

Approved 11/16/2022

**GLACIER VIEW MEADOWS
ROAD AND RECREATION ASSOCIATION
WATER & SEWER ASSOCIATION
JOINT MEETING MINUTES**

October 19, 2022

Zoom Meeting ID: 81557407366 Passcode: 469627

ATTENDANCE:

Water and Sewer (W&S)

Dan Barbour – President (absent)
Wayne Schroeder – Vice president
Karen Turner – Treasurer
Robert Lewis – Secretary
Lynn Johnson – Director

Road and Recreation (R&R)

Don Herman – President
Paul Burek – Vice president
AJ Shilling – Treasurer
Michael O’Neill – Secretary
Cavender Andrews – Director

STAFF: Nick Moriarty – Manager

Mary Keller - Community Relations/Office Assistant

ESTABLISH A QUORUM:

All are present except Dan Barbour.

CALL TO ORDER:

Don Herman, President, Road & Recreation Association, called the meeting to order at 3:02 p.m.

REVIEW AGENDA: No amendments.

REVIEW MEETING MINUTES DATED: September 21, 2022 – Accepted as printed

MANAGER’S REPORT: GVM Manager, Nick Moriarty presented the manager’s report (inserted).

Water & Sewer Association

1. Well search update:
 - a. Currently involved in a back and forth with Dwyer & WWE regarding excessive charges for an inconclusive survey.

Road & Recreation Association

1. 130 loads of road base have been delivered. No more this fiscal year.
2. Century Link exposed fiber, and phone lines to be resolved next week.
3. Batterson Lake leak update: Inland Potable Services has removed two days of labor (over \$8k) from the invoices. Total spent is \$6,350. To complete the repair with the new head gate will range from \$10k - \$18k depending on the method used.

Wayne Schroeder, Water & Sewer, asked for clarification concerning Dwyer & WWE.

Paul Burek, Water Search Team, stated that Nick and he are in negotiations with both companies. A detailed written report was requested from Dwyer to justify the \$8,900 advance

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payment paid to them by the Association and a report from WWE for the \$7,700 invoice we received. Paul will forward the written reports to board members upon receipt. Nick will report back to the Board at the next meeting on the status of Batterson Lake repair.

TREASURER'S REPORT: Tabled to next meeting

COMMITTEE REPORTS:

- A. Architectural Review Committee (ARC): Cavender Andrews, ARC, Board ex officio, reported for the ARC. Committee members are Terry Wadsworth, Mike Keller, Jenny Rogers, Stan Saylor and Jason Howard. The committee received five applications for review: Shed, dog run, roof mount solar, fence and a residence. The residence was approved with the stipulation that the concrete driveway must end before the utility easement. Everything else was approved as submitted. On behalf of the ARC committee, Cavender proposed banning concrete driveways and limiting the size of a garage skirt. Cavender also stated that upon his request the committee will study the section of ARC Rules & Regulations that address shed sizes and outbuildings. The Board asked Cavender for a formal written proposal for banning concrete driveways and a list of reasons why the rule should be added and submit under new business at the November meeting.
- B. Ecology Committee: Michael O'Neill, spoke for the committee. The last meeting of the season was held September 13, 2022. The guest speaker was Glacier View resident, Terry Campbell, who gave a part two, presentation on GVM trails. A topic of discussion for next season is asking volunteers or hire a professional service to spray weeds. *Jim Petrie stated that he would be willing to organize a crew to spray weeds next season.* Michael also stated that there is a new web manager for the Ecology committee website.

PUBLIC INPUT: (Glacier Gals, members, etc.)

Not counting Board and staff members there were six residents present.

Glacier Gals: Kathy Hudson reported that 25 volunteers attended Community workday and multiple painting projects were completed. The October 29th Halloween potluck will be at the Mountain Meetin' place at 5:30pm. The Holiday party will be held on December 11th at the Mountain Meetin' place at 5:00pm.

A member stated that Jim Petrie pulled 16 volunteers together to work on the Buck n Rail fencing. With the help from a GVM staff member hauling, the crew placed 500' of Buck n Rail east of gate 2.

A member stated that the GVFPD Mill Levy, that voters approved in 2018, is set to expire. These funds are being used to maintain the Fire station, help purchase clothing, tools, and training. Losing this funding would impact the budget greatly. The member asked the public and the Boards to support extending the Mill Levy. The Boards agreed by consensus that they are in favor of supporting the extension of the Mill Levy.

Colorado Wildfire Protection Plan (CWPP) - Fire Adaptive Community Alliance (FACA) Paul Burek, Road & Recreation Board Designee, reported that FACA is an approved committee under CWPP. FACA has 7 or 8 members and looking for more. The committee's Mantra is to authorize and organize projects related to preventing wildfires, fire mitigation and maintain a healthy eco system. The committee scheduled a couple of

mitigation tours demonstrating fire mitigation. The first tour is October 25th from 9:00 to 2:00 pm. Another tour in the works will be at the Boy scout camp and a 3rd tour will be in Glacier View Meadows where a member wants 7.75 acres mitigated. FACA is trying to organize a team to mitigate this property. Other projects include applying for several grants to help purchase a chipper, implementation of defensible space, evacuation exercises. Most of the grants require a 25% match or soft match. One of the grants is for \$25,000 for slash pile and chip removal in GVM.

OLD BUSINESS (Water & Sewer): Paul Burek and Karen Turner reported:

- A. Status of the fourth filing well: There are no changes from the minutes of the last meeting. Enclosed in the board packet is a copy of the preliminary request of ECWAG funds (that we did not get) and is a summary of what led us to applying for funds. We can get a short-term loan in about 30 to 60 days. There is a possibility of getting a long-term partial grant /partial loan in about 18 months. We are forming a request for an emergency status grant/loan to be taken to Joe Neguse in Fort Collins. There are several people working toward getting loans and grants. Engineer, Nick Marcotte agreed to furnish a proposal to write the preliminary engineering report (PER) and the writing of a long-term grant/loan. For those that have an interest, or want more details, about the workings of the Water Search Team, meetings are held on Fridays and are open to the public. Wayne Schroeder stated that he would like to see the board assume overall responsibility and confirm the search team as a subcommittee of the board. Wayne Schroeder, moved to establish a Water Search Committee as a formal subcommittee of the Board. The team will establish a Committee Chair, who will report back to the board in November. Unanimous motion passed.

Nick reported the new well location has been narrowed to two locations. Ingram drilling recommended a water engineer that assists them in identifying a well location in fractured rock by interpreting data to verify that the proposed location is viable. The cost for this service is \$1,900.00.

OLD BUSINESS (Road & Recreation):

- A. Sell/Buy equipment: Nick stated that he found quality equipment (enclosed tractor) that is within the price range of what the other equipment was sold for. Now it's a matter of finding and purchasing the equipment.

OLD BUSINESS (Joint):

- A. Merger Proposal/Candyce Cavanaugh: Wayne Schroeder, Water & Sewer, stated he contacted 5 law firms who wanted to redo the bylaws, declarations, etc., and could not convince them that we did not need that much legal work. One of the firms said the fees for their service would be in excess of \$10,000.00. Candace Cavanaugh, of Orton Homes & Hunt LLC, was the single entity of the five attorneys who understood that a consolidation of the two associations involves merging the two associations under corporate law, i.e., the old nonprofit corporation act that the GVM developers used in the 1970s to create the two associations. Daily operations are conducted pursuant to what is today called The Colorado Common Interest Ownership Act (CCIOA), but a corporate reorganization must be conducted pursuant to the old nonprofit corporate statute. The firm agreed to provide legal services as requested by the Association at a fixed fee of \$3,500.00 for services that will include review of the

current Articles of Incorporation and Bylaws for both Associations; prepare the Plan of Merger; prepare Amended and Restated Articles of Incorporation, including name change amendment; prepare two Board Resolutions recommending member approval of the Plan of Merger and Amended and Restated Articles of Incorporation; prepare Statement of Merger;) one meeting or telephone conference, if desired, with the Associations' manager, not to exceed one hour, to review the first drafts of merger documents (since these documents are largely procedural, we do not anticipate many revisions); and if necessary, preparing second drafts, including revisions identified at the meeting, and related approval forms/proxies. Wayne stated that in addition to the \$3,500 the Association should be billed for recording costs and filing fees. Wayne will contact the firm and ask that GVM manager, Nick Moriarty, be their main contact and Wayne Schroeder, AJ Shilling and Dan Barbour be copied in all correspondence.

Wayne Schroeder, Water & Sewer, moved to go forward with Candyce Cavanaugh's proposal for legal services related to the Associations Merger at a fixed fee of \$3,500.00 plus additional fees for recording and filing fees as outlined. AJ Shilling, Road & Recreation, 2nd. Unanimous motion passed.

NEW BUSINESS (Road & Recreation):

- A. Signage law update: Nick Reported GVM's sign policy needs to be addressed and written to address the new law. House Bill 12-1310 was signed into law 07/02/2021 and became effective in November of 2022. The law states that HOA's shall not prohibit or regulate the display of flags based on their subject matter, message, or content except that the Association may prohibit flags bearing commercial messages. The Association may adopt reasonable, content-neutral rules to regulate the number, location, and size of flags and flagpoles, but shall not prohibit the installation of a flag or flagpole.
- The Association shall not prohibit or regulate the display of window signs or yard signs based on their subject matter, message, or content; except that the Association may prohibit signs bearing commercial messages. The Association may establish reasonable, content-neutral sign regulations based on the number, placement, or size of the signs or on objective factors.

Paul Burek, Road & Recreation, Rules Committee and Robert Lewis, Water & Sewer, volunteered to compare House Bill 21-1310 to our present flag/sign rules. Paul will report back to the November board meeting with a revised policy proposal.

Karen revised the formatting of the policies adopted during the August meeting. And will submit to board member via email for proof reading.

ADJOURN:

Don Herman, Road & Recreation, called the meeting and moved to adjourn into Joint Executive Session at 4:22 pm. – Affirmative Vote two-thirds quorum required C.R.S. 24-6-402-(4)f – Personnel and legal discussion. Unanimous motion passed.

The Board emerged from executive session at 5:00 pm. No motions.