**Date:** February 24, 2021

**To:** Terry Beebe, President

Chris Gober, Vice-President

Linda Kole, Director

Kathy Rall, Director

Clark Roach, Director

Karen Erickson, Treasurer

**From:** Teresa Downing, Secretary

**CC:** Bill Swapp, Architectural Review Committee Chairperson

Les Kole, Wildfire Adapted Partnership, Council Representative

All Owners with email

**Website for Deer Valley Estates:**  www.deervalleyestates.net

**Re:** Minutes of the Deer Valley Estates (DVE) Board of Directors Meeting held February 17, 2021

The Board of Directors meeting was brought to order at 6:40 PM on February 17, 2021 via ZOOM video conference. Directors present were Terry Beebe, Chris Gober, Linda Kole, and Clark Roach. Kathy Rall not in attendance. John Beebe, Les Kole, Jerry Libit, Ellen Maxton, Mike and Kelli Sager and Bill Swapp were present. Teresa Downing was also present.

Terry Beebe, President, called the meeting to order.

**Opening Remarks** – Terry Beebe

* + - * We got snow!

**Additions/Deletions to Agenda**

* + - * None at this time

**Minutes of the January 2021 Board Meeting** – All

* Linda Kole motioned to approve the January 20, 2021 DVE Board of Directors Meeting Minutes. Clark Roach seconded. Four Yays for approval.

**Treasurer’s Report** – Karen Erickson, not present (as reported by Terry Beebe)

The following figures as of February 2021 for FY 2020-2021.

* Revenues - $71,472.78
* Expenditures - $11,018.38
* Reserve Fund Total - $30,491.38
* Received invoice from Planet Excavation for February 13 and 15, 2021. Paid $970.00, this is over the $2,000.00 seed money.
* Establish auto draft from checking account for Waste Management payments. No objections from Board of Directors. Treasurer, Karen Erickson to establish auto draft with bank.

**Architectural Review Committee Report –** Bill Swapp

* No report at this time

**Welcome Committee Report** – Lucy Ruduski/Lori Swapp

* No report at this time

**Wildfire Adapted Partnership Report** – Les Kole

* Board of Directors Meeting, February 24, 2021, adopted new budget of $410,000.
* Information needed to create an amendment for the DVE CWPP (Community Wildfire Protection Plan) include three elements:
* Implementation – Did you do what you said you would do?

Effectiveness – Did the treatments meet objectives?

Verification – Did our actions lead to outcome we expected?

DVE Board approval will be attached to original CWPP

* Follow WAP activities, programs and sign up for Enews at [www.wildfireadapted.org](http://www.wildfireadapted.org)

**OLD Business**

No Old Business at this time

**NEW Business**

Fiber Internet Committee Update – John Beebe

* Fiber Internet Committee Meeting discussed the following:

-Timeline for the internet project

-The need to educate Owners with written explanations of FAQs

-Eight ZOOM meetings to be held, 17 Owners have attended so far

-Some contact will be made with all Owners within the coming week

-Brainstorm/DVE infrastructure – locate site for signal from Spring Creek

* The Committee would like to present to the Board:

-A proposed timeline to consider ballot and money collection plan

-Committee will continue education in February

-Consider Ballot Language with Pros and Cons

-Ballot to be sent by email March 1, 2021 and returned by March 15, 2021

-Contract review by the next Board of Directors meeting, March 17, 2021

-Brainstorm would like a date for complete payment from DVE no later than

October 31, 2021

DVE Proposed Owner Special Assessment for Fiber Project – Terry Beebe

After discussion and changes made, the following motions were presented to the Board of Directors for a vote.

* **Motion #1**

Present a motion to commit Deer Valley Estates POA to pursue approving the Fiber Project awarded by the Colorado Broadband Deployment Board to Forethought/Brainstorm Internet,

and that by October 31, 2021, Deer Valley Estates POA will pay Brainstorm up to the full complement of 25% of the Project cost ($92,350.25), whether or not collected from the Owners, and that Deer Valley Estates POA will credit each Lot’s account proportionately for any funds collected but not expended for the Project,

and that the Deer Valley Estates POA Board of Directors authorizes the Fiber Committee to develop an Infrastructure Ownership and Exclusive Services Agreement with Forethought/Brainstorm and bring said Agreement to the Board for final approval.

Terry Beebe motioned to accept Motion 1 as presented. Clark Roach seconded. Vote was unanimous.

* **Motion #2**

Present a motion that Deer Valley Estates POA Board of Directors authorizes an electronic ballot be sent to all Owners on March 01, 2021 requesting approval of a Special Assessment of $1,100 per Lot (totaling $92,350.25) for the Fiber Project. This represents 25% of the Project cost not funded by the Grant. If the Owners approve such Special Assessment will be due and payable in full in accordance with the following options:

Option 1: $1,100.00 payable in full by May 01, 2021

Option 2: 2 payments of $550.00 due on May 01, 2021 and August 01, 2021

Option 3: 6 monthly payments of $183.34 due on the first of each month beginning on May 01, 2021 and ending on October 01, 2021.

Owners choosing a payment schedule and are current in those payments, will not lose their voting rights or be considered delinquent in paying this Special Assessment.

Terry Beebe motioned to accept Motion 2 as presented. Clark Roach seconded. Vote was unanimous.

* An email to each Lot Owner will include lot # and ballot instructions, attachments will be the Pros and Cons of the Special Assessment and a Special Assessment Ballot.

**Summary of Advantages (Pros) and Disadvantages (Cons) of the Fiber Project**

**Advantages (Pros)**

**A YES vote will benefit Owners as follows:**

1. $277,050.75 of funds granted to Forethought/Brainstorm to improve Deer Valley Estates infrastructure. It is highly unlikely that Deer Valley Estates will ever benefit from this level of assistance again.
2. 100% of Owners will have access to “high speed” internet; not just 26%.
3. A full turnkey project to make a high speed fiber network available to each property.
4. Fiber to the home for any existing homeowner who wishes to subscribe to Brainstorm service.
5. Projected increased property values with fiber infrastructure.
6. “High speed” provides potential monthly savings for TV, landlines and Internet costs.
7. Robust WIFI calling can make cell phones useful where no signals exist in the Subdivision.
8. Minimum speeds of 100Mbps will allow everyone to work, learn and entertain at home and on multiple devices at the same time.
9. Fiber high-speed Internet provides the most advanced technology available.
10. No slowdowns when everyone else is on the Internet - reliable and fast - all the time.
11. Same price as DSL with more speed and capacity.
12. Payment plan available over six months to pay Special Assessment.
13. If you sign up for the Internet service now there is no connection fee, other than $1,100.

**Disadvantages (Cons)**

**A NO vote would benefit Owners as follows:**

1. Owners would not have to pay a Special Assessment of $1,100.
2. Some Owners may object to paying their share of the infrastructure cost as they may feel they will not benefit from this project.

**Special Ballot to vote on the Fiber Project**

Pursuant to CCR Article 4, Section 4.6, shall the Deer Valley Estates Property Owners’ Association, Inc. Board of Directors enter into a legally binding contract with Forethought/Brainstorm Internet to install a fiber-optic network (backbone) on the power poles of Deer Valley Estates, and connect it to the homes of those Owners seeking Brainstorm Internet service. I understand that the total Project cost will not exceed $369,401 and that the State of Colorado Broadband Deployment Board will fund 75% of the total cost via a Grant to Forethought/Brainstorm. I further understand that Forethought/Brainstorm will be responsible for any costs in excess of those stated above.

With a YES vote, I understand that Deer Valley Estates Owners will assume the obligation for the remaining 25% of the cost not to exceed $92,350.25. That cost will be spread equally among the 84 Lot Owners not to exceed $1,100 per Lot in the form of a Special Assessment.

* It is understood that the $1,100 will be due and payable on May 01, 2021;
* May be paid in two equal installments of $550 on May 01 and August 01; or
* May be paid in 6 equal installments of $183.34 on the first of each month beginning May 01 and ending on October 01.
* It is further understood that if the Project comes in under budget such that the $92,350.25 represents an over payment by the Owners, any remaining funds will be returned to each Lot Owner equally.

It is further understood that the fiber backbone affixed to the power poles will be available to all Lots in the Subdivision by subscription from Forethought/Brainstorm, whether or not they choose that service at the time of the installation of the Project.

YES\_\_\_\_\_\_\_

NO\_\_\_\_\_\_\_

Terry Beebe motioned to make the adoption of the Summary of Pros and Cons and the Ballot for the Special Assessment as amended. Clark Roach seconded. Vote was unanimous.

The Internet Committee will receive the proposed contract and review. The Board of Directors will review before next BOD meeting, March 17, 2021. There will be a legal review before signing.

Board Members can enter into a contract after Special Assessment has been passed by Owners.

Board Vacancy – All

* Linda Kole motioned to accept the resignation of Kathy Rall effective February 12, 2021. Terry Beebe seconded. Vote was unanimous with four Yays.

Kathy, the Board thanks you for your time and service.

Strategic Planning Meeting – February 20, 2021 - All

* The planning meeting will be via ZOOM, Saturday, February 20, 2021.
* Accepting agenda items to include in proposed agenda being sent to Owners.

**Reports**

1. Snow Plowing

* Snow plowing is going well. Invoice for $1,440.00 includes road clean-up.

1. Work Days

* None at this time

1. Road Maintenance

* None at this time

1. Annual Meeting

* None at this time

1. Right of Way Committee

* None at this time

1. Special Projects

* None at this time

1. Review Planning Calendar

* Reviewed, changes made

1. Property Owners List

* Send to Owners for updates, before Special Assessment Ballots are sent via email.

1. Fencing

* None at this time

**Discussion** – Open Forum

Discussion regarding Nextdoor – if you are receiving messages from areas outside of DVE, check user settings.

The poster is the only one who can delete a post on Nextdoor.

Thank you note to Upper Pine River Fire Protection District from Emil and Ellen Maxton regarding vaccine distribution.

Next DVE Board Meeting – Wednesday, March 17, 2021

* **Adjournment**

The meeting was adjourned at 9:00 PM