



# 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, July 17, 2021, 10:00 a.m.

### I. Call to Order:

Meeting called to order on July 17, 2021, at 10:04 a.m. in the Crystal Lakes Wapiti Room chaired by President Lala Jacoby.

<b>Directors Present:</b>	President	Lala Jacoby
	Vice-President	Cheryl Poage
	Treasurer	Steve Dirmeyer
	Secretary	Patrice Diem
	Member at Large	Tom Bongiovanni

<b>Others Present:</b>	General Manager	Maria “Stella” Anderson
	Administrative Assistant	Jen Lansing

**Property Owners in Attendance: Twelve (12)**

### II. Approval of Agenda:

Steve Dirmeyer requested the addition of item C. Road Maintenance under New Business. Patrice Diem requested the addition of item D. Property Owner Complaint Process under New Business.

*Moved by Lala Jacoby and seconded by Steve Dirmeyer to approve the July agenda with the additions of Road Maintenance and Property Owner Complaint Process under New Business. Motion carried unanimously.*

### III. Property Owner Forum (3 min. per person)

Jim Rose (11108) presented a problem with the water running from Huron Road onto his property and eroding his driveway. Photos were provided.

Trish McHugh (08092) expressed concerns regarding board member conduct and social media. An individual identified themselves as a board member and made comments that could be perceived as disparaging. If unrefuted could be perceived as an official statement of the Board of Directors.

Jeanne Rowe (06024) reported on road conditions in the 6<sup>th</sup> filing. Roads are rough and, in some places, could be considered impassable. Expressed concerns with damage to vehicles and safety in general. Have observed nuts and bolts on roadway that may have fallen off of vehicles.

### IV. Approval of Meeting Minutes:

Patrice Diem presented a page of corrections. The General Manager will make corrections, send them to Patrice Diem for review then minutes will be posted on the website.

*Moved by Cheryl Poage and seconded by Steve Dirmeyer to trust the process and approve the June minutes once Patrice Diem has reviewed and approved. Motion carried unanimously.*

### V. Officer Reports:

a. President Report: Lala Jacoby expressed deepest sorrow for the loss of Jacob Hofmann. Extended condolences to family, friends and to the Water & Sewer Association. Please reach out to CLRRRA if there is anything we can do. Addressed the social media post referred to during the Property Owner Forum: The Board Member's statement on social media was not approved, apologized for lack of new Board member guidance related to social media, reiterated that the Board's position is that there is only one class of Crystal Lakes property owners. We should always extend respect and treat each other the way we want to be treated.

b. Vice President Report: No Report

c. Treasurer Report: Steve Dirmeyer reported the financials were not received on time for the financial meeting thus no accurate figures are available. Provided an overview on the balance sheet. Will transfer \$50,000 to purchase mortgage bonds, current rate 2% for Triple A Bonds. A six (6) month CD in the amount of \$245,000, rate .05%APR and a twelve (12) month CD in the amount of \$245,000, rate .10% APR will be purchased.

***Moved by Steve Dirmeyer and seconded by Lala Jacoby to accept the April 2021 financials and place on file for the auditor. Motion carried unanimously.***

***Moved by Steve Dirmeyer and seconded by Tom Bongiovanni to accept the May 2021 financials and place on file for the auditor. Motion carried unanimously.***

***Moved by Steve Dirmeyer and seconded by Cheryl Poage to ratify the expenses and payables for the month of June 2021. Motion carried unanimously.***

***Moved by Steve Dirmeyer and seconded by Cheryl Poage, to not accept the June 2021 financials due to the lateness of the reports. Motion carried unanimously.***

***Moved by Steve Dirmeyer and seconded by Tom Bongiovanni to authorize Steve Dirmeyer to accept and sign the Year End Financial Close Out form provided by Westwind Management. Motion carried unanimously.***

d. Secretary Report: Patrice Diem went over the Master Calendar. Special Trash Day to be implemented in August. Board consensus is to have two (2) Special Trash Days, one in August and one in September. The service will not be free this year but at a minimal cost. The all-hands-on staff meeting, and Board Goal meeting will be scheduled in September. GM will explore propane sales on a yearly basis. Committee lists and appointed board liaisons will be discussed in November.

## **VI. Other Reports:**

a. General Manager Report: Stella Anderson;

- Requested Director consensus to follow suit with Larimer County regarding restrictions in place for Short Term Rentals and the burning of solid fuels. Discussions ensued over fires and short-term rentals. Herb Hanlen (02075) requested clarification of the policy change. Lala Jacoby responded this is an amendment to the policy. Trish McHugh (08092) suggested including the definition of a short-term rental, specifically number of days. Extended a thank you to Natalie Rickel for doing the research and identifying all the short-term rentals in the Crystal Lakes area.

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to amend the CLRRRA Fire Pit Specifications and Open Fires Policy to match Larimer County fire restrictions for Short Term Rentals (which are 30 days or less). This amendment prevents renters in short-term rentals from burning anything in a fire pit even if it is an approved fire pit. Motion carried unanimously.***

- Reported on Slash Depot, currently 253.00 cubic yards, last year this time 250.70 cubic yards.
- Reported on the dilapidated electrical panel across from Base Camp. Attempted to obtain three (3) bids, only two (2) were submitted. Would like the board to approve the work to be done by Leading Edge Electric because the bid is less by \$1,650 and they have a good reputation. President asked if the barn light meets the Dark Skies code. Response - This is a commercial lot so would be approved with shielded light. Secretary asked for clarification since the trash compactor cannot dispose of construction materials, would this be an additional cost. Response - Roads and Maintenance crew would dispose of it  
Treasurer - a RFQ was not made  
Herb Hanlen (02075) - reminded that the reason for RFQs is so we can know that we are getting the product we contracted for our money.

President - makes an exception per policy because 4 contractors were contacted and we received two quotes and it was an emergency safety issue.

***Moved by Cheryl Poage and seconded by Tom Bongiovanni to approve Leading Edge Electric's quote at the cost of \$4,350.00 to replace/repair the electrical panel across from Base Camp. Funds to be allocated from #7570 Contingency. Motion carried unanimously.***

- Code 4 is not in compliance with the contract. We requested 2 vehicles. The lack of the second vehicle on the 4th of July negatively impacted our community. This happened more than once. The suggestion was made to terminate the contract because it was not being honored.

b. Committee Reports:

ACC: Cheryl Poage, Board liaison, announced the committee had a lot of new members, welcome. Committee is tasked with looking at old policy and documents and will schedule a meeting soon to discuss and to report updates.

*Fishing Board:* Lou Phillippe (12044), president, expressed concerns over a pie chart outlining fishing revenue in the July Board Newsletter., Reported on the current state of lessees and the transferring of fishing privileges. Revenue is suffering because of these fishing privilege transfers. Discussion ensued:

- \$15,000 collected from dues goes to habitat
- Our CLRRA fishing program is funded by non-member revenue
- CLRRA Fishing Program is not the Red Feather model - there is no compensatory revenue
- Stated that benefits may transfer with a signed copy of the lease, but owners must relinquish all badges/ids/stickers.
- Estimated the possibility of up to 300 "false lease" documents allowing for fishing pass transfer which strains resources.
- Should be paying as guest members/daily/annual passes if they are not listed on the deed.
- Proposed a \$400 fee for transfer or determine which are bona fide leases

General Manager - the office staff does not have the resources to determine which leases are legitimate and which are false.

Herb Hanlen (02075)- suggests we take the "benefits" verbiage out of our CLRRA policy and remove fishing as example because it may cause confusion.

Doug Swartz (04052) - asked whether property owners will be responsible for lessee violations in regard to this motion.

Trish McHugh (08092) - the Policy & Docs committee will make note of the suggestions when revising/editing this year.

President clarifies that this motion is not retroactive, and we need to communicate the change to our property owners.

***Moved by Tom Bongiovanni and seconded by Cheryl Poage to amend the Fishing Policy to state fishing benefits are not transferable. Motion carried unanimously.***

*Finance Committee:*

***Moved by Steve Dirmeyer and seconded by Cheryl Poage to appoint Jim Sidebottom as a new member to the Finance Committee. Motion carried unanimously. Tom Bongiovanni rendered a no vote.***

*Policy & Docs:* Herb Hanlen (02075), chair, stated a meeting will be held tomorrow July 18 at 1 pm in the Lower-Level Conference Room at Base Camp, meeting will also be available via ZOOM. Committee will discuss the Architectural Control Requirements and the Covenants, Conditions and Restrictions (CCR's). Committee would like to welcome the newest member, Trish McHugh.

*Ad Hoc Snowstorm Response:* Tom Bongiovanni, Board liaison, reported the committee ran into scheduling issues and did not meet. The committee will be decommissioned and will be removed from future agendas. Recommendation was made that interested individuals join the Road Committee.

*Greenbelt Management Committee:* Carmel Mawle (12037A), chair, reported committee is currently waiting for news on the mitigation grant, will update as information is received. Basecamp Mitigation project was a success, thirty (30) volunteers helped, forty (40) loads of slash were collected and 8 cords of wood were produced. August 28 is another Base Camp Mitigation Day and volunteers will be needed; Steve Koeckeritz is heading up this project. River Trail is being discussed and will be headed up by Paige Niederer. Trail is dangerous with a lot of slash and hikers are being forced onto private property to avoid slash. Stated committee will pass on assisting Tiny Bob, not really a committee project, maybe one that should be open to all members. Discussions ensued surrounding Ember Alliance (\$36,440.00) and Blue Mountain (\$30,712.00) quotes and the RFQ process:

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to make an acknowledged exception of the Administrative Policy, 24.3 The Board may approve a bid coming from less than 3 suppliers if a reasonable attempt was made to solicit at least 3 suppliers with the RFQ. Motion carried 3 – 1. Patrice Diem rendering a no vote. Cheryl Poage abstained.***

**This exception was made because Bryon Fessler as President who possessed a clear understanding of the process and the committee's ability and knowledge to vet the vendors.**

Herb Hanlen (02075)- expressed that this motion violated our RFQ policy and should not be passed since there was no urgency involved

***Moved by Steve Dirmeyer and seconded by Patrice Diem to select Ember Alliance to update/create the Crystal Lakes Community Wildfire Protection Plan at a cost of \$36,440.00 and to proceed immediately. Motion carried unanimously. Cheryl Poage abstained.***

Discussion: The follow up questionnaires for contractors of the CWPP were answered by both Ember Alliance and Blue Mountain. Evan Rau wondered whether the CWPP will be part of the Northern CO Fireshed Collaborative to create a continuous protection zone and requested that we ask our hired contractor to look at the NCFC plan as they create the product. Cheryl Poage - the CWPP was for the Crystal Lakes community

*Safety & Compliance:* Deana Lehman (03074A), co-chair, reported since July 9, twelve (12) shifts have been conducted. On July 1, over one hundred (100) vehicles were counted between 5:00 pm – 7:00 pm. On July 4th weekend, vehicles were backed up, ½ were observed with no stickers and very few guests had guest passes or permission letters. More volunteers and help are needed.

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to appoint Larry Daniel as a new member to the Safety and Compliance Committee. Motion carried unanimously.***

*Recreation Committee:* Committee would like to thank Leslie Armstrong for her services.

***Moved by Lala Jacoby and seconded by Steve Dirmeyer to appoint Stephanie Enser and Andi Mellyn to both Hospitality and Activity and accept Leslie Armstrong's resignation from Hospitality***

c. Attorney Status Report: Report was reviewed.

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to waive the interest of \$9.98 on account #79413. This does not set precedence. Motion carried unanimously.***

d. Violation Report: Report was reviewed.

**VII. Unfinished Business:**

- a. Bear Gulch: Will be discussed in Executive Session due to ongoing litigations.
- b. Colorado State Forest Service (CSFS) Grant for Filings 15 and 12: No updates.
- c. Community Fund: Sharon Cooper (07062), Barbara Groves (03288), Randy Peonio (08135) In June a proposal was presented to improve the grounds surrounding the small camping area near the Wapiti mail sheds. The quote presented for the work was \$12,750.00 and the Fund was requesting ½ of the costs be paid by CLRRA. Treasurer reported income generated by the campground from 2017-2021 was \$14,696.00 Details for future maintenance will most likely be a collaborative effort between CLRRA and the Community Fund.

***Moved by Cheryl Poage and seconded by Tom Bongiovanni to allow the Fund to proceed with the upgrades to the campgrounds using Red Feather Excavating at a cost of \$12,750.00. CLRRA will pay for the entire cost to be allocated to #2106 Trailer Pad Maintenance. Motion carried unanimously.***

Jeanne Rowe (06024) questioned whether the CLRRA campers are considered renters. Response: They are not considered renters because only property owners and their guests are allowed to camp there.

- d. Crystal Lakes Open Space Conservancy (501c3): The 501c3 was granted. Of the total five (5) members needed, three (3) must be board members. Patrice Diem and Cheryl Poage volunteered. Board consensus to wait to appoint the remaining position until next month's meeting.

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to appoint Patrice Diem to serve on the Open Space Conservancy Board. Motion carried unanimously.***

- e. Community Wildfire Protection Plan: Discussed during the Greenbelt Management Committee report
- f. Review of Governing Documents: Discussed during Policy & Docs Committee report
- g. Memorandum of Agreement CLRRA/CLWSA: Dates to be discussed for a future workshop session with both associations.
- h. Request for Quotes: The janitorial service was changed to an employee posting. The chain link fence vendor and Portable Restrooms vendors have been chosen; the RFQs for these items will be removed from future agendas.

***Moved by Steve Dirmeyer and seconded by Tom Bongiovanni to reimburse Lala Jacoby in the amount of \$1,531.50 for cleaning services to the portable restrooms provided by McDonald Farms. Motion carried unanimously.***

***Moved by Lala Jacoby and seconded by Steve Dirmeyer to select Redi Services to service seven (7) Portable Restrooms as outlined in the RFQ#2020-03 at a cost of \$55 per unit plus \$5 per unit for the winterization for the remainder of the FY 2021-2022. Funds to be allocated from #4041 Outside Toilets. Motion carried unanimously.***

- i. Selders Causeway Culvert Replacement Project: Lala Jacoby reported on a meeting held with Bryon Fessler, Stella Anderson, Lou Phillippe, Jack Goodell, Steve Smith and Donny Anderson. Consensus to proceed with the permit process. General Manager will verify a contractor with an excavator is available around the end of September, early October. The flares are available now through Kepner and do not know when they will be available through Prinsco. Depending on the permit process and contractor availability project may have to be delayed until next September/October.

**VIII. New Business:**

- a. Hazard Mitigation Plan: Doug Race (15009A) reported this has been a project in the works for the last two years. Cheryl Poage has assisted and worked with FEMA currently placing us under Broomfield and Estes Park. This

process was triggered by the flood of 2016. Doug Race is requesting the Board to sign a resolution to adopt the Hazard Mitigation Plan.

***Moved by Cheryl Poage and seconded by Steve Dirmeyer to sign a resolution adopting the Larimer County Hazardous Mitigation Plan 2020. Motion carried unanimously.***

- b. Westwind Management Company: Steve Dirmeyer expressed concerns with Westwind. GM requested a complete list of the concerns in writing. Once received, a conference call will be arranged with Westwind, the GM and President.
- c. Road Maintenance Issue: A property owner sent an email to the Board. The letter expressed concerns with work that was done on the roadway near their property. GM stated the crew was not done with the project and were told to leave. President Jacoby suggested Jack Goodell review the conditions, GM stated Steve Smith was already working with Jack Goodell and had approved of the work thus far. The road crew will go to the area and remove the trees that were taken down during the process and Steve Dirmeyer volunteered to move some rocks for the property owner. In addition, Tom Bongiovanni and Patrice Diem will make contact with the property owner and follow up.
- d. Property Owner Complaint Process: Patrice Diem had questions on the steps a property owner would take to resolve a problem with staff. The hierarchy of reporting and the Alternative Dispute Resolution was discussed. If a property owner has an issue with a staff member, these should be referred to the General Manager. If a property owner has an issue with the General Manager, then these should be referred to the Board of Directors.

**IX. Executive Session:**

***Moved by Steve Dirmeyer and seconded by Cheryl Poage to enter into Executive Session at 4:03 pm to discuss legal issues. Motion carried unanimously.***

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to adjourn from Executive Session at 4:24 pm. Motion carried unanimously.***

***Moved by Tom Bongiovanni and seconded by Lala Jacoby to stop spending any further monies on Bear Gulch or time or efforts notwithstanding court orders or pending payments for survey. Motion carried unanimously.***

***Moved by Tom Bongiovanni and seconded by Lala Jacoby to amend the above previous motion to reflect any further time, monies or labor needs to be voted on by the Board of Directors. Motion carried unanimously.***

**X. Adjournment:**

***Moved by Lala Jacoby and seconded by Tom Bongiovanni to adjourn the meeting at 4:36 pm. Motion carried unanimously.***

Tabled Items:

- Bathroom Refurbishment Project

*Next CLRR Board Meeting: August 21, 2021 (10:00 a.m.)*

Respectfully submitted by Jen Lansing

Approval Signature \_\_\_\_\_