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**Board of Directors Meeting**

Wednesday, October 13, 2021 – 6:30 PM

VIA ZOOM

**Strategic Planning Meeting Minutes**

**From:** Ellen Maxton, Secretary

**Board Members Present**

Chris Gober, President Karl Schreiber, Director

Mark Wagner, Vice-President Paul Duggan, Treasurer

Shelly Faris, Director Ellen Maxton, Secretary

Clark Roach, Director

**Property Owners Present**

Terry Beebe

Jerry Libit

Les Kole

**Meeting Called to Order**

By Chris Gober, President, at 6:33 PM

**Opening Remarks**

Chris Gober made some opening remarks:

* The Board operates as one voice. Board Members must ensure that the Board acts in the best interests of DVE and not on individual agendas. Once a vote is taken on any matter, all Board Members must support that action as one voice.
* Board Members must respect each other’s opinions, thoughts, and ideas to maintain that one voice.
* All Board Members must participate actively and ensure DVE business is conducted in a timely manner.

**Additions to Agenda**

* Terry Beebe: Person responsible for maintaining POA records should be determined.

Chris: That discussion will take place under #2m. Archives and #2n. Historian.

* Paul Duggan: Appoint someone to review the DVE By-Laws and CCRs to ensure there is no conflict between the two, and in turn review those in conjunction with the state governing documents to ensure they are in compliance with the state.

Chris: Updates to the Colorado Common Interest Ownership Act (CCIOA) and non-profits

will be discussed under #8. Increasing Owner interest and involvement Update to New Statues affecting HOA **This is from the agenda as published.**

As Paul’s suggestion falls into the same type of discussion, it will be added to the agenda as #8a.

**Items for Discussion**

1. **Reserve Fund – Statement Update**

* A reserve fund study statement must be established every three years as required by CCIOA
* A study was last approved at the regular meeting of the Board of Directors on October 20, 2019.
* This meeting is to confirm that study statement and policy contained therein.
* The Board agreed to continue with the 3% contribution from the annual operating budget.
* Discussion ensued on what the reserve fund can be used for.
* Information regarding the reserve fund is excerpted below from the Reserve Study Statement:

*The Board reviewed our needs for Association improvements & repairs for the next few years and voted unanimously to adopt a plan to grow our Reserves to $40,000. To accomplish this goal, it is the Board’s intention to contribute 3% of our annual operating budget annually over the next five years to the extent possible. Presently, our Reserve Fund is at $30,582.15.*

*The purpose of the reserve fund is to help with unanticipated costs of road repairs, culvert replacement, bridge repair, unexpected snow removal costs, unanticipated legal fees arising from the business of the HOA, and any unanticipated costs of maintenance of the common property of Deer Valley Estates Property Owners Association which includes, but limited to the following:*

*All roadways throughout the neighborhood which also includes the culverts running under these roads. (Culverts under driveways are the property owner’s responsibility)*

*All fencing surrounding the neighborhood (fencing around private property is the owner’s responsibility)*

*The entrance gate and security systems to the neighborhood*

*The Bridge over Beaver Creek*

*The Dumpster enclosure*

**2.Individual Board Member Duties, Responsibilities and Assignments**

The following assignments of Board Member duties and responsibilities were established:

* 1. **Right of Ways:** **Clark Roach/Chris Gober**
     1. Ensure Phone Boxes are marked properly
     2. Ensure Edges of Paved areas are marked properly
     3. Potholes
     4. Culverts/Drainage
     5. Oak Brush
     6. Sets/organizes workdays
     7. Signage, street and other signs
     8. Dumpster/entrance area
  2. **Spraying/Cutting of Weeds: Chris Gober**
     1. Follows the report from La Plata on spraying times
     2. Ensures that weeds are mowed as needed
  3. **Fencing/Security Karl Schreiber/Clark Roach**
     1. Ensures perimeter fencing is properly maintained
     2. Ensures entrance gate is properly maintained
  4. **Bridge Karl Schreiber**
     1. Ensures that the bridge is inspected every 5 years
     2. Contacts engineer to conduct inspections as needed
  5. **Snow Plowing: Clark Roach/Shelly Faris**
     1. Board Contact person
     2. Makes calls for snow removal
     3. Works with Representative of Snow Removal Service
  6. **Emergency Contact Forms/Code Red: Mark Wagner/Chris Gober**
     1. Solicits owners to submit Emergency contact forms
     2. Encourages owners to sign up for Code Red
  7. **Inventory Chris Gober**
     1. Keeps an updated inventory of all DVE Property
     2. Keeps informed on where abouts of Property
  8. **Calendar Mark Wagner/Chris Gober**
     1. Updates the monthly Board Calendar
        1. Include when Board members are out of town
     2. Sends out Updates Quarterly
  9. **Waste Management Chris Gober**
     1. Deals with any violations to dumpster rules
     2. Deals with Contract Negotiations with trash company
  10. **Website Chris Gober/Jerry Libit**
      1. Ensures Website is updated appropriately
      2. Helps build and design website to maintain currency
  11. **CCR Enforcement Chris Gober/Board** 
      1. Contacts property owners when a violation is noticed
      2. Keeps Board informed of all violations and enforcement actions
  12. **Welcome Committee Shelly Faris** 
      1. Works with the Welcome Committee
         1. Ensure forms are properly updated
         2. Ensure contact is made with new owners

* 1. **Nextdoor/Social Media Shelly Faris**
     1. Ensures that appropriate messages are posted
     2. Adds new owners as appropriate
  2. **Assistant Treasurer Mark Wagner**
     1. Assist the treasurer as needed
  3. **Co-Secretary Shelly Faris**
     1. Assists the Secretary with
        1. Updating and maintaining the POLs
        2. Sending of Emails
        3. Annual meeting packets

* 1. **Archives Chris Gober/Mark Wagner**
     1. Maintains records as required in Bylaws, CC&Rs and CCIOA
        1. 3 years of minutes
        2. Notices to owners
        3. Financial statements
        4. Tax statements
        5. Communications between Board members that have any action taken.
  2. **Historians Paul Romere/Chris Gober**
     1. Maintains historic documents of the Association

**3. Secretary Duties and Responsibilities**

a. Minutes

b. Emails

c. Property Owners List

d. Annual Meeting

The Board discussed secretarial duties and responsibilities in accordance with the By-Laws, and

distribution of duties to the Board that are not specifically governed by the By-Laws. A there was a discussion about having Shelly Faris as co-secretary to enable her to share some secretarial duties. Kathy Moore will remain back-up to the secretary in case any further assistance is needed.

**4. Fiber Project Progress and Planning**

The following is excerpted from a statement provided by John Beebe, Project Manager:

*As I stated in September, the progress of our project was dependent on the contractor for Brainstorm being successful in securing the machinery to cut the trenches in our roads to install conduit for the fiber.  Well, that has proven to be easier said than done.  All the contractors working out there are scurrying to get work done before winter sets in so equipment is scarce.  Additionally, while we have identified some of our own residents to potentially run the trenching equipment, staffing issues abound for the contractor as they are having problems hiring attendant personnel for all their projects.  We still hold out some hope of getting started this fall (with supplies from another job), but with each passing week, it looks less likely.*

*On a more positive note, supplies for our project have been ordered and should be received in Deer Valley sometime this fall.  The shipment will include very large spools of orange conduit, smaller spools of the actual fiber and a large number of hand holes to make underground connections to our homes.  This is positive news because it will ensure that when the snow melts, supplies will not hold up installation.  In anticipation of getting started as soon as the snow melts, we will be storing the supplies where they are easy to retrieve minimizing the mud issues that come with spring.  Numerous owners have volunteered space on their properties, but most would involve the potential mud issues.  We have two Owners who have established driveways and are not typically here in the early spring as potential sites; there are also a number of locations like cul-de-sacs and a few wide spots in the roads that may also be used.  In the end, the contractor will select the best site(s) for storing the supplies over the winter recognizing that any damage to a site will need to be repaired.*

*Also on a positive note, we have full agreement with Brainstorm to begin spring work as soon as snow melt permits.  The plan is to have the conduit buried in the roads in plenty of time so that normal spring roadwork can be completed while adequate water runs in the creek.  This timing will help mitigate road damage from the trenching.  With a few months of winter, the contractor should be able to solve the personnel and equipment issues and be ready to hit the ground running.  Brainstorm is also eager to complete our project and begin providing us with high speed internet service.*

*On the financial side of the project, we want to acknowledge the wonderful cooperation from our Owners in paying the special assessment timely.  THANK YOU, OWNERS.  Brainstorm has not requested any money from Deer Valley, and they will not do so until the work begins and they have invoices to pay.  The supplies mentioned above have been paid for by State grant funds by securing a full credit for the supplies ordered last March designed for the original overhead plan on the power lines.  In short, the Association has the funds to pay our share of the project sitting securely in the bank.*

*While I wish I had more positive news to share about project progress, the fact that we should soon see supplies on the ground in Deer Valley gives further confirmation that this project will get done.  I continue to share your frustration over the delays, but greatly appreciate your patience.*

**5. Spring Road Maintenance**

* According to the long term plan approved approximately 18 months ago, next spring’s cycle of roadwork is to be Elk Valley, upper Beaver Creek, Sawmill, and Wieland. The plan is to lay 1” of gravel and apply Road Loc that would last a couple years.
* Additional possible work may arise from any further repair that has to be done to the trenching in the middle of the road to lay fiber, and additional application of Road Loc to lower Beaver Creek, so an adjustment to the budget may have to be made.
* The plan calls for an expense of $60,000, but $54, 345 has been budgeted. Possible additional funds may be drawn from the snow removal budget is all of it is not used, and some other areas.
* Give direction to the Road Maintenance Committee on any adjustments that have to be made.

**6. Bridge Inspection**

* Bridge inspection is due in June 2022.
* $175 has been budgeted for bridge inspection.
* Paul will send the contact information for the bridge inspector to Chris and Karl.

**7. 2021-2022 Project Projection and Funding**

* No foreseeable large projects other than the spring road maintenance, which has already been budgeted.
* Fencing project has been completed.

**8. Increasing Owner Interest and Involvement**

* CCIOA is the state statute that governs homeowners and property owners’ associations.
* There is a couple of major changes that need to be addressed:
* House Bill 211310, effective September 7, 2021, prohibits the HOA/POA from enforcing rules that prohibit the display of flags or signs based on subject matter, message, or content.
* House Bill 1229, effective September 7, 2021, provides protection for solar panels and other energy conservation features or equipment. HOA/POA is prohibited from enforcing rules that decrease the efficiency of the equipment more than 10% or increase the initial cost by more than 10%.
* HB 1229 also allows artificial turf
* HB 1229 also provides for penalties for the HOA/POA that fails to provide documentation within 30 days of receipt of a written request.

Discussion ensued on how to incorporate CCIOA changes into DVE By-Laws and CCRs. Chris

stated that the Board just needs to be cognizant of those section in conflict with the CCIOA no

longer apply and CCIOA regulations take precedence. Changing the By-Laws and CCRs would need

a vote of the Owners.

**8a. Appoint a Reviewer for Any Conflict among By-Laws, CCRs and CCIOA**

* Paul suggested a review of the DVE By-Laws and CCRs to ensure there is no conflict between the two, and in turn review those in conjunction with the state governing documents to ensure they are in compliance with the state. Paul gave an example of a conflict regarding delinquencies between the By-Laws and the CCRs.
* Terry suggested that the Board, having fairly new members, review the documents closely to become familiar with it from a Board Member’s perspective as well as a Property Owner’s perspective. Chris agreed that this route should be taken initially before taking further action.
* Discussion was held on how changes can be made to the By-Laws and CCRs and how to get more Owner involvement.

**9. Long Term Planning for DVE**

a. Budget

* Plan for the long term and adjust as needed.

b. Roads

* Biggest expense in the budget
* Snowplowing
* Road maintenance
* Already discussed at length under item #5.

Karl suggested including in long term planning, forming an administrative security team, similar

to a neighborhood watch, and Clark added that a security camera at the gate could be considered

in the future.

**Discussion – Open Forum**

None

**Adjournment**

Meeting was adjourned at 9:48 PM