** – None

**Horses** – None

**Lake** – None

**Post-Wildfire Recovery Report** – The apron that the Road Committee had laid down by the chip seal contractor is doing well with current runoff amounts at Dyke Canyon. We plan to move rocks to further harden the western edge of the apron.

**Roads** – The chip seal project went well. Main is in great shape going into the winter. Thanks to all who volunteered, coordinated and financed this project.

The Road Committee is concerned about the effect of entering Main from the steep uphill road leading up to Main from the lake pump. Vehicles, often pulling loaded water trailers, lose traction at the top of that hill, spin their wheels and dig depressions in the road surface. This practice will tear apart the new chip sealed surface of Main at that point.

We would like to install a couple of posts and a locked chain at the top of that hill to prevent this damage from occurring. However, we understand that this may be somewhat controversial and invite your comments prior to putting any of this in place. Residents are encouraged to direct comments to any member of the board.

**Utilities** – The two water tank mixers have been ordered; we expect that work to be scheduled for late October before our winter weather begins. Thanks to Scott Silveira for coordinating this project.

**Water Supply Task Force** – We still have no date scheduled for drilling a new monitoring well on the south end of the Ranch.

- Tentative drill date of late October

**Ranch Manager Liaison Report – August/September**

During the past work period tasks performed have been;

v Collected bacti and delivered to San Juan Basin Health

v Annual sampling

v Main

v Culverts

v Removal of Frost Free

v Stables task

v Equipment Shed

v Backhoe

During the past work period grabbed bacti samples and delivered to San Juan Basin Health.

Completed Annual Monitoring sampling and submitted the results to the state portal.

Assisted Mark Smith on FCR Main project by clearing bar ditch. He worked with the contractor to complete the project. Great job Mark!!! Main looks really good.

Mark and I found a lost culvert on FCR Main between Snowshoe and Bear Scat. We exposed it at one end and called in Badger Daylighting due to the presence of utilities. We cleared that culvert, and two other non-flowing culverts on FCR. The task took two days to complete.

Removed the non-functioning frost free hydrant at the horse stables. The unit was damaged last winter during snow removal. It was determined to be a hydrant rarely used and more in the way of the hay barn, so the decision to remove the unit was made. Emptied the horse manure pit and disposed of it.

Took two pickup truck loads of debris to the transfer station. FCR should consider one more dumpster to be used for fall cleanup. A lot of residential trash has made its way to the shop area and annual cleanup around the shop could take place.

While I was using the backhoe for the second time after the last repair to the throttle cable, the throttle cable broke on me again. I contacted Tim at Power Equipment and explained the situation to him. I also brought up the fact that this repair had just been made, the repair (mechanic fees) were way too much for FCR to be expected to pay again for faulty installation or faulty part installed. Power Equipment said they would evaluate the cause of failure and FCR will be handled properly. I have been present for the disassembly and the cable broke at the place of adjustment. Mechanic is to arrive within two days to complete the task. The repair is indeed needed so the machine can operate properly.

Upcoming Tasks:

- Renew water operator license
- Fall Cleanup projects
- Winterize equipment

### **Old Business**

- Camera surveillance update –
  - Motion to move forward camera purchase and associated hardware on a closed system at the mailbox area.
    - Not sure the camera will be able to read license plates in the dark.
    - Motion does not include motion detected lights or lights of any type but they may be needed.
    - Robin moved, Mark seconds. Motion passed.
    - Clint Keith is the lead on this he was thanked.

Proposal to allow motorcycles to be stored near Equipment Shed and ridden only from entrance to the storage unit. –

- Report of vote: Vote to approve lost by 2 votes. There is need for more community education on the Covenants 24 and 26 that would be changed. Constant Contact has been used for official contact with Ranch and 6 families have unsubscribed and therefore did not get ballots.
  - Constant Contact allows for anonymity however regular email does not
  - If people unsubscribe is that a no or do we just take them out of the official number needed to pass votes? Consensus was that a 67% of lot owners is required to approve a Covenant change no matter if they opt out of Constant Contact.
    - Paulette to send an email so people can re-subscribe to Constant Contact for the purposes of voting. James will contact members by phone to see if they want to opt in.
      - People should not opt out of contact from HOA communications. Members have a responsibility to be open to receiving communication from the board. Members must be aware that Constant Contact is how the board will do business and communicate. Paulette to reach out to attorney to ensure that she can put forth that message.
- Topic will be discussed at a hybrid town hall in the future.

Proposal to allow bees and chickens in orchard area.

- Updated proposal drafted however not all members received updates.
- Insurance agency was contacted: Electric fence would be covered in the case of a fire, waiting on official written confirmation but received verbal confirmation.
  - Need written confirmation before the vote
  - Need to have Bear Smart input into the proposal
  - Need to have a proposal including electricity, liability, and attorney review
- Motion to hold a town hall regarding the chicken and the bees to discuss with the community as a whole. James moved, Mark seconded. One against, 4 in favor Motion passed.
  - Virtual/hybrid meeting will be the format of the town hall so more people can attend

Emergency response team: When a 911 call was placed James operated under the assumption that the Emergency Response Team would be notified. In doing research in the last few weeks, Emergency Response Team has found that they will not be notified. Jim is in negotiations with Durango Fire Dept. to see how this can be changed.

- Team currently has 19 members, planning to train members for certification
  - Team is excellent with great experience
- Legalities of a governmental and private entity interacting as they do is complex.

- Members from the emergency response team are trying to find ways to join with Durango Fire so that they can respond to calls
- Hope to have this resolved by next board meeting

### **New Business**

Discuss future of log cabin playhouse in picnic area due to deterioration and infestation with mice and pack rats

- If someone contracts Hantavirus or the plague, FCR could be held liable
- Options: rebuild with a team who signs waivers releasing FCR of responsibility, tear down, or close off
  - Continual upkeep would be needed
  - Not an original ranch structure, built as a playhouse
  - Building does not have historical significance.

**Residents, please register opposition to removing before the next board meeting.**

Discuss future use or closure of south, steep road to and from lake water pump due to potential damage to new Falls Creek Main road surface

- Road not necessary in the event of a fire at FCR
- Plan to close the road with a removable barrier
- Motion to close road with a removable barrier and discourage use, Robin moved, James seconded. Motion passes

Firewise Ambassador asked for a letter of support for two grant applications to CSFS. One for a tractor and the other for hand mitigation work by employees and contractors. FCR would need to provide a cash match and volunteer hour match totally to a 50% match of the cash grant funds. Projects would both last for three years, beginning in 2024.

- Motion to allow Paulette to apply for grant passed and Secretary will sign the letter of support and to provide the matching funds barring unforeseen circumstances.

Visionary: Visionary raising their rates. They supplied FCR with an estimated cost that was not guaranteed.

- Increased from \$69.95-75
- There is not a neighborhood contract guaranteeing a certain rate.

### **Executive Session**

· Board will discuss personnel issues.

### **Return to Open Session**

Paulette moved and Robin seconded a motion to appoint Mark Smith, Clyde Church, Joe Scarpino, and Charlie Simons. The motion passed

**Announcements**

- Ranch Workday – Oct. 21. with potluck to follow (Depending on weather) – please plan to attend.
- Roll off dumpster here on September 22<sup>nd</sup>, only until filled to top of side edge.

**Calendar of Required Board Actions in August:**

- Income tax filing preparation and presentation to Board Treasurer

**Adjournment**

**The next regularly scheduled Board meeting is scheduled for Thursday, October 26, 2023, at 7 pm via ZOOM.**