

Approved
Via Email
February 11, 2022
Need ratification:

**TIMBERLINE SPECIAL SERVICE DISTRICT
GENERAL MEETING
NOVEMBER 22, 2021**

Board Members:

Kyle Monez – Chair
Dan Syroid - Treasurer
Tor Boschen – Road Manager
Steve Meinhold – Board Member
Stuart Stein – Board Member
Elizabeth Doshier – Board Member

Resident

Guests: Kim Forbes
Zach Rioux
Brenna Long
Nancy & George Michalko
Stephen Horvat
Mark Lindeman

Secretary: Carol Steedman, KGC Associates

Location: This meeting was conducted virtually.

The meeting was called to order at 6:35 PM

Don Fulton had completed three terms on the Board, making him ineligible to be a Board member at this time. The Board passed a resolution thanking Don Fulton for his 12 years of service.

A summary of topics discussed is detailed below.

The Board discussed the items on the Agenda.

Election of Officers for 2022

- Steve Meinhold volunteered to serve as the Board Chair.

MOTION: Tor nominated Steve Meinhold to be the Board Chair. Elizabeth Doshier seconded the motion. VOTE: The motion passed unanimously.

- Tor stated that he would be able to stay on as the Road Manager through 2022 but not beyond.

MOTION: Dan Syroid nominated Tor Boschen for Road Manager. Kyle Monez seconded the motion. VOTE: The motion passed unanimously.

- Dan Syroid asked someone else to volunteer as the Board Treasurer.
- Elizabeth Doshier volunteered to take over the position of Board Treasurer.
- The Chair and the Treasurer are the only two who can write checks to contractors and to the plow operators.
- Carol Steedman has worked with TSSD for five years and she keeps the Special Service District in line with State requirements. Carol makes sure they do in-house auditing, as well as the annual reporting to the State.
- The Chair and the Treasurer have the ability to write checks. Carol deals with the minutia and the details that keeps everything running smoothly between TSSD and the State.

MOTION: Tor Boschen nominated Elizabeth Doshier as the Board Treasurer. Dan Syroid seconded the motion. VOTE: The motion passed unanimously.

Pay Increases for Steve and other potential drivers

- George Michalko and Chris Smith have assisted Steve with driving in the past and they were available to help again.
- Steve may need to rely on others to assist going forward.
- Dan noted that they were currently paying Steve \$33.00 per hour. He proposed to raise Steve's rate to \$36.00 per hour. The assistant drivers would be paid \$33.00 per hour.
- Tor noted that the hours are not desirable, and people are not rushing to volunteer.

Every year could be Steve's last year and he suggested making the hourly rate attractive enough to attract people.

- They should see if Chris Smith wants to take on the lead plow position going forward.
- Tor thought \$36 per hour for Steve and \$33 for the other operators was reasonable. Drivers should also be paid while in training. The Board agreed.
- Elizabeth noted that if Steve is serious about this being his last year, next year they could recruit earlier for a full-time driver and revisit a higher salary at that time to make sure it is competitive for the market.
- Someone noted that it is really a part-time, as needed job paid on an hourly basis.

MOTION: Elizabeth Doshier moved to approve the new pay scale \$36 per hour for Steve and \$33 for the other operators as proposed. Tor seconded the motion. VOTE: The motion passed unanimously.

- Tor stated that historically TSSD leased Steve Anderson's full pickup truck because the sander is mounted on the back of it.
- Since they are going to a hybrid road system with some pavement and some milling, Steve is still using his pickup truck loaded with salt. He has used it on the steep pitch of East Balsam going down towards Leroy Fernandez's house, and on Douglas Drive.
- Tor explained that they lease Steve's vehicle for \$500 per year for the use of his sander on an as-needed basis. Tor would like to see that continue because they have no other means of changing the material for what is in the spreader on the TSSD plow truck.
- Dan thought the truck lease must have been included in one of Steve's invoices last year because it was not shown as a separate item.
- Carol stated that Steve put the \$500 truck lease as part of his invoice, and it all goes through payroll. She clarified that Steve was not paying taxes on the \$500 but he was including it as his reimbursements in payroll.

Machinery/Vehicles Parked on the Road

- Elizabeth had checked with Summit County to see what kind of parameters they have.
- They are now in the winter restriction for street parking from November 15th to April 15th and she thought this was a good time to remind people that there is no street parking or leaving trucks and other vehicles in the road.
- Tor noted that heavy equipment parked on the road is a major concern. He thought it was more of a TLOA discussion than TSSD because the Service District does not have the

authority from Summit County to do Code Enforcement or any other enforcement.

- Elizabeth noted that the TLOA has no enforcement authority either, which is a problem they encountered in the past. She suggested getting clarification from Summit County on how to handle situations where people are parked in the road.

- Elizabeth noted that the CC&Rs are very vague, however, page 22 references reasonable use of parking in front of your home. If someone parks a vehicle that is an impact to their neighbors, it should be taken into consideration as a violation of the CC&Rs regulations.

- It comes down to personal decision and personal responsibility.

- It was noted that County rules supersede the CC&Rs.

- Someone read from Ordinance 304, which is weight restrictions for County Roads. He noted that Summit County has no regulated weight restrictions. It is up to the County Engineer, and he can impose a weight restriction on a road up to a period of 90 days.

- Elizabeth stated that the recommendation from the Assistant County Manager was to enforce the November 15th through April 15th rule this year, and then work on better clarification for future years.

- Elizabeth thought people have the choice to either take advantage of the lack of enforcement or do the right thing and follow the County guideline and park heavy equipment in an appropriate location off-site.

- They would need to define heavy equipment and how it would differ from Steve's dually sprinter motor home or Chris Jones' two-axle pull behind trailer. It was suggested that the difference could be classes of weight. Vehicle weight and trailer weight could be classified as light/heavy equipment.

- Elizabeth clarified that there is no specific regulation, which creates the problem. Since it was past November 15th, they can at least say that no one should leave any type of vehicle on the road. They can work on differences in vehicles at a later time.

- Elizabeth intended to ask Summit County to enforce the winter ordinance because it is a dangerous situation for pedestrians and drivers.

- Elizabeth summarized that she tried to research the issue. She looked through TSSD and TLOA documents, and she contacted Summit County. She believed at this point the County winter ordinance was the only thing that was enforceable. The Board members represent their neighborhood, they should do their best to abide by and try to enforce the current rule.

Construction Deposits

- The issue is establishing a minimum deposit for heated driveways, remodels, new builds, and other disturbances, and what amounts would not be detrimental to the cause of the community or discourage construction. Some amounts are more costly to process, which eliminates the community benefit.
- The TLOA had already started a document showing deposit amounts on prior projects, which could be used as a reference.
- Mark Lindeman noted that deposits were not collected with the driveways because work was started before anyone was aware it was happening.
- In the interest of completing the project before winter, they decided to let it move forward and check out any damages. After talking with Tor and seeing it personally, once it was cleaned up it did not appear to be a big deal.
- It was a quick project without a lot of variables or liability, and the roads were not damaged.
- Mark thought it was overly onerous to collect deposits for driveway work.
- In the past they only collected deposits on larger scale projects such as remodels or additions, a new garage, etc.
- Mark pointed out that they do not have a cut and dry formula, which may be part of the problem. However, each project is unique, and he was unsure how they could have a set formula.
- Tor stated that he spoke with Mark and with the crew working on the driveway job. The crew did a great job of cleaning up. He pointed out that after they run the grader in the spring any evidence of work being done will be gone.
- Tor explained that his concern was communicating to the owner that if the work they had done did not work out and the Spring runoff floods their garage, it was on them because they modified the work at the end of the driveway that TSSD did a couple years ago. Tor thought that message was conveyed and understood.
- Tor stated that culverts and culvert placement is a major concern with new builds.
- The last few driveways that have gone in with new builds have not helped with road drainage or widening the roads where possible to allow bi-directional traffic all winter.
- Tor would like to know when people are doing driveways and he would like to have a candid conversation with the contractors.
- Going forward, the driveway interface is of great concern to TSSD, as well as cleanup of the County right-of-way.
- Tor suggested a \$1,000 deposit to encourage contractors to do a diligent job of cleaning up the interface. The money would also pay to reset the culvert if the contractor does not do a satisfactory job of setting the culvert.

- Tor believed \$1,000 was reasonable and adequate for a driveway install. - George Michalko concurred with Tor. A deposit to ensure that the work is done properly is a good idea going forward.
- Elizabeth recalled that the HOA Board unanimously agreed that all driveway work should be presented to the HOA Architecture Committee, the same as painting an exterior door or other improvements. The HOA also supported a deposit for driveways.
- Elizabeth asked if Tor or someone should do a final walk-through on a project before releasing the deposit to determine whether a portion of the deposit needs to be retained.
- Tor thought it would be part of a new build.
- Tor commented on the importance of encouraging the lot owners to reach out to TLOA with their plans because it might be work that can be done in conjunction with roadwork that TSSD has planned. There needs to be communication between the lot owner and TLOA to make sure the owner does not do something in the right-of-way that impedes snow removal.
- TLOA should then reach out to TSSD to interface with the contractor doing the work within the right-of-way.
- Someone suggested adding an item to the Architectural Committee checklist that requires a review by the road manager if the proposed plans show any new connection to the road.
- Mark stated that he would add that to the checklist the next time plans are submitted for a new build.
- It was noted that it should be a checked box for any work proposed in the right-of-way of the County Road so the TSSD Road Manager can have a conversation with the owner or contractor. Even in small projects, the right-of-way can be affected.
- Someone thought there was a Summit County ordinance that requires a building permit and County approval to build a driveway that connects to a county road.
- It was explained that for a new encroachment someone can obtain an encroachment permit. However, work on an existing driveway does not require any permits as long as the driveway keeps the general shape and slope.
- It was suggested that any plans submitted to TLOA should be passed on to TSSD so they know what is coming forward.
- The suggestion was made for the TLOA to add a checklist item stating that if the work is not done correctly, the TSSD has the right to remove it and do whatever needs to be done to correct it. Rather than a requirement, if it is done wrong it will need to be fixed.
- If a project interferes in any way with the right-of-way of a County Road, the TLOA

could request that the owner meet with the Architectural Committee to review their plans so the TSSD will not need to tear it out and fix it.

- Steve noted that the pages 6-15 of the CC&Rs talk about architectural control. A cash deposit is only allowed for certain things. They have the flexibility to make rules, but they need to be within the authority granted by the CC&Rs.
- If anyone sees construction occurring, they should encourage the owner to talk to someone before they do something wrong. For new builds or remodels, it is within their authority to send the plans to TSSD for review as an extra measure. For driveway remodels it is best for everyone to pay attention and talk to TSSD.

Contingency Fund

- Dan reported that the TSSD had a surplus. He proposed putting \$20,000 in a separate account to be used towards purchasing a tractor in the future.
- Tor thought it should be used towards purchasing any equipment. The plow truck is old and may need to be replaced at some point.
- A contingency fund is critical going forward. Building up the capital equipment replacement budget is also critical
- Tor noted that they had a surplus this year because he was unable to get concrete to reinforce the culvert at the Ponderosa/Bristlecone intersection.
- Tor commented on the creek that goes down Parkview and goes northerly and joins in with the main creek. The creek crossing is made up of a half dozen railroad ties reinforcing the road, and they are all failing. He was unable to get a contractor to address that issue and he was hoping to address it next Spring.
- Dan noted that there was still \$35,000 in the road budget for next year.

MOTION: Stephen Meinhold moved to approve putting \$20,000 into a contingency fund for future equipment. Tor seconded the motion. The vote was unanimous.

Road Plans for Next Year

- Tor stated that currently he planned to do maintenance.
- He recalled paying approximately \$21,000 to Morgan Asphalt this year.
- Tor noted that they had started buying smaller quantities of the millings.
- Tor reported that Ponderosa all the way down to Doug Anderson's was a tear out of

millings that were four months old. When they got the millings, they had a lot of oil in them and it was like iron. Trying to put speed bumps in the road is nearly impossible because it is effectively asphalt.

- The millings they got this year were approximately 10-12 years old and was milled out of one of the school parking lots. It did not cinch up immediately and required a second application of calcium chloride to get it to bind.
- Going forward next year, reworking Douglas is on the cycle. A couple inches of elevation will be added on Douglas.
- If they cannot find newer millings, Tor anticipated purchasing millings from the value that are firm with a bit more oil. He thought they could do it for the same price, but they may not get as much material as they did this year.
- The machine time is about the same.
- Tor still needed to fix the creek crossings. Bristlecone and the bottom of the steep pitch of Ponderosa will need some work.
- Tor was confident he would work within the \$35,000 budget unless something unforeseen happens this winter.
- Tor stated that the intersection of Cedar Way and Ponderosa will always be a pothole area because vehicles are breaking, turning, and accelerating and the road is too flat at that point. The steeper pitches on Cedar Way and Ponderosa constantly have wheel spin and wash boards, which is a different problem.
- At some point they may need to revisit putting down a more permanent surface in those areas. The flip side is that potholes provide a certain level of traffic calming without needing speed bumps.
- Tor stated that for the amount budgeted they can continue on the same path as the last four years, which is to bring in good quality material, changing the elevations, touching up the crowns so water comes off the road, and replacing three to five culverts.
- Someone asked about other options besides paving on Cedar Way.
- Tor remarked that of all the water directing tools, the concrete surface waterways require the least amount of maintenance every year.
- Tor had hopes this year of trying a surface device to divert water to the ditch, but they ran out of time. He reiterated the difficulty in getting concrete this summer.
- Tor has been talking to Logan and Kyle about trying a fixed concrete diversion to push the water towards the ditch that would also have some traffic calming capacity.
- Tor stated that there is enough money in the budget to do a couple smaller projects like that and to continue on the current trend.

- Someone commented on the driveway interfaces and noted that in the winter water from a downhill driveway drains onto the road. He has seen speed bumps installed at the tops of driveways to keep water from running down into the driveway. He asked if there was a similar possibility for driveways that drain onto the road.
- Tor stated that he has had some success with that process. He noted that the smaller speed bumps coming into Timberline were specifically placed there to direct water.
- Tor remarked that he spends a significant amount of time trying to figure out how to get water that sheets off people's yards onto the roadway down to the creek. Cedar Court is a problem, but he has not prioritized it because it is not a super high traffic area.
- . Tor commented on the amount of work that Morgan Asphalt does for the \$20,000 they pay.
- They were able to get Summit County to pump out the two silk traps at the bottom of Douglas and the one between Kyle's and the Denker's residences. Those were evacuated this fall and should be ready for the spring runoff.
- Tor did not foresee any needs beyond the budgeted amount.

Budget

- Dan stated that he and Carol worked together on preparing the 2022 Budget. Carol had proposed a 2.5% increase to keep up with inflation. Dan was not convinced they actually need the increase, but the budget was laid out to include it.
- Dan reviewed the expenses in 2021.
- Tor was under budget at \$27,000 because he was unable to purchase concrete. Steve's labor includes items he had purchased for the tractor, including diesel fuel, parts, etc. - -
- Tractor maintenance was also included in Steve's labor.
- The suggestion was made for Steve to separate the purchases from his labor so they can see the two costs. Dan noted that Steve already separates them and has it itemized when he turns in his budget.
- Dan suggested putting in \$20,000 for this year. He thought they should set up a separate savings account.
- The next item was property tax on three parcels that are used as common area. Carol has been working with Summit County to see if the classification could be changed from a building lot to green space to lower the taxes and decrease the expense. Currently, they pay \$1600 for each of the three lots they own.
- The insurance costs were approximately \$1100.
- The surplus for road improvement was approximately \$8,000.

- It was noted that the 2.5% increase would increase everyone's assessment by \$20.
- Tor thought their assessment was reasonable and he suggested staying ahead of the maintenance curve on Blue and on the Capital Budget for purchasing equipment.
- Tor favored the 2.5% increase.
- It would also help with the inflation on materials, etc.
- It was clarified that the 2.5% would be an increase to the assessment over what they normally pay.
- All the Board members were in favor of the 2.5% increase.
- Dan stated that he and Carol would finalize the budget and send it out to the Board members. They could also send it to anyone else in the community who requests to see it.
- Tor asked Carol if she was still posting the Minutes and the Budget on the TSSD website. Carol answered yes.
- Carol does a good job maintaining the website and keeping it updated.
- Carol clarified that the 2022 Budget was correct. The Board could approve the budget today.
- Someone asked if the 2.5% increase as proposed in the 2022 Budget is approved, how the additional money would be allocated.
- Carol stated that snow removal labor went up and the equipment replacement fund went up. Maintenance and labor stayed the same. Tractor maintenance dropped.
- Elizabeth assumed the increase would be put into the Reserve Fund to cover any equipment issues.
- Dan recommended voting on the 2022 Budget this evening.

MOTION: Dan moved to approve the 2022 Budget with the 2.5% increase. Tor seconded the motion. VOTE: The motion passed unanimously.

The meeting adjourned at 8:35 PM