

Burland Homeowners Association, Inc.

General Meeting Minutes

August 08, 2020

Board Members

Jim Glenn
Pat White
Jack Roberts
Sue Glenn
Carrie Marsh
Debe Whitford
Gene Marsh
Beth Fisher
Stuart Rhodes

Members

Mike Fisher
Barbara Robinson
Dennis Robinson
Gene Durst

Members

Non Members

The meeting was called to order at 9:00 a.m. and it was determined there was a quorum;

The minutes of July 13th, 2020 were approved as read.

This was our Fifth Zoom video conference call due to Covid 19.

Welcome and introduction to guests.

Presidents Report:

- 1) We need to pick a date and type of meeting. Here are options:
 - a. Person to Person meeting and wait until next Year
 - b. 2 hour Zoom call this year (possibly 1 hr each topic chosen)
 - i. Board Development +++
 - ii. Volunteer Engagement
 - iii. Grant Writing +++
 - c. Jim will ask April Dawn what dates are available for Zoom (Board input: **Saturdays are better** except the Week of September 19th).
 - d. Person to person suggested again next year

- 2) Keith sent email updating Broadband.

New application forwarded to the Broadband committee on July 14th, 2020.

Now thru Sept 13th is comment period prior to broadband committee review.

Link to the comment page where you add name, contact info, comments or attach letter:

https://docs.google.com/forms/d/e/1FAIpQLSfXMiMT_2pUNFo2q5j6fzACQvkBxCniBX1oNbWoYrpk5bSAMQ/viewform

- a. Carrie mentioned the people calling regarding signs think it is available now.
- b. Beth mentioned to put Legal perspectives in.

- 3) Firewise Jack Roberts:

- a. Every Burland Resident received a letter from Joe Burgett advising of risk assessment by Platte Canyon Fire, Burland Firewise, Fire Adapted Bailey (FAB) and the U.S Forrest Services Wildfire division will be conducting the Rapid Risk Assessment in Burland Ranchettes.

- b. All residents will receive a follow up questionnaire. Joe hopes we all participate in the survey about preparing for a wild fire.
 - c. Saws and Slaws: on hold due to Covid. Possibly in the fall. Too many at risk.
 - d. Bailey Slash site opened August 1st. Only open on Saturdays between 9 am to 3 pm
 - e. \$20 a load
 - f. Free Street Mulch that you load yourself.
 - g. Burland Chip Days free for members. You will need to sign waiver. Please Call Mark Evert to schedule
 - h. Mitigation reimbursement up to \$75 including chipper rental
 - i. Trash burning not allowed during Fire Ban.
 - j. Need a valid burn permit to have any type of fire and they expire the end of each year. Go to plattecanyonfire.com and create account.
 - k. Slash burning: only allowed October 1st - April 30th with 2 inches of snow on the ground
 - l. Slash burning prohibited May 1st- Sept 30th regardless of how much snow on the ground
 - m. Fines will be issued during a burn ban
 - n. Please update Burland Firewise email to burlandfirewise.com
- 4) Jim: The Bailey Slash site is in need of volunteers.
- 5) Jim: Update sent to Jim Moore regarding FAQ
- 6) Jack: Jack also sent Jim Moore updates but not seen on website yet

Pat White: Park County updates: Aurora is engineering to get water from Wild Horse reservoir and try to develop into some kind of recreation. Page 2 in the Flume. The reservoir is possibly in Hartsell.

Carrie Marsh: Wanting to thank the HOA for the letter of support to Park County and all is going well and just wanted to thank Jim for taking the time to support.

Jack Roberts: asking Debe how early do we need zoom information for meeting. 2 weeks is too far in advance so agreed 1 week before.

Treasurers Report: approved

Unfinished Business:

New Business: 1) Walter Newton the Editor of the Flume retired. Flume down 33% in ads due to Covid. Reducing Hours and Kelly Fitzpatrick was offered editor. Could possibly close in 10 months due to business down. We need to promote the Flume to cover local stories. Salida or Littleton will not cover Bailey like The Flume does. They need 100 more subscribers. Maybe put in the welcome package. Any ideas for the Flume please call Kelly Fitzpatrick at 303-838-4423.

2) Jim sent Burland HOA letter responding to CDOT removal of light at CR-43A to Monica Ramey, Shoshana Lew, Richard Zamora, Dick Elsner, Mike Brazell, Ray Douglas and commissioner elect Amy Mitchell. Have received several responses. Gene Durst said they need an overpass at Schaffer's Crossing or the overpass @ 72 and they chose the cheaper. Save 285 (save285.com) by Mike Fisher suggesting to put a smart light in.

Motion to adjourn: 09:57 a.m.

Jim Glenn, President

Debe Whitford, Secretary

Burland Homeowners Association, Inc. Executive Minutes
August 08, 2020

Board Members

Guest

Jim Glenn

Mike Fisher

Pat White

Jack Roberts

Sue Glenn

Debe Whitford

Carrie Marsh

Gene Marsh

Beth Fisher

Stuart Rhodes

David Vazques

Garrison Genshorck

The meeting was called to order at 10:16 a.m. and it was determined there was a quorum;

The minutes of the July 11th, 2020 were approved as read.

This was our Fifth Zoom Executive meeting due to Covid 19.

Jack Roberts: Reached out to our attorney Travis to verify if he or anyone he knew specialized or could recommend anyone as a telecommunications attorney. He did recommend an individual and Jack emailed and left voice mail for this person but haven't heard back. Jack also contacted David Shipley(South Park Telephone) and asked if he had anybody. He did have someone and Jack reached out to see if accepting new clients and unfortunately, they are not. David would try to get other names for us. Haven't heard back from him as of yet. Travis even offered to take some courses to learn but we would rather prefer someone with experience.

Debe Whitford: is Pat on call? Jack she was waiting for us to accept.

Mike Fisher: I am an RF(radio frequency) communications engineer with the television industry. Mike has been able to look at two of our leases so far which are only 1 page long. His friend in Oklahoma who also owns a tower her leases are twenty pages long or more. They are very specific. Our leases do not require our tenants to let us know ahead of time what they are doing. They don't have to submit drawings or any studies of what they want. Nor what they plan to do. They all want to improve, add more or update equipment. Rise Broad band wants to make it **node** (if they could get fiber service up there they can then increase their service to Burland and possibly areas outside of Burland (they already have fiber)to hit different end points to have more subscribers. It's good but they are all wanting structural changes to the tower with no recognition to other tenants. The tower is currently 200% loaded from 2 different structural analysis he has seen. Can't figure out by drawings of who added what or when. He can see between February of 2019 the study showed we were at 82% capacity and then in August it was 200% capacity. Still in August 2020 the study showed 200% capacity. Remember that each study is commissioned by the tenant that wants to do the work. Not saying the contractor is to their advantage but it behooves us to do our own study just based on the different numbers. He has contacted 2 different engineering firms that do this study. One is RKS and they can do a structural analysis and mapping which shows where every tenant is and the coax. Coax is the cable that takes the signal from the transmitter down through the buildings up to the antennas and determine whose property is who's. RKS could do this for \$5500. He also contacted InterTech down in Texas a much larger firm and they just don't do towers. They manage towers and many divisions they do tower management and could manage our tower for us. The quote for structural and mapping is \$7500. Work with our lawyer and work with tenant sand keep tower sound. If it were up to Mike, he would choose InterTech. Mikes thought is we need a lawyer in telecommunications.

InterTech is very good at looking at the legal part and we need the telecommunications lawyer and get a structural done asap. All leases need reviewed. No auto renewal at this point. No work to be done without HOA management. They have to supply the structural. The tenants should be responsible to remove old equipment. Mostly they will have to use helicopters and that is why they leave it.

Beth Fisher: if it is a commercial lease a portion of their profits should go to us due to the increase of our liability and jeopardizes the tower. Who wrote our leases? Past board members did. Negative thoughts on an attorney who would do legal work that is not his expertise. It shows ignorance and possibly unethical.

Jim Glenn: we already decided we need the expertise in this area it was just nice that Travis offered to get the education.

Garrison Genshorck: I am new and it sounds like the tower is part of BHOA and how much do we make off of the tower each month.

Jack Roberts: Correct BHOA owns the towers and for the leasing of the tower we make roughly \$7,000 a month which is roughly the majority of our income each month.

Garrison Genshorck: are these auto renews on an annual basis?

Jack Roberts: no usually they will set up for 5 yrs. and then set up for 5 recurring contracts.

Garrison Genshorck: I think before we auto renew, they need to take down old equipment before allowing new. When the winds blow the tower sounds horrible.

Mike Fisher: the sound is normal they all make that sound. What type of insurance do we have on the tower? We need to have tenants have liability insurance as well just in case the tenant overloads. There has to be some kind of recourse for us.

Beth Fisher: We need insurance on the tower as soon as possible. The concern as board members is, if we are negligent and all of our Directors and Officers were aware is our insurance going to cover us if something happens. If we delay any timely decisions we may be at fault. This is an urgent issue and needs addressed as soon as possible since we are all aware.

Garrison Genshorck: especially since we are aware now. Needs to be done ASAP.

Pat White: Travis is not the only attorney that we have had. He just came on board in 2018 due to the other attorney retiring. The first 2 attorneys did nothing and no liability and false information given to us. Travis is with a firm and in my opinion has been the most effective.

Jack Roberts: also agrees with Pat White.

Carrie Marsh: Insurance on Tower: We have no physical structure damage on the pavilion, playground or the tower. We received great quotes from State Farm. They submitted to underwriting and they came back and they declined coverage. We submitted to our current provider American Family and new guy cannot get call backs. He has incredible wrong information the quote for the pavilion was a town class 3 and we all know Platte Canyon is not a class 3. She asked them to correct and has not heard back. She made an executive decision and changed agents. She did call Jack Roberts and he applauded her decision. So now we have a new American Family agent and have all pictures and applications. She asked them to do physical damage as a separate policy due to none of the other companies are going to insure a tower. The other problem is we lease the park to the county for \$1.00 per year to make it a public

park. It makes us a high-risk insurance. If we only had a pavilion and playground it would make it a lot easier. So, we have asked them to bind the general liability and Eno policies that we have now and to quote the physical damage separately.

Carrie Marsh to Mike Fisher: How many structural engineering companies did you request quotes from?

Mike Fisher: 3 but only 2 replied.

Carrie Marsh: Have we reached out to any local companies and used our non profit status to get quotes? For example, Barta in Evergreen?

Mike Fisher: There were a couple other large companies I was aware of and they were the structural engineers that our tenants have already used so I didn't want to use them. We need a non-bias company to give these analyses. Mike will look into Barta and see if they are still doing the analyses.

Jim Glenn: Review for Tower:

- 1) We need a lawyer that speaks telecommunications (Travis is not right for this and firm has no one either.)
- 2) Get the structural done by InterTech.
- 3) Review and renew auto renewal leases
- 4) Insurance obstacles

Beth Fisher: How is it that Travis didn't realize we needed insurance on tower.

Pat White: perhaps he didn't know we didn't have insurance on tower.

Garrison Genshorck: InterTech: They do management. Have we interviewed them and asked the questions we have?

Mike Fisher: Yes, I spoke with Dale Shoemaker. He is the vp several times. Explained what we are looking for. He said we do all of this type of work we are looking for. Has spent at least 2-3 hours on the phone with him. Our Tower is peanuts compared with what they do.

Pat White: If the tower goes over you have to remember very few will have cell phone service. If no land line you cannot call anyone.

Carrie Marsh to Mike Fisher: If we choose a company to manage the tower will they also insure the tower?

Mike Fisher: Didn't get into insurance with them but will let us know. His Oklahoma friend will let him know about that too.

Jim Glenn: Need a motion to search for a Lawyer in telecommunications (Pat made motion and Carrie second). Board approved unanimous.

Garrison Genshorck: made a motion to hire EnerTech Resources to do a structural analysis and mapping of the equipment. Pat second. All but Carrie Marsh approved.

Jim Glenn: Review leases with EnerTech Resources.

Carrie Marsh: wants to verify if they can insure and manage due to how she goes out for quotes.

Sue Glenn: To Jack Roberts. Is there a way to get the old equipment off tower? And make the tower safe.

Carrie to Mike Fisher: are we able to increase height on tower to get capacity down? It may not be within the concrete capability.

Carrie Marsh: can we get a second tower?

Mike Fisher: We should deal with original tower first. We need to update the leases first with Attorney in telecommunications.

Motion from Sue Glenn: to write a letter to our tenants to make them aware of old equipment needs to be removed and any new equipment be authorized by BHOA. Second by Jack Roberts. All of board approved.

Treasurers Report: Approved as read.

Unfinished Business:

New Business:

Meeting Adjourned: 12:20 pm

Jim Glenn
President

Debe Whitford
Secretary