

**LARKSPUR COMMUNITY ASSOCIATION  
ANNUAL HOMEOWNERS MEETING  
VIA ZOOM  
TUESDAY, JULY 9, 2024  
5:30 P.M. MDT**

**Present:** Kim Dunn  
Jeff Duke  
Mary Poole & Laird Cagan  
Rewk Patten  
Ann Gibson  
Caren Carroll  
Melinda Williams  
Louis & Theresa Dupart  
Debra Hodge  
Jim Frank  
Bob & Emily Pannier  
Bill Paape  
Matt Gutter  
Liz McGill  
Craig & Jill Wingrove  
Gary Cobb  
Heather Crossen  
Erika Hoisier  
Sebastian Puente  
Michael Galvin  
Rob Harper, Toad Property Management  
Erin Dicke, Toad Property Management

**By Proxy:** John Nichols – Proxy to Caren Carroll

Erin Dicke called the meeting to order at 5:34 p.m. and confirmed notice of the meeting had been sent on June 28, 2024. After reviewing the attendance sheet Erin confirmed there was a quorum in accordance with the Association's governing documents.

Erin introduced herself and said she was working with Toad Property Management.

No amendments were proposed for the July 11, 2023 Annual Meeting minutes. Jim Frank made a motion to accept the minutes as presented. Laird Cagan seconded the motion. No vote was taken as a quorum had not been declared at that time.

Jeff Duke thanked owners for participating in the meeting. Jeff explained additional upgrades had been performed on the two ponds and aeration was now operating in both the ponds. The water quality looked much better and a recent water test report had confirmed low levels of algae were still present in the ponds. A specialist company had been contacted to provide an estimate for treatment of the ponds.

Jeff said water supply was good and sufficient water was available to keep the ponds full. One small leak in the pond had been repaired.

Jeff explained circulating water through the ponds and utilizing the overflow system did help the health of the ponds. A nearby neighbor had expressed concern about the overflow water and that had led to the water testing report and reaching out to specialists to confirm the water from the ponds was not the cause of any issues at nearby land. Jeff said he would continue to work with the concerned neighbor.

Jeff said additional improvements would be part of the new building project proposed by Sebastian Puente and that would help to keep the pond water healthy and free of algae.

Jeff explained the potable and non-potable water supply. The water came from a spring near Whetstone Vista and was shared by three entities, the Association, Whetstone Vista and Bill Lacy. Water was fed to the pump house and to water storage tanks which held 30,000 gallons. Brian Carney was engaged by the Association to perform regular water testing, monitoring, tank inspections and submitting the necessary reports to the State. Water was added to the ponds on an as needed basis and an automated system opened valves when water had to be added.

If, in the future, demand could not keep up with supply it might be necessary to introduce water meters. Irrigation during the Summer months had the biggest demand on the water system but at the present time all water needs were being met.

Common areas were irrigated in the evening. Jeff said he was working with his wife, Erika, to make ongoing repairs to the irrigation system. Being available to make frequent checks and small repairs was beneficial as well as saving money.

All sewer infrastructure was owned by the Association and owners paid regular payments to East River Sanitation to process the sewage.

Jeff confirmed the Board had agreed to cut the cattails, prior to them going to seed, and only introduce chemical treatment if necessary. Jeff said the introduction of grass eating Carp had helped with reduce grass and also cattails.

Jeff explained the potable and non-potable water systems were completely separate. The low level algae in the ponds would be treated by a specialist and a peroxide based product would be used.

Jeff Duke said Bart Laemmel had been hired to assist the Design Review Committee to monitor plan submissions and the projects through to completion. The Design Fee had been increased to cover the cost of hiring Bart. Emily Pannier said the Design Review Committee was working with Bart to determine if deposits could be returned to some

completed homes. Jeff said Bart had been extremely helpful in reviewing and monitoring as well as assisting with amendments to Design Guidelines.

Emily Pannier said Bart Laemmel reviewed all new submissions and only passed that information onto the Design Review Committee when the submission was complete. It was hoped the process would be streamlined and the role of the Committee members would be easier.

Rob explained Bart Laemmel, B2 Building Science, had worked with several associations in the valley over the years and was very knowledgeable about construction matters. Rob explained having a third party monitor the construction process was better than having the Committee, as neighbors, approach contractors or owners. Emily Pannier explained the approval process for new plans.

The need for Bart Laemmel was questioned as the cost exceeded the design review fees collected and \$15,000 was allocated in the 2025 Budget for Bart. Jeff Duke said Bart had been paid for revising the Design Guidelines and some projects Bart was currently monitoring and inspecting had paid the lower Design Fee. Going forward Jeff said it was the intention that any fees paid to Bart would be funded by the owners submitting the construction applications. Erin Dicke confirmed the Board had recently voted to reduce the number of times per month Bart made an inspection of the neighborhood and that would help to keep costs down in the future. Mary Poole explained Bart also checked for roaming dogs and trash from the construction sites as part of his inspection of the neighborhood. A road impact nonrefundable fee might also be considered for future projects.

Jeff Duke said Erika Hosier had been completing most of the landscaping work including dealing with disease impacting some of the Aspen trees. Some annuals had been added but animals had eaten some of those. Vinegar had been sprayed around the lake path to kill the weeds and some manual pulling of weeds had been performed. Weed spraying for Chamomile Daisies and ToadFlax would continue throughout the Summer. Landscaping costs had been over Budget in 2023 and the 2025 Budget had been drafted in line with those expenses as 2024 actual figures were not yet known. Including the 2023 actual expenses would have been beneficial and going forward the prior full year actual figures needed to be included with the annual meeting documents. It was suggested the annual meeting date be moved to later in the year when more of the actual expenses for the year were known and reviewing the Budget would be easier. Erin agreed to email the 2023 actual figures to owners.

Sebastian Puente said his application for construction on the Rec Lot had been submitted to the County in April and things were moving forward slowly. Sebastian said he hoped to have approval by September after a Public Hearing and all owners would be notified of that date. If approval was granted by September an effort would be made to install infrastructure prior to Winter. There would be some common area landscaping in addition to landscaping on individual lots.

Erin Dicke confirmed the speed bump sign would be put back up as it was damaged by the plows during the Winter.

Jeff Duke confirmed the Fire Department had purchased two lots and plans for a duplex on one of the lots had been prepared. If approved construction would commence in Spring of 2025. The units would be offered for sale to Fire Department employees and there would be an option for the Fire Department to buy back at a 3% increase. The Deed Restriction had been negotiated with the County. The sale of the duplex units would help to fund construction on the second, larger, lot and those units would be available to rent to essential workers in the valley. The rental of those units would require an amendment of the Covenants for non-owner occupancy. The larger lot was originally platted for a four-plex.

Jeff explained Covenant amendments would be grouped together so that owners just voted once for the amendments in the Fall. In addition to the Fire Department request for non-owner occupancy on their larger lot there would be an opportunity to vote on fire pits. Currently the Covenants did not allow a fire pit, just a chiminea. Some restrictions would be put in place for the size and use of the fire pits during high fire danger.

Erin Dicke said complaints had been received about short term rental guests in the neighborhood and the Board had been considering restrictions or regulations for short term rental guests. Erin said CB South POA had been trying to deal with short term rental guest complaints and had provided the following suggestions:

1. Limit the frequency of rentals (60 days, 90 days per year, etc) and the frequency would also impact the fee paid to the Association.
2. Put a 20% cap on the number of short term rental licenses and a moratorium for applications above that cap.
3. Introducing a short term rental fee based on square footage or a \$400 per lot fee.
4. Restrictions could help to accommodate owner concerns without specifically denying an owner the right to short term rent.

Rob Harper said he was aware of six lots in the neighborhood currently operating short term rentals. It was generally agreed restrictions as opposed to prohibiting short term rentals was the aim. Rob Harper said it was difficult to enforce regulations, due to the Colorado Common Interest Ownership Act (CCIOA) but generally most owners wanted to be in compliance with the regulations. Rob explained a Non-Owner Occupancy Policy was on the Toad website and Rob encouraged owners to be familiar with that. If owners had complaints about the behavior of the short term rental guests the first contact would be with Toad and Toad would reach out to the owner or property manager. A Committee would be formed to review and discuss and owners interested in joining the Short Term Rental Committee should reach out to Erin Dicke at Toad. Jeff Duke said a survey in the future would be beneficial.

Bob Pannier explained the Association had been operating on a deficit for the past few years and a deficit between \$20,000 to \$24,000 was anticipated for 2024. The Reserve Funds had been used to cover the deficit in prior years. Expenses continued to increase and the 3% increase in dues each year was not sufficient to keep up with operating expenses or capital improvement projects. Bob said he had worked with Rob Harper and Erin Dicke of Toad to review expenses anticipated for 2025 and a significant dues increase was essential. Bob explained the governing documents restricted dues increases for E Lots (9 in total) to 3% per year but S Lots or the Rec Lots did not have the same restriction and a 29% increase was proposed in the 2025 Budget. Special Assessments could also be levied to cover expenses and replenish Reserves. Bob Pannier confirmed the Association only had one delinquency which was approximately \$800. Attempts were being made to collect that money.

Rob Harper confirmed the Association currently had approximately \$137,000 in the Money Market account, approximately \$51,000 in a CD and approximately \$51,000 in the Checking account. Bob Pannier confirmed tap fee income was included in the Reserves and that was money which was needed for infrastructure improvements or essential repairs in the future and should not be used for operating expenses.

Bob Pannier explained the capital projects included the reimbursement of \$19,000 for capital improvements already completed at the Lake, \$6,000 in upcoming Lake improvements, \$5,000 for generator replacement for the Water System and at least \$10,000 for major asphalt repairs on the roads. That would be a special assessment which would be levied in 2024.

Rob Harper explained the Board had approved the Budget and owners were being asked to ratify the Budget or a veto was necessary. After a long discussion Louis Dupart made a motion to ratify the Budget as presented. Liz McGill seconded the motion. After an additional discussion Rob Harper conducted a vote and 16 owners voted in favor of the 2025 Budget, 7 owners opposed the 2025 Budget. The 2025 Budget was ratified.

Erin Dicke explained Rewk Patten was willing to continue on the Board for an additional term. No other owners had volunteered. Jim Frank made a motion to appoint Rewk Patten to an additional 3 year term. Kim Dunn seconded the motion and it was unanimously approved.

After a short discussion the 2025 annual meeting was tentatively scheduled for November 11, 2025 at 5:30 p.m. Owners were encouraged to attend the regular monthly Board meetings. Erin Dicke said she would email notice of the meetings to all owners and provide the Zoom link.

Erin explained there would be a short Board meeting immediately after the annual meeting.

At 8:05 p.m. Caren Carroll made a motion to adjourn the meeting. Kim Dunn seconded the motion and it was unanimously approved.

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Rob Harper, Toad Property Management

DRAFT