



Crystal Lakes Road and Recreation Association

300 Tami Road, Red Feather Lakes, CO 80545 | 970-881-2250 | www.crystal-lakes.org

BOARD OF DIRECTORS MEETING

Saturday, November 21, 2020, 10:00 a.m.

(Held via Zoom Conferencing due to COVID-19 Pandemic)

Minutes

I. Call to Order:

The meeting was called to order on November 21, 2020 at 10:00 a.m. in the Crystal Lakes Wapiti Room. Due to the COVID19 pandemic, this meeting was held via ZOOM conferencing, video/audio preferences were implemented. Meeting will be recorded for transcription purposes only and will be deleted.

Directors Present:	President	Bryon Fessler
	Vice President	Lala Jacoby
	Treasurer	Steve Dirmeyer
	Secretary	Ken Nickson
	Member at Large	Cheryl Poage
Others Present:	General Manager	Maria "Stella" Anderson
	Office Support	Carmen Uribe

Property Owners: 13 in attendance

II. Approval of Agenda:

The Board reviewed the agenda for the November 21, 2020 Board of Directors meeting.

Motion was made by Cheryl Poage and seconded by Steve Dirmeyer to approve the agenda as presented. Motion carried unanimously.

III. Property Owner Forum:

Janet Stellema 12146 – Expressed appreciation for the Pie Chart denoting the allocation of expenses in the Monthly Newsletter. Steve Dirmeyer explained the items allocated to the Expenses, i.e. consulting charges, legal collections, and advised to reference the financials located on the website.

Jim Hohnstein 15109/110 – Questioned why the October minutes were not posted on the website and asked about protocol for office hours during COVID. Stella Anderson explained minutes were approved at the following meeting and the October minutes would be approved at this meeting. Always one month behind. Office is currently open, and guidelines are implemented, i.e. masks, gloves, plexiglass was installed, and temperatures are being monitored. This is subject to change should restrictions change. Also inquired about the bid process and asked for the date of the next quarterly meeting. Bryon Fessler clarified, 3 bids are required, and this is consistent with policy. Stated at this time due to COVID no meeting is scheduled. Lastly, questioned why ZOOM video recordings of the Board of Director meetings were not posted on the website. Bryon Fessler stated this practice was advised against by Legal Counsel.

IV. Approval of Meeting Minutes:

Board reviewed the October 19, 2020 meeting minutes. Steve Dirmeyer requested the addition of funds to be payable from RBC reserves regarding the 2020 Ford 350 Pickup truck.

Motion was made by Steve Dirmeyer and seconded by Lala Jacoby to approve the amended October 19, 2020 meeting minutes, Motion was made by Steve Dirmeyer and seconded by Cheryl Poage to amend the previous 2020 Ford Truck motion dated March 21, 2020 from the purchase price not to exceed \$45K to not to exceed \$47K for truck, delivery, sales taxes, registration tags. Funds will be payable through RBC funds, to include the addition of the funds to be paid from the RBC reserves fund. Motion carried unanimously.

V. Officer Reports:

- a. President Report: Bryon Fessler, in the spirit of the Thanksgiving holiday, expressed gratitude for the talented and creative staff currently employed by the Association. For fellow Board Members and ALL volunteers for the countless hours, hard work and dedication. And, to ALL property owners who demonstrate why we all live here and through working together in a positive and respectful manner, there is nothing that cannot be accomplished. In summation, wished everyone a joyous season, full of peace, happiness, and good health in the coming year.
- b. Vice President Report: Nothing at this time.
- c. Treasurer Report: Steve Dirmeyer presented a brief overview of the balance sheet. Cheryl Poage requested clarification on the calculation process for operational reserves. Steve Dirmeyer explained the average of 3 months is calculated then, multiplied by 3 as a good formula.

Motion was made by Steve Dirmeyer and seconded by Cheryl Poage to accept the financials for the month of October 2020 and place them on file for the auditor. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Lala Jacoby to ratify the expenses and payables for the month of October 2020. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Lala Jacoby to rescind the motion dated August 15, 2020; Motion was made by Steve Dirmeyer and seconded by Cheryl Poage to transfer excess under budget funds from fiscal year 2019/2020 to Alliance operating reserves account #1684 in the sum of \$150,000 from Independent Bank account #2349. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Ken Nickson to make a 2020/2021 fiscal year contribution to GL #8803, Fishing Habitat Reserves, in the amount of \$28,086.00 per the Independent Auditor's Report by The Griffin Group dated October 13, 2020. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Lala Jacoby to transfer to ICS Alliance Operating Reserves the excess under budget funds from fiscal year of 2019/2020 in the amount of \$84,346.00, also to RBC Reserves in the amount of \$80,795.00 as an additional 2020/2021 fiscal year contribution. This will be after taking the Fishing Reserves contribution of \$28,086 from the under budget \$193,227.00 including depreciation expense for the fiscal year 2019/2020 period. Motion carried unanimously.

- d. Secretary Report: Nothing at this time.

VI. Other Reports:

- a. General Manager Report: Stella Anderson extended an invite to Scott Cisco, owner/operator of Critter Gitter and Lou Phillippe regarding the beaver problem on Lone

Pine Creek. Both gentlemen were available to answer questions from the Board. A request was submitted by Scott Cisco to access Association property to assist property owners with the beaver problem. Beavers are finding their way onto private property and causing destruction/damage to trees. Discussion ensued and the Board has given approval for the General Manager to issue a letter solely for the purpose of evaluation. No further action will be granted until the Board has an opportunity to discuss the findings. Stella Anderson reported on the following:

- Staff changes, sadly, Jerry Davis has resigned and will be missed. Erick Diersen and Steve Ault have been hired as on call snowplow drivers.
- Cost increase request, based on expertise advice, the tire chains required for the grader and loader will cost more than the amount allocated.
- Property owner request, #63763 has requested a waiver in interest fees totaling \$55.55.
- Purchase request, 3 bids were presented for the V-plow for the new 2020 Ford Pickup.

Motion was made by Lala Jacoby and seconded by Ken Nickson to amend the motion dated September 19, 2020; Motion was made by Lala Jacoby and seconded by Steve Dirmeyer to approve the purchase of 4 sets of tire chains for the Grader and 2 sets of chains for the Loader at the cost of \$3,193.13. To increase the cost by \$1,706.81 and decrease the quantity of chains for the grader from 4 to 3 sets. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Cheryl Poage to deny the property owner's request to waive interest on the # 63763 in the amount of \$55.55. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Lala Jacoby to purchase the Snow EX (8' x 6") V-plow from Fort Collins 4x4 Center. For the new 2020 Ford F- 350 at the cost of \$9,207.36 (including installation). Motion carried unanimously.

b. Committee Reports:

Fishing Board: Lou Phillippe reported the last 2 fish stockings have been delivered. Due to the mandatory evacuation these stockings were postponed. Gratitude was expressed for the field crew for assisting in breaking the ice to allow for the dispensing of the fish. It was important to honor the contract with the vendor on the amount of fish purchased for the year. A positive move towards maintaining and fulfilling the contract and fostering a positive working relationship. Reported on record sales for the season. Concerns were expressed over the placement of the new saplings around lakes/ponds. Fishing lines can get tangled up and saplings can be damaged by foot traffic. Going forward, the Fishing Board will work with the Greenbelt Committee on sapling placement.

Architectural Control Committee (ACC): Steve Dirmeyer expressed concerns over utility tents that are being erected around the Association. Requested guidance from the Board as these units are not addressed in the guidelines. A discussion ensued, and the Board would like a recommendation from the ACC on how the committee would like to proceed. An email request was submitted by Sherry Griffin to join ACC.

Motion was made Steve Dirmeyer and seconded by Ken Nickson to appoint Sherry Griffin to the ACC. Motion carried unanimously.

Greenbelt Committee: Carmel Mawle presented a website created by the committee to be used as a resource for property owners. Would like a link inserted in the CLRRRA website. Would like to implement an Adopt a Sapling program. Recommended changes in the sapling order going forward, to decrease the number of saplings, alternate species and include the cost of planting materials in the total cost per sapling. The Board offered support for all the recommendations.

A list of interested property owners to serve on the committee was presented.

Motion was made by Cheryl Poage and seconded by Ken Nickson to appoint Lucy Boswell, Jane Koeckeritz, Steve Koeckeritz, Craig Mawle, Paige Neiderer, Mark Rode, Kellie Sponberg, and Steve Sponberg to the Greenbelt Committee. Motion carried unanimously.

-----Lunch Break 12:02pm - 1pm-----

Policy and Docs: Herb Hanlen confirmed Rich Cohan did indeed tender his resignation from the committee.

Activity committee: Paige Neiderer announced her resignation from the Activity Committee in light of joining the Greenbelt Committee.

Motion was made by Cheryl Poage and seconded by Steve Dirmeyer to accept the resignation of Paige Neiderer from the Activity Committee. Motion carried unanimously.

- c. Attorney Status Report: The report was reviewed, and concerns were expressed over the aging report not matching the accounts on the Attorney Status Report. Bryon Fessler explained the process from the time an account goes delinquent to the time it is reported will always reflect a difference between reports. By November, reports should reflect the same accounts. Stella Anderson will follow up with Westwind Management on the aging report.
- d. Violation Report: Bryon Fessler explained the methodical process applied per policy and violation procedures.

VII. Unfinished Business:

- a. Bear Gulch Easement Litigation: Cheryl Poage reported no updates at this time. Bryon Fessler reiterated the question posed by the membership on the expenses to date. Steve Dirmeyer reported a total of \$8,526.68 has been paid by the Association since September 2018 and approximately \$55,000 has been paid by insurance.
- b. Special Road Projects: Steve Dirmeyer reported, Fred Barlow with Red Feather Excavating will commence work the Friday after Thanksgiving. Work has been delayed due to the mandatory evacuation. Several property owners have been contacted to install/clean culverts along the route. The Board recommends certified notification be sent to said property owners.
- c. Trash Compactor Security and Illegal Dumping: Stella Anderson provided specifications on equipment. This late in the season work will have to be postponed until Spring. If conditions permit, Field Crew will commence erecting posts for cameras and trenching for conduit for cable placement in the Spring.

Motion made by Cheryl Poage and seconded by Steve Dirmeyer to create a new reserve component item #2188 for Video Surveillance. Motion carried unanimously.

- d. Review of Governing Documents and Policies: Bryon Fessler stated the Articles of Incorporation and the Bylaws have been posted on the website. Stella Anderson will include the documents in the Weekly View no later than December 31, 2020 to further allow for property owner feedback. Once feedback is collected a meeting will be scheduled with Legal. By February the Board is prepared to approve the final

recommendations from Legal, drafted solicitation letter and ballot. Ballots will be mailed in March and 60 days will be allotted for property owners to submit ballots.

- e. Recreational Use of Lakes and Ponds Agreement: Bryon Fessler reported on a meeting with the insurance agent. Per the agent's recommendation, the agreement needs to be redrafted. In addition, risk management issues including signage must be implemented. The added cost to include the two lakes owned by W&S, Crystal Lake/Panhandle Reservoir and Lower Lone Pine Dam Reservoir, is \$1,862.00. A discussion ensued surrounding the existing agreement and all agreed a meeting with Legal will be scheduled for further advice.

Motion was made by Steve Dirmeyer and seconded by Cheryl Poage to pay the \$1,862.00 to cover the two reservoirs owned by W&S, Crystal Lakes/Panhandle Reservoir and Lower Lone Pine Dam Reservoir. Motion carried unanimously.

- f. OHV and National Forest Access Committee: Bryon Fessler reported the committee has satisfied the membership quota. USFS very clear, NO OHV access for now and request an Environmental Study. Study is cost prohibitive.
- g. Fire Mitigation for Common Areas and Greenbelts: Stella Anderson reported no official RFQ's have been submitted and one contractor inquired. RFQ's will remain open allowing for submissions.

Illegal Shooting near Crystal Lakes Subdivision: Bryon Fessler reported, A site visit was held on November 5, 2020 to discuss the illegal and unsafe recreational sport shooting near the Crystal Lakes subdivision. The participants included Commissioner Kefalas and representatives from USFS, LCSO, CPW, DNR, and CLRRRA. Two areas near Crystal Lakes have been identified as unsuitable for dispersed recreational sport shooting in the USFS Final Decision Notice (June 2019). The first area is North of Deadman Road to South of Filings 9 and 14. The second area is North of Filing 9 on Tiny Bob Road to South of Filing 7.

We summarized the takeaways from the site visit in an email to all property owners on 11/6/2020. The Board agreed to send a letter from Crystal Lakes to the Forest Supervisor requesting an immediate closure of the unsafe recreational sport shooting areas in Northern Larimer County and the two areas close to Crystal Lakes. Additionally, we plan to follow up with the District Ranger on several issues regarding the Tiny Bob Road and Deadman Road areas.

We want to personally thank Commissioner Kefalas for his leadership on this issue. He scheduled a meeting with LCSO and DNR on 11/30/2020 to discuss the enforcement issue and a cooperative law enforcement agreement between USFS and LCSO as a potential option. He also reiterated that before the Commissioners can consider a county initiated emergency closure option, they need to figure out the enforcement part of this complex equation.

In responding to some of the negativity from a few property owners, Commissioner Kefalas recently said, "It would be helpful to this process if we received some acknowledgement of the actions that have been and will be taken." We believe in the Proverb that you can catch more flies with honey than with vinegar. It is easier to persuade others with polite requests and a positive attitude rather than with rude demands and negativity. We have had several positive conversations with property owners in the 7th, 9th, and 14th filings and together, we are making progress on this issue. To the few property owners who insist on being negative we suggest you let bygones be bygones, stop worrying about the past, be part of the solution, be polite, and be positive.

- h. Shop Roof Leaking: Bryon Fessler reported NeuMark Construction offered several options to repair the shop roof leak. Background information on deviations from the original building plans were divulged. Proposal of \$8,044.00 was presented by NeuMark Construction and a request to split the cost 4 ways between NeuMark Construction, Roofer, Builder and Crystal Lakes. In addition, information for warranty coverage for 15 years at a cost of \$1,000 was presented. A discussion ensued over temporary fix to prevent further damage to roof and insulation until repairs can be conducted in the Spring.

Motion was made Lala Jacoby and seconded by Ken Nickson to go with the overlay option and split cost of \$8,044.00 four ways plus the cost to replace the insulation, unknown at this time. The added cost of \$1,000 for the warranty to be paid by the Association. Motion carried unanimously.

- i. Website Transition and Maintenance: One RFQ to date has been received.
- j. Portable Restrooms: No RFQ's have been received. RFQ will remain open and will be posted in the Weekly View until further notice.
- k. Wages and Salaries Committee: Nothing at this time.

VIII. New Business:

- a. Snow Plowing Lessons Learned and Communications: Correct chains for Association application have been purchased. Property owners have requested more communication of when roadways have been plowed in real time. Bryon Fessler reported on a company offering the software and support for a GPS program that tracks equipment during plowing endeavors. Annual costs ranged from \$4,500 to \$13,000 with an initial set up cost of \$2,500 – \$5,500. At this time, the Board has chosen not to pursue this technology based on costs and other expenses pending this fiscal year.

-----Break: 3:37pm-3:45 pm-----

- b. Paying our Contractors: Steve Dirmeyer questioned the pay schedule for the Association's contracted cleaning services during the mandatory evacuation. Stella Anderson explained the porter has worked extra hours to make up the time lost.
- c. Master Calendar: Ken Nickson and Lala Jacoby requested the Board and General Manager to review the calendar and submit any changes/corrections. All changes/corrections should be submitted no later than January.
- d. Slash Depot: Several property owners requested extra days in November for slash services to be made available. The Board gave approval for Stella Anderson to offer slash services for Saturday November 28, 2020 regular hours 10 am to 4 pm.
- e. Disposition of Ford 2012 Pickup: The Board authorized the Stella Anderson to post the 2012 Ford Pickup as a bid item in the Weekly View for 2 weeks. If additional bids are needed, bidding will be extended to the public. Sealed bids will be accepted until December 23, 2020 by 5 pm.
- f. FY2021-2022 Budget Preparation and Timeline: Bryon Fessler stated a limited agenda is desired for the December meeting to allow for an extensive Executive Session. Due to the sensitive nature of the wages and salaries this must be pushed into Executive Session.

- g. Insurance Adjustments: Bryon Fessler introduced the increase cost of \$8,119.00 regarding adjustments made to current coverage. Referred to Cheryl Poage to explain said adjustments; commercial costs have increased, errors existed in square footage for Base Camp, Tami Bridge and the trailer storage were not listed in previous coverage.

Motion was made by Lala Jacoby and seconded by Ken Nickson to approve the insurance increase in the amount of \$8,119.00. Motion carried unanimously.

- h. Committee Charters: Stella Anderson will reach out to committee chairs for any changes to current charters. Will revisit next month.

IX. Executive Session. "if necessary":

Motion was made by Steve Dirmeyer and seconded by Cheryl Poage to enter into executive session at 4:32 pm to discuss legal matters. Motion carried unanimously.

Motion was made by Steve Dirmeyer and seconded by Lala Jacoby to adjourn from executive session at 4:45 pm. Motion carried unanimously.

Motion was made by Cheryl Poage and seconded by Ken Nickson to pay Charles, Wendy up to \$500 for tax lien expense in order to remove said person from the lawsuit. The actual amount to be added to #51697, the property owner's ledger. Motion carried unanimously.

X. Adjournment:

Motion was made by Cheryl Poage and seconded by Steve Dirmeyer to adjourn the November 21, 2020 meeting at 4:47 pm. Motion carried unanimously.

Tabled Items:

- Selder's Causeway Culvert Replacement Project
- Bathroom Refurbishment Project
- Wages and Salaries Ad Hoc Committee
- Request to Maintain ERRRA Roads

Next CLRRRA Board Meeting: December 19, 2020 (10:00 a. m.)

Respectfully submitted by Carmen Uribe and Maria "Stella" Anderson

Approval Signature _____