



**BOARD OF TRUSTEES REGULAR MEETING  
MINUTES OF SEPTEMBER 18, 2024  
BY ZOOM 6:30 pm**

Trustees Present: Sharon Caulfield, John Ott, Beth Hoff Blackmer, Tony Rizzo, Carlyne Heldman Rovira  
Manager(s) Present: Keith Edquist, Kim Clinco (Roy Saba absent)  
Homeowners present for some or all of the meeting: Ned Andrews

1. **Quorum and Minutes**

The minutes of the Trustees meeting of August 14, 2024 were not submitted and approval was deferred to email approval.

2. **Public Comment** and General Trustee Comments if any. None

3. **Consent Agenda Written Reports**

- Keith Edquist's monthly management report was received.
- No monthly water report was received from Roy Saba.

4. **Consideration of Items removed from Consent Agenda, if any**

- Kim Clinco was asked to review the end of year financials, issued as of the end of the fiscal year on June 30, 2024. These financials will be posted on the LECVHOA website. In brief, the year end cash on hand (which includes checking and investment accounts) was \$606,200.00. The expenses were \$88,000 over budget, largely due to the unexpected repair costs for the pump house systems and response to the CDPHE water corrosion control efforts. \$46,000 was taken from reserves to meet these extra expenses. After these bookkeeping entries were finalized, the reserves account balance posted at the beginning of the 2024-2025 fiscal year is \$579,438.00. If that reserves account balance is considered in light of the information provided by the Association Reserves consulting firm in July 2023, the reserves account may be considered strong.

Kim Clinco further noted that there are no significant changes to this financial picture shown in the month-end financial statements dated August 31, 2024. She also noted that many homeowners have continued to pay their quarterly dues – which were increased to \$1000 per quarter as of July 1, 2024 – using credit cards, despite the imposition of a 3% fee to cover the cost of credit card processing.

There are a few homeowners whose Account Balances have risen to unhealthy levels. These folks have not responded to email reminders to pay the balance. The Board requested manager Keith Edquist to begin enforcement action against these homeowners, and to add penalties and interest as allowed under the HOA's policies.



5. **Additional discussion with Roy Saba, Water Systems Manager**

- In the absence of Roy Saba, Sharon Caulfield reported on the developments in the HOA's response to the Colorado Department of Public Health and Environment's (CDPHE) oversight of the corrosion control issues in the water system. In response to the materials provided by the HOA on August 16, 2024 that show that iron and manganese levels in the system comply with EPA standards, the CDPHE sent an email correspondence on August 21, 2024 to state that the HOA would be allowed to seek a Modification of Treatment Approach that would request a change in the chemicals injected into the system for corrosion control, to use only orthophosphate. Since receipt of that CDPHE permission, Roy Saba and Sharon Caulfield and Beth Hoff Blackmer have worked with EPC and JVA Engineers to continue to review testing data and to prepare a letter to CDPHE to request the modification. The Board reviewed a draft letter to CDPHE prepared with JVA's oversight, which is due on September 20, 2024. Upon motion by Sharon Caulfield and seconded by Beth Blackmer, the Board unanimously authorized delivery of the letter as presented.

If the CDPHE allows the program as presented in the CDHPE letter, JVA will prepare and submit a "Record of Approved Waterworks" design by January 31, 2025. Meanwhile, the Board authorized continued monthly monitoring of iron and manganese, with thanks to the households that are engaged in that process. Aluminum testing will stop as it has never had a "hit" above EPA standards, and copper testing will return to the semi-annual compliance monitoring testing. If the CDPHE allows the modified treatment program, it should mean that the Association will not be required to install the very expensive "green sand" filtration system.

Keith Edquist reports that painter Mike McGowan is not available this fall to do the paint repairs on the water tank. McGowan has given instructions to Edquist about how to do the repair painting. The Board expressed its gratitude to Keith for this work, and asked him to ensure that he can do it without compromise to his safety. Keith will contact Andy Wiessner, the owner of the property just below the tank, to access the tank through the Wiessner home site.

The fire hydrant on Driskell has been repaired, and an insurance filing will be completed.

Sharon Caulfield spoke recently with Brad Day, manager of the McCabe Ranch, and confirmed that Brad has the equipment and is willing to do the ditch maintenance at the first lateral on the Little Elk Creek Ditch. The Board will contact Roy Saba to work with Brad Day, Dan Oppenheimer, and the manager for Goldie Hawn's property to complete that project.

6. **ACA**

- The Kaplan/Clark household still does not appear to have an irrigation pump setup. Keith will check with Roy Saba and the Kaplan/Clark household to complete that project.

- Despite being asked through a letter to ameliorate the excess light on their property, the Kessler lighting has remained on all night. The lights are troublesome for neighbors and violate the new lighting code that Pitkin County Commissioners are in the process of adopting. The



Board asked Keith to follow up on his letter to the Kesslers to request that they bring their lighting up to the new standards. The next step would be to ask for County enforcement.

The Caulfield-Andrews household at 310 Little Elk Creek Avenue is in the County permitting process to undertake an addition in 2025. The proposed plan will continue the one-story home style, use the same siding and colors, will be consistent with the ranch-style design of the existing home, and will be visible to only two adjacent neighbors, Helene Slansky and Travis Fulton. The addition will also be visible from the north on the Open Space, but will sit about 120 feet back from the Open Space boundary. Keith Edquist will begin the process of obtaining neighbor comments for the project, for consideration at the October board meeting.

7. **Old Business**

- The September 15 neighborhood picnic was well attended without about 50 folks. Thanks were offered to Rene Tonare, Beth Blackmer and Sharon Caulfield for organizing and making such a welcoming event. The weather held off with a downpour just before and just after the picnic!

- The Board acknowledged that communication has been made to the neighborhood that real estate signs may be placed only in front of the home that is offered for sale. Although the Board does not have jurisdiction over the county road, the Board will remind homeowners that the County frowns on having real estate signs at the entrance to the neighborhood.

The stop sign at the entrance that was knocked down last spring will be replaced in the next few weeks. Keith Edquist has also arranged for repair to the street sign at the top of Alexander Ave.

During the chip seal project that was recently completed on Capitol Creek Road, Keith Edquist asked Andrew Knapp, who is with the County Road Department, to look at the condition of the LECVHOA roads. Knapp stated that overall the LECVHOA roads are in good shape, although it is unfortunate that the recent chip seal repair looks rather like ugly tar. Knapp and Edquist identified a few places where the subgrade is in need of repair due to groundwater, and Keith will begin to look again for a road contractor to do this work. (It is difficult to find a contractor for the small jobs in the LECV.) With the repair work, Keith will also seek more of a ramp over the culverts where now the bumps are quite high and unworkable for cars with low clearance.

The pump house locks have been replaced to resolve the issues noted last month. Keith will have 4 keys made, so that he will have one, Roy Saba will have one, Tony Rizzo will have one, and there will be one in the lockbox on the pump house.

Keith noted that there were more thistles than he had previously identified within the neighborhood open space, and he has topped and bagged many. Some homeowners were angry with him as he undertook this project. He will ask Outdoor Services, the landscaping contractor, to spray the thistle stands in hopes to kill off the deep tap roots of this invasive species.



8. **New Business**

The Board considered the process required to move the HOA's operational accounts to Alpine Bank to facilitate on-line bill pay. Sharon Caulfield moved, and Tony Rizzo seconded a motion that was adopted unanimously with the following elements:

- 1) The LECVHOA checking and savings accounts currently held at US Bank will be closed.
- 2) The funds withdrawn from US Bank will be used to open a checking account at the Basalt office of Alpine Bank. No savings account will be created; the checking and savings funds from US Bank will be consolidated into one operational checking account.
- 3) Three signers will be authorized for paper checks to be issued from the Alpine Checking Account: Tony Rizzo (President), Beth Hoff Blackmer (Treasurer), and John Ott (Trustee).
- 4) Kim Clinco as bookkeeper will be given access to the accounts but not signing authority.
- 5) The Alpine Bank operating account will be linked to Alpine Bank's online bill pay system so that Kim Clinco can prepare payments to vendors. The bill pay system will be configured to notify Treasurer Beth Hoff Blackmer when bills are ready to be approved and sent out.
- 6) Once Beth Hoff Blackmer reviews the bills submitted for payment, she will release the funds through the online bill pay system.

As internal processes, the Board requests that Kim send an email to Beth, Tony, and John to notify them that she has accessed the account to pay vendors and that the system is ready to approve the requested payments. John asked that with this information Kim will provide a billing history on the accounts being paid. Kim will provide this information.

The Board considered the Financial Disclosure form adopted at the last meeting and whether it could be modified to meet the request from Bruce Anderson for greater financial information to be available to the public. After substantial discussion, the Board decided not to move the Association financial statements out of the protected "owners" section of the website, due to the extensive data mining that can be done at this time on websites. The Board did add a sentence to the Financial Disclosure Form, however, to state: "The annual reserve account balance as of June 30, 2024 was \$579,438.80. According to a Reserves Association report received by the LECVHOA as of July 2023, this is a "Strong" reserves balance for an association of our size and asset composition." This should allow prospective buyers to have a general sense of the health of the Association. The Board acknowledged that homeowners who are selling their homes are authorized to share a copy of the financial statements with their Realtor for the purpose of informing prospective buyers.



The Boram and White Ditch Company had provided notice to the Board of its annual meeting, to be held on September 20, 2024. In addition to its regular operations, the Ditch Company has lodged an objection in the Water Court to the application for pleasure ponds on the Two Creeks LLC property near the junction of East Sopris and Capitol Creek Roads. The application overstated the owners' "wet water" rights and relied on "paper water" rights to allege that they had enough water to fill these ponds. Moreover, filling the ponds would have a deleterious effect on the Minimum Stream Flows in Capitol Creek, which would harm the riparian environment. After several hearings and settlement negotiations, the application has been modified to rely solely on the water that is actually available to this landowner from its Boram and White ditch rights, has reduced the size of the ponds substantially, has agreed to install measuring devices to ensure that excess water is not diverted, and has agreed not to divert water into the ponds at any time that the State Minimum Stream Flow rights are not being met by the water in the stream. As a result, the Boram and White Ditch Company has settled its objection. The HOA will be responsible to share in the legal fees for this process in its 28% proportion of ditch ownership. Further, the Board appointed homeowner Ned Andrews to be the HOA's representative on the Ditch Company Board for the future, knowing that long-term homeowner George Johnson will remain in place as Ditch Manager.

The meeting was adjourned at 8:30 pm.