

# ELK SPRINGS HOA EXECUTIVE BOARD MEETING

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## EXECUTIVE BOARD MEETING MINUTES

Thursday, December 9, 2021 at 5:30 PM

Via Zoom Conferencing

### I. Call to Order

The meeting was called to order at 5:32 p.m.

### II. Establishment of Quorum

A quorum was verified, board members present were Gregg Plummer, Brandon Watson, Greg Boecker, Heidi Treleven, and Patrick Fitzgerald. Also in attendance was Sam Engen, IMM and Amanda Maurer, Attorney.

### III. Homeowner Open Forum

No comments.

### IV. Approval of Prior Meeting Minutes

Greg B. motioned to approve the October 21, 2021 meeting minutes. Heidi seconded, and all were in favor.

### V. Discussion & Action Items

#### a. Ratify Officers: The following positions have been appointed to each director:

- President – Patrick
- Vice President 1 – Heidi
- Vice President 2 – Brandon
- Secretary – Greg B.
- Treasurer – Gregg P.

#### b. Review and Vote on Proposed Bylaw Amendment – see attached a PDF of the revised bylaws: The following issues were discussed:

- 11.3 - Right now the existing bylaws require unanimous vote of the board for amendment. A proposed change was to make this a majority or super majority vote of the board rather than a unanimous vote.
- 3.2 – for proxy, add language about a duly appointed attorney-in-fact, agent or designee
- 6.11 – for meeting notices, add “or at direction of the secretary or person authorized”
- 8.6 – Under Secretary, remove reference to corporate seal
- 10.2 – item c, change “shall” to “should”

Patrick motioned to approve the Bylaws with the changes noted. Greg B. seconded.

After further consideration and discussion, the motion was withdrawn, and the Board unanimously agreed to vote on this at their next meeting schedule for 1/6/2022 after they have time to review the changes discussed. Greg B also has some minor grammatical edits to make. IMM and Amanda will work on these revisions and a copy of the Bylaws will be sent with the next Board Meeting notice.

**c. Design Review Guidelines – revisions update:** The following issues were discussed:

- 2.3 – change “will designate” to “may”
- 2.4 – it was recommended that we tie the notice requirements of all committees to "Special Board Meetings", which is 3 days, not 5.
- 5.10 - road use fee shall be adjusted to a flat rate of \$4000 rather than charging different fees for each filing.
- 6.15 – should planted trees and water features be accounted for in the 3,000 sq ft of allowed irrigable lawn?
- 6.15.2 - is the tree requirement too high and what is the ideal number? The Board and ARC will need to do more research. Ideas of planting only drought resistant deciduous trees and bushes was discussed and publishing a list of allowed trees and shrubs was recommended. IMM will send some examples to the Board for review.
- 14.3 - timely completion should remain at 2 years. Some discussion was had about defining completion and how obtaining CO does not necessarily mean the project is completed.
- 14.4 - penalties need to be revised. It was recommended to implement a tiered fine schedule ie. \$100 per day for first month, \$250 per day second month, \$500 per day third etc.

**VI. Additional Business**

- There was a recent incident and the CPW was notified that a buck mule deer had attacked a resident in the Elk Springs. The deer got caught up in high tensile wire found down by the old corral area and had to be euthanized. CPW is recommending the Association assess the open space for any other high tinsel or barbed wire and have it removed. IMM will walk the are and report back to the Board for direction.
- Gregg P. reported that the CD with Edward Jones has reached expiration and has renewed it for 6 more moths.
- The entrance gate is still not working. APS has been out to assess, and there is nothing mechanical. We are working with DoorKing to assess if there is something wrong with the software. Brandon suggested reaching out to a new gate company and will send IMM the info.

**VII. Executive Session**

Patrick motioned to move into executive session to discuss a contract with legal counsel at 7:19 p.m. Brandon seconded, and all were in favor. Returned to Open Session at 7:35 p.m.

Patrick made a motion authorizing Amanda to present the newly drafted Water Supply Term Sheet and Conditions for Auburn Ridge to their attorney. Heidi seconded, and all were in favor.

**VIII. Adjournment**

The meeting was adjourned at 7:38 p.m.