

ETLOA Annual Membership Meeting
July 8, 2023
Minutes

Location: corner of County Rd 10 and Reva Ridge Road.

The meeting was called to order at 10:10am on Saturday, July 8, 2023.

In attendance, representing a total of 14 properties, were:

Dave Jurich (1 lot – Director)
Bruce & Marylee Hix (1 lot – Director)
Bill Noel & Lauren Grady (1 lot – Director)
Jeff & Mary Ashby (1 lot)
Steve & Jeanne Stevens (1 lot)
Art & Dorothy Volk (1 lot)
Daniel & Heather Anthone (1 lot)
Dennis Couture (1 lot)
Ryan & Courtney Anderson (1 lot)
Mark & Leann Bauer (1 lot)
Dan & Christi Wisleder (1 lot)
Nick Bruno (2 lots)
Matt Boeve (previous owner of 2 lots now owned by Nick Bruno)
Jim Guerin (1 lot)

Votes represented by Proxies (total of 14 properties) provided at the meeting were:

Lenihan (1 lot)
Zachary (1 lot)
Ulmer/Williams/King (1 lot)
Woods (2 lots)
Moore (1 lot)
Schwartz/Belknap (1 lot)
Bears (1 lot)
Murphy (1 lot)
Scholz (1 lot)
Proske/Banks (1 lot)
Harding (1 lot)
Genske (1 lot)
Louch (1 lot)

A total of 28 properties were present, whether in-person or by proxy.

Currently there are 119 properties considered to be within the HOA with approximately 7 in question.

Agenda:

Introduction (Bruce) – round-table intros by owners present

Determination of a Quorum (Lauren)

Based on 119 total properties, 24 properties are required to establish a quorum, thus a quorum was established.

Activity Report (Lauren)

HOA Board Activity (July 2022-June 2023):

- Between July 2022-June 2023, 3 HOA status requests received for properties within the HOA – same as 2022, but down significantly from 2021 (8).
- Between July 2022-June 2023, 4 properties changed ownership (all in EE Hill). Again, similar to 2022 (3 properties), but down from 2021 (13) and 2020 (11).

Architectural Advisory Group Activity (July 2022-June 2023):

- 1 home construction completed (Wisleder)
- 5 homes under construction (Jones, Harding, Monahan, Ford/Meyer, Lindsey)
- 3 sets of building plans submitted to/approved by AAG (Ford/Meyer, Lindsey, Corrin) + wildlife fence request for Schwartz/Belknap)
- Numerous other inquiries received regarding future building plans.

Financial Report (Dave/Lauren)

- As of this morning, we have a bank balance of \$7,857.11 with no checks outstanding.
- Current bank balance does not include a \$750 deposit of current & back dues collected from the mailbox on 7/7/23.
- Prior to today's meeting, we have collected 2023 dues from 50 lots totalling \$750.
- We've also collected approximately \$1200 in back dues.
- We have another 6 lots paying at today's meeting, for another \$90, bringing the total 2023 dues paid so far to 56 lots or \$840 – representing 50% of the properties.
- Discussion was had around the high bank account balance – even with adding insurance to our budget, it will take us several years to chip away at the balance. Options were suggested for expenditure, including paying to have wildfire mitigation performed on the HOA -owned property at the corner of County Rd 10 and Reva Ridge Road, potentially making improvements to the HOA property, or relieving owners of dues for one or more future years. Action: Dave Jurich to research State grant funding for fire mitigation programs and report back to the board.

Website updates (Dan & Christi Wisleder)

- This year saw 280 sessions across 235 users – down slightly from last year (389 sessions across 329 users). The mailing list now has 58 emails on the list – not counting any provided at today's meeting.

Discussion items

Xcel Energy Line Replacement in neighborhood (Lauren)

- Replacement of power lines that cut across the eastern part of the EE Hill subdivision – likely to start in spring 2024.
- Xcel reached out to impacted properties with power lines on them, as well as some properties that they've contracted with for access or for storage of line materials during construction.

- Per one of the property owners who recently reached out to Xcel, the new poles will be 90-115 ft tall (current ones are 50-75 ft tall) and will be moved slightly (approx. 10 feet in his case) from their current positions.
- For anyone with questions, Russell Kerle with Burns & McDonnell welcomes questions/concerns, and his contact information is:

Russell Kerle \ Burns & McDonnell
 Senior Right of Way Specialist
 Environmental Services
 C 214-701-2834
 W 720-464-1971
 rtkerle@burnsmcd.com \ burnsmcd.com
 9191 S. Jamaica Street \ Englewood, CO 80112

- Discussion was had about Xcel's request for the HOA to sign an easement document and accept a fee of \$1,000. Lauren had previously turned this down as Xcel has the right to access the roads without a signed easement, and out of concern it could leave the HOA open to other areas of exposure. Owners concurred with this. Action: Lauren to get a copy of the document for review.
- Discussion was had about whether Xcel would reconsider their plan to access the alignment from the south. Several homeowners would welcome access from the north and construction traffic through EE Hill if it means road improvements would be made. Property owners on the south side of EE Hill, however, may appreciate the grading/improvement of the back road. Owners are encouraged to reach out to Russell Kerle with input around this, and Lauren will also make him aware of today's discussion.

Late dues next steps/Nonresponsive properties (Lauren)

In past years, we have collected an average of \$950 in dues per year, or from an average of 63 (56%) of properties.

The primary opportunity for collecting back dues is when properties exchange hands. The Board is typically notified by the title company of the contract and is asked to complete an "HOA Status Request Form" which asks whether the property is current on dues and/or in violation of any covenants. Typically, the title company will collect back dues from either the buyer or seller.

Another opportunity is when an owner submits building plans to the AAG – we will attempt to collect any back dues prior to approving building plans.

It was discussed last year that the Board would take preliminary action in attempting to collect back dues. After considering back dues that we won't be able to collect (such as: properties that have since changed hands with previous owners not having paid), we believe there is a potential to collect approximately \$3,850 in back dues. This year is the first time the HOA has taken any action re: collecting back dues. Instead of having the annual member letters printed at Silver City in Leadville, the Board printed and mailed the letters so that we could include a "Gentle Dues Reminder" along with year's annual membership letters in the same envelopes. This enabled us to send notices with minimal effort and cost.

This late notice was sent to 44 owners for any properties owing back dues. So far, we have received \$1,200 in back dues from 22 owners – great results with minimal effort.

We'll likely continue to receive dues in the next few weeks and will repeat the process next year to attempt to reduce outstanding back dues.

Architectural Review Reminder (Dave)

Dave reminded owners that the Architectural Advisory Group (AAG) exists to review building plans within the community for minimum setbacks, maximum height restrictions, protecting sightlines, and ensuring that homes are built with natural colors and in keeping with the mountain/natural setting. The form is simple and easy to submit, and the AAG responds quickly. Forms are available out on the etloa.org website.

Currently there are three owners on the AAG: Dave Jurich, Jeff Ashby, and Bruce Hix. A few owners expressed interest in joining the AAG and were advised to provide their contact info to one of the current AAG members.

Courtney Anderson volunteered to join the AAG.

Director Nominations (Lauren)

The Board currently has four directors: Bruce Hix, Dave Jurich, Lauren Grady, and Meryl Dohrmann. Bruce's term has come to an end, and we thank him for his service to our community!

General duties are light – throughout the year, responding to HOA Status Requests, accepting and account for dues, maintaining the budget, holding a yearly (typical) board meeting, and preparing and holding the annual member meeting and picnic.

Call for nominations for 1-2 more board members (we can have 3-5 per the covenants/by-laws). Daniel Anthone volunteered to serve on the board. Lauren motioned to nominate Daniel Anthone and Dorothy Volk seconded the motion. Motion passed unanimously to elect Daniel Anthone to the Board for a three-year term.

Open discussion (member concerns, questions, etc.)

Impact of South Fire Station

An owner noted that recently, a Leadville Herald article noted that property owners may be able to save money on their homeowners insurance due to a change in their ISO from a 10 to a 3 rating if they live within 5 miles of the new firehouse (street address: 141 County Road 10, Leadville, CO 80461) and encouraged folks to contact their insurance companies to explore their options.

Owners were reminded that there is a cistern with 10,000 gallons of water located on the north shoulder of Ross Drive that is specifically dedicated to fighting fires, and that the fire department is aware of the cistern's existence, though they often get water from the reservoir.

HOA Board Insurance

Dave Jurich recently got an updated quote from State Farm for \$915/year. This would provide the HOA with \$1M in business liability (with an annual aggregate of \$2M), \$5k medical coverage, Director/Officer Liability of \$1M, and \$20k in coverage for HOA-owned properties (Open space and equestrian trails). This policy achieves what we want it to and comes in well under budget.

Bruce Hix made a motion that the HOA should purchase the policy. Jeff seconded the motion. Motion passed unanimously in favor of moving forward with purchasing the insurance policy.

Short-Term Rentals

It was noted that we are currently under a temporary moratorium for new Short-Term Rental permits imposed by Lake County on September 1, 2022, while they determine their longer-term plans and regulations around short-term rentals.

A discussion was had around whether we should add language to our covenants to address short-term rentals, and it should be noted that adding to or changing covenants is not an easy task – it requires a 67% majority vote at a general membership meeting.

Jeff Ashby moved to form a committee to discuss/determine language that might be included in the covenants going forward. Dennis Couture seconded the motion. Motion passed with all but one voted in favor of forming the committee. Jeff Ashby will lead the committee, which will also include Steve Stevens, Courtney Anderson, and Christi Wisleder.

Road Maintenance

The Board in the past has steered clear of adding road maintenance to its roster. The costs of improving/maintaining the roads are exorbitant for the number of people currently with developed lots. Otelia Lane is unofficially, and perhaps not regularly, provided snow plowing by the county. The county will not take on maintenance/plowing of EE Hill/Carmen/Safken unless the roads are brought up to county standards at owners' expense. As individual owners have built and had trucks coming/going regularly, they have stepped up to repair any damage their machinery has caused. For winter access, the residents on EE Hill pool their money and hire neighbor Derek Shandonay to plow EE Hill down past Graff's driveway (and many residents individually hire Derek to plow their driveways as well). As more folks build on Carmen, they may wish to do something similar.

Road Speeds

A discussion was had about vehicles speeding down the roads – kicking up dust, creating unnecessary wear and tear on roads that we have to pay to maintain ourselves, and – most importantly - creating a safety concern for homes with children (we do have them and will likely have more). Please use caution and low speed on the neighborhood roads and encourage your guests and/or renters to do the same.

Paved County Road 10

Dennis Couture mentioned the fact that the paved section of County Road 10 from Highway 82 is in bad shape and hasn't been refinished in years.

A discussion was had around contacting the Pan Ark HOA and potentially sending a joint request to the county to ask about repaving that section. Jeff suggested getting the County to put a traffic counter on the road so they understand the usage and can better assess cost/benefit. Action: A board member will attempt to contact a Pan Ark HOA board member to begin the discussion. The objective will be to send the County Commissioners a letter and request the subject be put onto the agenda of a future Commission meeting.

Possibility of a shooting range on property neighboring HOA

Jim Guerin mentioned that a property adjacent to the community is planning to put in a shooting range. While the HOA restricts shooting on properties within the community, we have no authority on properties outside the HOA, and recommend concerned owners contact the County for issues or questions around this topic.

At 11:36am, the meeting was adjourned for the picnic.

Note: Although we neglected to discuss at the meeting, next year's annual meeting will be held Saturday, July 13, 2024, at the HOA-owned property on the corner of County Rd 10 and Reva Ridge Road at 10am. A picnic will be held after the meeting. The HOA will provide food/drink.