

**Forrest Groves Estate Homeowners Association
Board of Directors Meeting
Zoom link: <https://unco.zoom.us/j/2819947151>**

MINUTES DRAFT

Thursday, October 20, 2022 7:00 p.m.

Call to Order:

Board Attendance: Stan Dunlap, Dave Kasper, Jen Redfern, Beth Gordon, Jill Corr

Guest Attendance:

Welcome to new Neighbors: Heather Garland on Verde Lane and Andy & Aly Arnold on H.T.

- Motion to accept September 2022 Board Minutes

By: x

Second: x

Approved

Finance Report: David Bowen / Beth Gordon

- September Financial Report: Beth Gordon
Dave Bowen (available at <https://forrestgrovesestates.communitysite.com/>)
- Cash on Hand as of 9/30/22 Checking \$10,505 Reserve \$10,003
 - Operations costs for Sept exceeded budget overall
 - Notable difference in Caretaker W&S and Water Testing categories.
 - Weibel Plumbing more than last time and will exceed budget for Oct.
 - Some slippage on assessment payments (1,627.00 due as of 9/30)
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Committee Reports

- WAP report for October
 - After meeting with Alex Graf last week, we have news for homeowners..
 - WAP has received a new grant for homeowners who are willing to clear vegetation as the Forest Service new requirements state. This means fairly stringent rules but would assist in the cost of the clearing. Check in with Alex to see if this is something you would like to participate in.
agraf@wildfireadapted.org
 - Also, he's catching up on personal home visits so if you would like one, contact him.
 - Also, with fall cleanup activities, please enter your hours for raking leaves, cutting low branches, etc. send them to: FGEHA at 74 High Trails Drive. Or the website fgehoa@gmail.com
 - Thanks! Mary

Water and Sewer Report: Dave Kasper

- Update on needed repairs - Influent Building
 - Update on Aspirators & pump problem
 - Issues with alternating electronics
 - Update on GWUDI testing
 - Colorado State Sanitary Survey will be Thursday, Nov 3 9 a.m.
- Kristina Quick, PE**
Staff Field Engineer, Field Unit II
WQCD (Water Quality Control Dept) Field Services Section
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October 2022 Board Meeting Minutes

- Water Meters

On Oct 6, 2022, at 10:37 AM, Olin Kane <kanes@frontier.net> wrote:

This is just fyi. I was looking up some parts in the USA Bluebook catalogue and ran across residential water meters. I did a little research.

There are basically three types:

1. Direct read. The readout is on the meter itself. Not of much use to us as most of our meters would have to be installed in hard to get to places like crawl spaces. About \$100 each.

2. Remote readout. The readout is remotely connected to the meter via a wire and typically mounted outside the house. Requires a battery in the remote readout that has to be replaced annually or so. About \$300.

3. Wireless. Meter can be read remotely from the sidewalk or maybe a car. Probably the most practical for us. \$500.

These costs are just for the equipment. Installation would probably be our highest cost, probably more than the equipment.

And there is labor to read, software, etc.

From Olin

- We have 1 more MPA to do on the Verde well. Fred set it up for last Tuesday afternoon.
- Also, Roto Rooter came to jet rod the sewer line on the Rowland Well side north of the river this past Tuesday morning for the Fall preventative maintenance. Then Ball Septic will come to clean the lift stations and contact chamber.

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Road & Trash/Recycling Report: Jen Redfern

- Roads – condition of High Trails up the hill, ditch overflowing
- THANKS to Scott Kuhn for painting the bridge railings
- Snow plow drivers update: Tim Wheeler will be coordinating the snow blower drivers. Our thanks in advance to our volunteers: Tim, Olin Kane, Bob Ewing, Michael Rossback, & Ryan Brooks.
- Kudos also to Scott Kuhn for staining the bridge railings
- Trash (one twice each week, one once a week)
- Recycling (picked up on Wed 10/5, 10/19, next 11/2 & 11/16)

Old Business

- Amended and Restated Covenants – first reading
 - DRAFT to be emailed to all Members – feedback due by mid-November
- **Covenants:** over time, FGE has had 4 slightly different sets of Covenants, which in retrospect did not always agree. We have undertaken an effort to create an “Amended and Restated Covenants”. There was some language that was relevant in 1970 when FGE was created that is no longer relevant. Also, there are some topics that exist now that were not dreamed of back in “the olden days”. Attached is the current draft for your feedback. We also have the redline version from our attorney. It contains all the original wording, suggestions for items to be deleted or added, and legal commentary. Let me know if you would also like that. Please provide your thoughts by mid-November. When completed, we will mail ballots for your approval. A simple majority is required to change our Covenants.
- Architectural Review – Contractor in Community Form – Thanks to Chris Wettig for completing the Architectural Review process for replacing decking and building a storage shed. Chris also had his crew remove the bushes and growth from the river up to the road. This space serves as an emergency exit for people south of the river in case the bridge would ever be unusable
- Begin the Reserve Study process – Stan

October 2022 Board Meeting Minutes

- We have begun the **Reserve Study** of FGEHA assets with Facilities Advisors (FA) to help anticipate and plan for paying for replacement of aging equipment. The industry recommends maintaining 1/4 to 1/3 of Association funds in a separate Reserve Account. As of now, FGEHA is at about 10%.
- Feedback on the suggested Special Assessment / Volunteer reimbursement

New Business

- Comments?

Motion to Adjourn:

By:

Second:

APPROVED

Next Board Meeting: Thursday, November 17th – 7:00 pm – Zoom

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Member feedback on Maintenance Budget and Payments to Members

Forrest Groves Estates Homeowners Association

Requested Comments Regarding Maintenance Budget and Payments to Members

Prepared by Lynn and Dave Rahn

10/10/2022

Equity and Fairness:

Our Changing Community: During the past 14 years, we have seen FGEHA Membership evolve from one that had broad Member participation in maintaining FGEHA's common areas to workdays that are staffed by 15-20 Members out of the 23 Members who live in Forrest Groves. During our 14 years, the number of Members living elsewhere has increased to a majority of 56% of FGEHA's Members. (6% vacant lots, 10% long term renters, 16% short term rentals and 24% vacation homes that are not rented.) The shift to the majority of Members living elsewhere is likely the biggest reason the same 15-20 Members attend work days. The simple answer is that the Members living on site can easily participate for any length of worktime by stepping in, or out, of their home, whereas Members living elsewhere have to incur travel time, transportation costs and, maybe lodging costs, to participate in a work day. It is just not realistic to expect that the 56% of Members who live elsewhere will show up consistently for workdays given the expense and time commitment to do so.

Fairness: It's important to acknowledge that 45% of the Members are giving their time and expertise to fill 100% of FGEHA's needs which includes the needs of the 56% of Member's who live elsewhere. This practice is not fair for those doing the work since they are essentially providing free labor for those living elsewhere.

Investment Orientation: Even more unfair to the Members living in Forrest Groves fulltime is that they are essentially performing work that benefits other Members who see their ownership primarily as an investment to produce net rental income each year. This is very different than the motivation of the Full Time and Vacation Members who view their homes as shelter, not an income source.

Special Assessment or Budgeting for Recurring Expenses?

We are strongly against a Special Assessment of any dollar amount that is used to provide recurring services like landscape and facilities maintenance on FGEHA common areas. Special Assessments by their nature are large dollar one time capital expenses that were not funded in a Reserve Account. (A good example is the Tractor purchase.)

Recurring expenses to maintain common areas can easily be determined. Therefore, they need to be part of the annual budgeting process since they occur year after year, recur in identifiable frequencies during the year and benefit 100% of the Members. (i.e., entry grass mowing; weed abatement in the ponds and mailbox areas; trimming the sewer pond hedges, cleaning the "tennis court" and painting the bridges, etc.)

October 2022 Board Meeting Minutes

“Volunteer” Payments:

No one can be labeled a “Volunteer” and be paid in any manner.

For the November 2021 Board meeting Stan requested Mike Riley obtain a letter on paying “volunteer” snow plow drivers. The following analysis is based on his and the Bylaws Committee’s research at the time. This analysis reviewed the legal ramifications of paying, or offering Assessment credits to snow plow “volunteers” for their services. Dave Bowen, FGEHA’s Accountant, agreed with Mike’s conclusions. Paying “volunteers” to do maintenance/landscape work performed for the benefit of FGEHA raises the exact same issues as the “volunteer” snow plow driver’s compensation.

1. Basically, if we pay Members to perform a task, they are considered employees according to Colorado and Federal employment laws. (Volunteers are not paid for their work.) If FGEHA were to employ Members, it would have to pay additional fees to process payrolls. The costs would include, at a minimum, the collection and remittance of withheld income taxes and other employment taxes, providing W-2’s at year end, providing the minimum statutory employee benefits and getting a worker’s compensation insurance policy.
2. If unpaid Members performing duties for FGEHA are provided credits to their individual Assessment accounts, gift cards, cash, checks, etc. for their work, they cease to be volunteers and become employees.
3. Further, Mike explained FGEHA cannot treat unpaid volunteers as “independent contractors” because Members only furnish labor. To be an “independent contractor” the contractor must supply supervision of the job, the equipment and tools to perform it, insure its employees are covered by liability and employment insurance and obtain a policy that protects FGEHA from damages should the unexpected occur and someone is injured or physical object is inadvertently damaged.
4. If they are unpaid volunteers, (not employees), Mike believes FGEHA’s existing insurance covers them for injury accidents occurring while they are performing activities for FGEHA.

Conclusion:

The reasons cited in the above paragraphs provide very strong arguments that maintenance and landscape services currently being done by 45% of the Members should be transitioned to FGEHA’s operating budget and be performed by contractors.

The Board’s Choices Include:

- Continuing the non-paid volunteer work days acknowledging that this work will continue to be performed primarily by “Full Time” Members and the Members living elsewhere are getting a bargain.
- Hiring contractors to do maintenance and landscape work and include these expenses in the annual budget to assure that they are equitably paid by all Members.