

**SAND CREEK PARK LANDOWNERS ASSOCIATION  
BOARD OF DIRECTORS  
OCTOBER 2, 2024 MEETING**

**ROLL CALL**

**PRESENT:** Kurt Kniegge  
Marsha Williams  
Carrie Staiano  
Ray Herrmann  
Chad Washburn  
Chris Cawdrey  
David Mickelson

**ABSENT:** Debra Kessinger  
Sue Falls

Quorum established.

Kurt Kniegge calls meeting to order.

Kurt Kniegge makes a motion to approve June 26, 2024 meeting minutes.  
Seconded by Carrie Staiano. Minutes approved.

David Mickelson makes a motion to revise agenda and would like Picnic Pass review and plans to be discussed during road committee report rather than Presidents report. All in favor. Motion passes. Picnic Pass review and plans discussion is moved to road committee report.

Reports of Committee/Officers

President and Legal Report: Kurt Kniegge - Nothing to report.

Secretary and Public Relations Report: Marsha Williams provides update.

Review Collections Policy HB24-1233. Attorney has reviewed and accepts the policy as written.

*Executive Session: The Board convenes in executive session pursuant to C.R.S Section 38-33.3-308(3) and Section 38-33.3-308(4)(a-f) for the purposes of: Landowner matter the disclosure of which would constitute an unwarranted invasion of individual privacy.*

*[redacted]*

*Reconvene in open session.*

Re: Delinquent accounts October penalty review: Marsha Williams makes a motion to follow the bylaws and implement a \$100 late fee. All in favor. Unanimous. Motion passed.

Re: Approval lien placement accounts: Kurt Kniegge makes a motion to put a lien on landowners delinquent account due to sale of tax liens. All in favor. Unanimous. Motion passed.

Re: Next collection account: Marsha Williams makes a motion to send highest landowner delinquent account to collections. All in favor. Unanimous. Motion passed.

Annual SCPLOA Secretary of State filing is complete.

FinCen BOIR filing is complete.

Committee structure review and discussion related to David Mickelson challenge of road committee meeting. Board discusses three members per bylaws as a viable number since all board members can attend and participate regardless. Board feels lead positions necessary. Marsha Williams makes a motion to create a policy for committees per the recommendation of the association lawyer and bring back to the board for approval before review by attorney. Leads will be removed from

website until policy is in place. Seconded by Chris Cawdrey. David Mickelson votes no. Ray Herrmann abstains. All others approve. Motion passes.

David Mickelson requests discussion of culvert installation. Kurt Kniegge provides details of issue, timeline, board notification, actions taken, and why remediation was needed. David Mickelson disagrees. Chad Washburn asks for discussion to be tabled until secretary report is completed.

David Mickelson requests information on Marsha Williams' sand creek email account, when it was initiated and who has access. Marsha Williams will send information requested following the board meeting.

Confirm the Annual Meeting date and location. David Mickelson made reservation and confirmed date of February 22, 2024.

Treasurer's Report: Carrie Staiano provides update.

Checks written since last board meeting.

6/4/24	Altitude Law	\$60.00	landowner collections
6/4/24	Mike Barnhart	\$175.00	bridge rail repair
6/4/24	Carrie Staiano	\$159.25	board expenses
6/18/24	USPS	\$256.00	PO box rental
7/8/24	Marsha Williams	\$12.71	board expenses
		\$119.05	postage and printing
7/8/24	Alyx Hamilton	\$281.25	bookkeeping
7/8/24	Bull Mtn Dirtworks	\$21,420.00	grading
7/8/24	Altitude Law	\$455.00	landowner collections
7/8/24	Sarah Esparza	\$50.00	meeting minutes
7/23/24	Barnhart's Mobile Mech	\$812.50	sign repair
8/6/24	Marsha Williams	\$29.65	board expenses
		\$233.04	postage and printing
		\$561.41	bookkeeping software annual
8/6/24	Altitude Law	\$60.00	legal
8/6/24	Mayo Brand Services	\$7387.00	cattle guard repair

8/6/24	Mayo Brand Services	\$2000.00	road repair
8/6/24	Carrie Staiano	\$192.71	board expenses
9/10/24	Altitude Law	\$407.00	legal meeting challenge
9/10/24	Tom Albertz	\$29.29	refund for overpay of dues
9/20/24	John/Stephanie Danca	\$132.00	refund for overpayment

Total Income: \$54,467.62  
Total Expenses: \$39,770.18  
Total Assets: \$128,106.56

#### Roads committee report:

Discussion held regarding picnic pass review and plans and road committee meeting held August 22, 2024 at 6pm via zoom. David Mickelson makes a motion to table picnic pass plans until the board gets in touch with Forest Service first to see if access can be provided via road on Bull Mountain. Issue has been ongoing for many years and viability of solution is doubtful. Year originally contacted or last discussion date with forest service is unknown. Board members do not remember agreeing to permanently close Picnic Pass Road. Discussion regarding the forest service solution does not address landowner needs for access to their parcels. Board reviewed map and parcels. Board agrees David Mickelson should continue conversation with Forest Service regardless of Picnic Pass activities. David Mickelson does not agree that road should be maintained. Motion to table picnic pass discussion seconded by Ray Herrmann. In favor: David Mickelson, Ray Herrmann. All others oppose. Motion failed.

Chris Cawdrey makes a motion to budget \$4500 for picnic pass in next year's budget, plus up to \$3000 to cover possible culverts in addition to Wilderness Ranch cattle guard as special projects per the road committee report and recommendation. Seconded by Chad Washburn. Majority approved. Ray Herrmann abstained. Motion passed.

David obtaining three quotes for Wilderness Ranch cattle guard. Will provide details next meeting for budget.

Chris Cawdrey describes the landowner's question regarding pit dug along Northway Lane. David Mickelson states it is not the road grader. No other details are known.

No update provided on other road committee agenda items.

Security by David Mickelson – nothing to report.

Animal Control by Chad Washburn – Nothing to report.

Architecture: Chad Washburn provides update. Request from landowner to rebuild cabin with same footprint but change color slightly. They must submit application. County has prohibited porta-potty buildings unless specific building or event permits exist.

Fish by Chris Cawdry – nothing to report.

New Business: David Mickelson requests appointing a nomination committee as Kurt Kniegge, Ray Herrmann and Carrie Staiano is up for re-election. Discussion regarding definition in bylaws and applicability. Board votes to Table.

Next Board meeting: Wednesday January 1, 2025. Carrie Staiano makes a motion to move meeting to January 8, 2025 at 7pm. Seconded by David Mickelson. All in favor. Motion passed.

Carrie makes a motion to adjourn. Seconded by Kurt Kniegge. All in favor. Meeting is adjourned.

## Road Committee Report Minutes:

### **SCPLOA Road Committee Meeting** – August 22, 2024 @ 6pm via Zoom

Attendance: Kurt Kniegge, Chris Cawdrey, Carrie Staiano, Marsha Williams

Invited: David Mickelson, Chad Washburn, Ray Hermann, Debra Kessinger, Sue Falls

#### **Topics Covered:**

1. Discuss complaints regarding Picnic Pass road status and viable solutions (< 1 year).

#### **Background:**

- This meeting is for discussion purposes only and the intent is to make a recommendation to the Board of Directors related to Picnic Pass future maintenance.
- The Grader contractor reviewed the road previously at the request of multiple landowners in the area, he reached out to advise of his findings.
- Kurt and Chris met with Bull Mtn Dirtworks including the grader who grades the county roads in the SCP area.
  - Several of the landowners also came by to meet Kurt & Chris.
  - Contractor believes he can safely grade the road for approximately \$4500
  - There are two culverts that need repair, replacement, or removal
    - Each would run around \$1500 to replace
    - Might be more viable to create a drainage channel instead
    - Contractor would have to review once the work begins
  - Reviewed several boulders that need disposition by the switchback
  - Discussed hunting season beginning in 1 week so probably not a good time to begin roadwork in this area
- Minutes and records have been searched to find discussion of prior Picnic Pass issues but nothing was found.
- A board member has challenged the legality of this meeting and how it aligns with our governing documents. Lawyer was consulted on 8/22/24 and concluded the meeting meets all requirements, background notes should be kept by all involved parties related to meeting discussions before and during the meeting, all members (Board & Landowners) can legally attend, meeting is for discussion and recommendation purposes only, and there are 2 non-urgent recommendations relating to committees to review at our October Board meeting.

#### **Minutes:**

- Kurt called the meeting to order and provided background on legality and objectives (discussion only and recommendation to Board) per our lawyer.
- Kurt discussed background per notes above.

- Acknowledged that this road will probably not be maintained as well as other SCP roads, but also pointed out that we will not know until we try with the expertise of the new vendor.
- Discussed where to end the grading process but reached no recommendation, tabled for future discussion.
- Grader pointed out that the current state of the road has areas that are exacerbating existing issues from prior attempts to fix certain areas.
- Agreed this is an example of deferred maintenance.

**Recommendation to Board of Directors:**

- Do not begin grading this year due to hunting season
- Budget \$4500 for Picnic Pass in next years budget (+3000 to cover possible culverts?) in addition to Wilderness Ridge cattle guard as special projects
- Respond to landowners with plan to address complaint