

## BONNER PEAK LANDOWNERS SUMMER MEETING MINUTES

June 17, 2023

Livermore Community Church, 284 W County Road 74c, Livermore, CO 80536

**Meeting call to order** – BPLA President Michael Royals called the meeting to order at 9:00 AM.

Thirty-seven lots were represented:

(6,66,16,54,57,58,31,69,41,18,35,14,29,62,53,50,39,33,24,75,11,60,17,45,19,6,43,55,28,22,12,6,4,25,36,65,21).

Per Paragraph 7 of the BPLA Bylaws currently in effect, a quorum is reached if 1/4<sup>th</sup> of the votes entitled to be cast are represented (21 lots), thus a quorum was achieved.

**Approval of the 2022 winter meeting minutes** – A motion was made to approve the minutes of the 2022 winter meeting. The motion was seconded and all present/represented voted to approve the motion.

### Introduction of Members Present

### Report of Officers, Boards, and Standing Committees

- President's Report – No major issues to report.
- Treasurer's Report – Copies of expenditures through May 31 versus 2023 budget were provided to landowners at the meeting, and attached to these minutes.
  - All 2023 assessments were received, with a minor amount still owed in late fees.
  - At nearly the halfway mark in the 2023 budget year, general administrative expenses are about 25% of budget, and road expenses are 15% of budget. Because of shallow snow depths this winter, snow removal costs were much less than budgeted.
  - Total reserves are at \$48,418, or about 45% of the overall goal of \$108,000. General and storm reserves are fully funded; the equipment reserve is 40 percent funded. The rapid increase in reserves is the result of the contributions from a special assessment instituted in 2022, and a 2022 budget surplus transferred to reserves.
  - The current special assessment for the new ranch entrance structure is estimated to be \$113. As of May 31, \$40,058 remained from the insurance settlement. The topic of when to approve the special assessment, and for how much was discussed later in the meeting.
- Secretary's Report – An updated version of the landowner list will be issued after this meeting to account for the recent changes in ownership.
- Architectural Committee Report – Joel Meeter provided a brief summary of the ACC responsibilities and meeting schedules. Submittals to the ACC should be submitted at least 48 hours prior to a scheduled ACC meeting to allow time for proper review.

- Animal Livestock Control Committee Report – No report. Please contact Diane France (970-227-6524) for vaccination and identification requirements when new horses are brought onto the Ranch.
- Neighborhood Crime Watch – Eddie Taylor indicated that there had been no recent trespass incidents, except for the damage to the front gate entrance posts. It was recommended that residents make contact with the drivers of trespassing vehicles if they are comfortable doing so, and ask the trespasser to leave the Ranch. Alternatively, residents should contact Eddie Taylor or one of the Ranch resident Livermore Fire volunteers (list to be provided) if they see a trespassing vehicle. Photographs of the vehicle and license plates should be taken if possible.

### **Member Concerns**

- Fall Ranch picnic. Scheduled for September 9 at the Taylor residence. Diane Watkins circulated a sign-up for barbeque and sides.
- Plague. A concern was expressed that an increasing rodent population may result in greater risk of plague. Dean Biggins commented that key plague transmitters are domestic cats that capture rodents that may carry plague-infected fleas. Reducing cat exposure to wild rodents is a good preventive measure.
- Bulletin board at the package shed. It was suggested that a community bulletin board be installed on the outside or inside of the shed. After differing opinions were offered on where the board should be placed, the matter was referred to the Board to better define options.
- Weeds. As the result of above-average spring precipitation, a variety of weeds have become abundant. It was recommended that residents contact the Larimer County Weed Control District for advice on weed control measures. Leafy spurge appears to be particularly troublesome this year, and should be a target for control. Scott Ellis offered to identify potential weeds for residents if they send him photographs, or show him the plants.
- Dumpster access. It was suggested that a step ladder be provided at the dumpsters to allow easier access to the taller dumpsters. The Board will look into this suggestion.
- Highway 287 safety study. Bob Grimmer said that a Highway 287 safety study is being sponsored by CDOT for the highway segment from just south of the Ranch entrance to the Wyoming border. BPLA will be actively monitoring the progress of this study, and provide input whenever we can.

### **Old Business**

**Road Report** – Summary provided by Joel Meeter.

#### Equipment Update

- Road Grader – 1981 John Deere
  - Purchased and installed new drive lights
  - Completed 100-hr maintenance (oil/filter, air filters, hydraulic filter, lube)

- No major repairs planned. Current grader should be OK for approximately another 10 years if it is maintained appropriately; which is the Crew's ongoing plan. Main issue with maintaining our current grader is finding parts as it is 41 years old.
- Truck/Snow Plow – 2008 Ford F350
  - No major issues this year to date. Utilized the truck only minimally this past winter due to low snow year.
  - Minor issue with fuel mixture during start up. Repair scope TBD.

### Other Updates

- Current Road Crew members – Joel Meeter, Bill See, Tracy Kastle, Doug Gibbs
- 2023 Road Base delivery
  - There will be an approximate 20% increase in material cost between 2022 and 2023.
  - There will be an approximate 10% increase in trucking cost over last year
  - No road base delivered yet this spring as there is no limestone material available from Pete Lien yet this year. Production to likely start in July. Two drivers are lined up to deliver once material is available.
  - Locations planned for this year are Obenchain west of Snow/Geurin driveway, Shadow Ridge between BSRR and Obenchain, and various locations along BSRR.
- Removed and stored temporary snow fence at Oppawsky driveway/BSRR intersection.
- Continued annual culvert inspection and cleaning - There are approximately 80 "Ranch owned" culverts that cross under our Ranch roads. This does not count individual's driveway culverts where driveways intersect the Ranch roads. As a reminder it is individual property owner's responsibility to clean, maintain, and mark their driveway culverts.
- Friendly Reminders for Residents
  - As a maximum, drive 25
  - Slow down to a crawl when passing people on the roads who are riding horses, walking, running, riding bikes, walking dogs, etc.
  - Washboard prevention - Put your vehicle into 4wd when crossing the cattleguard/driving onto the Ranch. This does help prevent washboards and therefore lowers our maintenance costs. Washboards are mainly caused by driving too fast and accelerating on corners going either uphill or downhill.
  - Washboards – Caused mainly by poor driving technique, which is driving too fast and/or accelerating while on corners and/or going uphill.

### 2023 Plan

- Conduct a gravel road maintenance orientation session with Board once new Board is in place. Schedule TBD.
- Continue with the "Original Plan" (which is to cover all roads at least one time with road based once every 8 years). In 2023 the focus will be on the Obenchain west of Guerin/Snow driveway, and minor areas along Shadow Ridge, and BSRR.
- Utilize all of 2023 road base material budget.
- Inspect and clean culverts.
- Monitor roads for muddy areas, significant washboards, any other maintenance/safety issues.

- Install temporary snow fencing in the fall. Location(s) TBD.
- Prepare to open and maintain Deer Valley between Rehm's driveway and new owner of Lot 67. Actual work schedule TBD.
- Maintain Ranch equipment including the grader, snow plow truck, fuel tanks, front cattle guard, culverts, T posts, signage, lighting, Package Palace, and the dumpster and mail box areas in general.
- Train Road Crew members – So that we can continue to provide safe equipment operation and maintenance, ensure our equipment lasts as long as possible, ensure our road base investment stays on the roads.
- Selectively clear encroaching vegetation to provide safe and passable roads for residents, guests, contractors and emergency response.
- Monitor roads for muddy/icy areas, significant washboards, any other maintenance / safety issues.

### **Covenant variance request.**

In response to a request from Art Abplanalp, Michael reviewed a decision the Board made to not grant a variance request for short term rentals on a Ranch property for sale. It was clear that granting such a variance would be a violation of the covenants, and the Board made its denial decision accordingly. It was acknowledged that this decision should have been more clearly explained in the Board minutes. Financial incentives were also offered to the HOA to grant this variance, which the Board would not accept.

### **Livermore Volunteer Fire Department, Wildland fire safety training.**

Eddie Taylor provided an overview of the Fire Department responsibilities and capabilities. The Livermore Department covers a 330 square mile area, which includes approximately 27 miles of state and federal highways. By far the highest demand on Department resources are responses to highway accidents, many of which are very serious. Department volunteer staff also respond to a variety of residential medical emergencies, some of which require helicopter evacuations. It was recommended that residents consider helicopter flight insurance – see contact below. The following is a summary of the May wildland safety training:

“On May 13 the Livermore Fire District, along with Glacier View Fire, conducted structure protection training around the top of BSRR and the back of Obenchain Road. Thanks to all the homeowners who allowed us to utilize their structures as “props.” We conduct wildland refresher training every year to stay current with our qualifications.

Our fire danger is currently “low” due to the above average rainfall. This could change as things dry out. Larimer County allows small recreational or cooking fires if a burn ban is not in place. They also allow burning of slash in the winter if you have a permit and conditions allow.

Most structures lost from wildfires are due to embers, sparks and brands, not radiant heat. Things that you can do to protect your property from fires include: Making your structures as non-combustible as possible by using fire resistant building materials. Keeping gutters clear of debris. Mow grass and remove ground fuels around structures. Prune low tree branches. Keep your

driveway maintained and free of overhanging branches to allow fire apparatus room to maneuver. There are lots of resources available online to help. A good one to start is “Firewise-USA.”

We should be prepared to evacuate for a significant amount of time at a moment’s notice. Have list of what you need to take and a plan to care for livestock, pets, etc. During the Cameron Peak Fire; Red Feather, Glacier View, Poudre Canyon, and others were evacuated for weeks. Sign up at <https://leta911.org/> for evacuation notices. Consider keeping important documents in a safe deposit box.

Helicopter insurance is worth considering. For more information check [airmedcarenetwork.com](http://airmedcarenetwork.com).

Six residents on Bonner are volunteers at Livermore Fire. We are always looking for help including Responders, Board Members, and Logistical Support. Follow us on Facebook or check out [livermorefire.org](http://livermorefire.org) for more information.”

### Front Entrance Structure.

The purpose of this discussion was to reach a decision on construction management and the special assessment that will be needed to complete construction. Michael projected a view of the final entrance structure on screen. The primary issue was where lighting would be located to illuminate the sign, and how extraneous lighting would be avoided. Both downward lighting above the sign, and upward lighting from the ground were discussed. Work will continue on lighting location, and shielding. Work on the project can start without an immediate resolution of the lighting question.

Three bids for construction management and materials were received, as tabulated below.

	#1	#2	#3
Project Management	E3 - Loveland	Empire – Fort Collins	BPLA - Internal
Total estimated cost	\$77,397	\$59,114	\$48,303
Estimated special Assessment	\$456	\$233	\$102

Key elements of the BPLA- Internal proposal are as follows:

- Construction management would be provided by Michael Royals and Marc Garritsen. They would not receive pay for this work.
- BPLA insurance will cover Ranch employees who serve as general contractors.
- Michael has worked with all the vendors, and has current quotes from them.
- Work can start immediately. Other vendors would have to refresh their bids, and provide schedules.
- The goal is to complete the project in 90 days.

A motion was made and seconded from the floor to vote on whether to accept the BPLA-Internal proposal. The vote was 29 Yes, and 4 No.

The discussion then turned to when to approve a special assessment and for how much. One option is to wait until the final cost is known; a second option is to approve the \$113 assessment per lot now

that was previously presented. A motion was offered and seconded to assess the \$113 assessment now, recognizing that the final cost could be over or under this amount. The vote was 28 Yes and 4 No to approve the \$113 assessment now.

### **Broadband Update**

Michael has continued to interact with a consortium of non-profit fiber providers (Larimer County, Connexion, Ditesco) to further estimate costs for providing fiber service to the Ranch. There is a deadline at the end of August for submitting proposals for federal grants. The preferred general design for the system is to provide cable on existing utility poles with an underground connection to the residence. BPLA would join the consortium to develop a service proposal. The consortium would have to provide a 25% match for a grant. The other consortium members would develop a cost estimate, including BPLA portion, based on their prior experience. A current rough estimate is \$1.5 million to install the system. A key landowner concern was whether an individual landowner could opt out of the program. Michael responded that a competitive funding proposal should show a participant commitment of 50 to 75 percent. If the system were installed, monthly service costs would be approximately \$65. Connexion would be the utility owner and manager of the system. Michael will continue to work with this non-profit consortium to obtain a per-residence installation cost.

### **Colorado Land Board (CLB) Recreation Lease**

The BPLA HOA submitted an application to the CLB for a 6-month duration (April -September), 5-year recreational lease for access to 640 acres of State Land Board Land in Obenchain Draw and Seaman Reservoir at an annual cost of \$1992, or \$24.29 per lot per year. The CLB approved the lease application, subject to three conditions: 1) The Ranch would have to receive permission from the owner of Seaman Reservoir water surface (Greeley Water); 2) no kayaks, canoes or other watercraft can be left/stored on the Seaman Reservoir shoreline; 3) BPLA residents cannot access CLB lands during July and August when grazing lessee cattle are present.

Condition 1 - Based on a recent phone conversation with Cole Gustafson of Greeley Water, written permission from Greeley can be obtained, but may take some time to work its way through the organization.

Condition 2- This condition is entirely under control of the BPLA, and we can comply.

Condition 3 – Exclusion from the leased land during the July-August period is problematic, since these months are when the key benefits of access to the reservoir would be realized. Tom Frey was asked by the Board to meet with Murry McMurry, the grazing leaseholder, to see if there is a way to reach an agreement in which McMurry would withdraw his objection to BPLA resident access during July and August. Tom was able to meet with Mr. McMurry, and made some progress in understanding Mr. McMurry's concerns, and defining a way forward to reach a mutually satisfactory agreement. Subsequent to Tom's meeting, another McMurry family member stated she didn't want to reach any agreement with BPLA. Tom's view is it would be worthwhile to continue discussions with the McMurry family and work through their issues.

After this discussion a motion was made and seconded to table approval of the CLB lease, and continue dialogue with the McMurry family to see if we can overcome their July-August access objection.

#### **New Business – Election Board and ACC Members**

Sylvia Garofalo (At Large), Lisa Mitchell (Treasurer), Scott Ellis (Secretary), and Bob Grimmer (VP) all finished their respective terms on the Board. The Ranch community deeply thanks these individuals for their service.

Three Ranch residents agreed to serve on the Board for two-year terms: Tom Mitchell, John Eldred, and Keith Gallie. One additional member is needed, and a volunteer will be sought.

Three of the ACC committee members (Joel Meeter, Cynthia See, and Tim Shafer) agreed to remain on the committee for another term.

#### **Adjourn**

The meeting was adjourned at 12:40 PM MST.