

Wilderness Lake Mountain Estates Association  
<https://wlmea.jimdofree.com/>  
Minutes of the Annual Meeting: June 8, 2024  
Held at 94 Grizzly Lane, Durango, CO 81301

**Call to Order:** President Patrick Keelan called the meeting to order at 3:19pm. A quorum was in place and the President welcomed everyone to the 22<sup>nd</sup> annual meeting of the WLME Association. Introductions followed.

**Board Members Present:** Patrick Keelan (President), Betti Souther (Vice President), Caroline Chaplin (Treasurer), Robyn Dunbar (Secretary), Jessica Andrews (Member at Large)

**Members Present in Person:** Phil Ramsey, Larry Payne, Gordon Shupe, Earl Yousey, Jeff Sipes, Ed and Ginger Fry, Bill Pike, Kathy Coffee, Larry Slivon, Dave and Sandy Fetterly, Pat Colclasure, Linda Baerthel, Don Brown, Tappan Souther

**Members Represented by Proxy:** LaMantia (Larry Payne), Davidson (Pat Colclasure), Gilster (Robyn Dunbar); Vasquez/Clarke (Larry Payne), Eglinton (Linda Baerthel), Haberman (Don Brown).

**Reading of the Minutes of the Prior Year:** 2023 minutes were distributed to membership prior to the meeting. Caroline Chaplin motioned to approve, Dave Fetterly seconded. Minutes were approved.

**Reports of Officers:**

**Treasurer's Report.** Caroline reviewed data from the chart on the following page and explained that 2024 checks were deposited as they arrived. Thus, the actual dues received prior to May 31, 2024 includes both 2023 dues and a portion of 2024 dues. Expenses that differed from expected are that we have not yet paid McCarty's final annual payment and Caroline (a CPA) prepared the Association's taxes and did not charge for that service. Thank you, Caroline!

Wilderness Lake Mountain Estates Association  
Income & Expenses  
June 1, 2023 to May 31, 2024

Income	<b>Estimated</b>	<b>Actual</b>
Member Dues	\$23,700.00	\$33,100.00
Adjacent Properties Donation	\$1,040.00	\$1,040.00
Other (Forest Road Donation)	\$1,725.00	\$1,700.00
Sub Total	\$26,465.00	\$35,840.00
Reserve carried forward	\$13,473.61	\$9,402.36
Total	\$39,938.61	\$45,242.36
Expenses	<b>Estimated</b>	<b>Actual</b>
Roadwork	\$23,500.00	\$17,666.66
Reimbursement	\$500.00	\$0.00
Insurance	\$869.00	\$869.00
Accountant (Taxes)	\$275.00	\$0.00
State Filing Fees	\$10.00	\$0.00
HOA Office Supplies	\$58.00	\$122.26
TOTAL	\$25,163.00	\$18,657.92
		\$26,584.44

## Reports of Committees:

**Road Maintenance and Winter Plowing.** Patrick Keelan reported on efforts by the Board to research a number of road and plowing options. The Association typically operates within 3-year contracts with annual adjustments common. Patrick encouraged us to add a long-term planning view of what road maintenance and winter plowing will cost over time. In that spirit, he made a presentation and led discussion on multiple options ranging from contractor support (our current model) to owning and operating our own equipment.

The current contract with McCarty Excavation is in place through July 2025. Last fall, Justin McCarty added a charge of \$4K for the Forest Service Road. This was a disappointing “last minute” assessment, but we did not want to jeopardize winter plowing at such a late date. Patrick negotiated a \$2k increase, which the Board paid, with the understanding we would bring the \$4K request to the attention of Association members at the June annual meeting.

Patrick and a number of others think the contract was effectively broken because of the additional charge. Dave Fetterly notes that this practice by McCarty is not new and the Board has operated with similar requests in the past. Robyn Dunbar suggested that the contract language may not be clear in this and other ways. She suggested it would be wise to revisit the text of any contract we write, regardless of who the contractor might be.

Patrick reached out to two other potential contractors who might take on the subdivision. The person who did Sierra Verde last winter expressed initial interest, but did not follow up on calls or messages. Unearthed Excavation toured the subdivision with Patrick and estimated a cost of ~8K/month for ~4.5 months of winter plowing. This is quite a bit more expensive than McCarty, and does not address summer maintenance. Several neighbors, including Larry Slivon and Larry Payne, noted that McCarty is not addressing the high priority summer work that we communicate to him. Patrick confirmed that messages we send McCarty about where we need the road work done do not seem to impact what his road crew does.

Dave Fetterly noted that McCarty has lost contracts with both Sierra Verde and Los Ranchitos.

Patrick returned to the conversation about longer term planning and displayed several visuals that compared Contractor support, Equipment Purchase, and Equipment Rental.

GO WITH?	McCarty	Purchase Kubota	Purchase Deere	Target Rental
Cost	\$25,500 per year	\$20,070 per 5 years	\$11,000 per 5 years	\$11,315 per month
Stability	\$2,000 per year increase every 3 years	Stable	Stable	2% increase if not for 50 years or month
Equity	None	Yes	Yes	None
Operate	No	Yes \$1,000 per year	Yes \$1,000 per year	Yes \$2,000 per year
Diesel	No	Yes \$500-\$700	Yes \$500-\$700	Yes \$500-\$700
Maintenance	No	Yes \$500-\$500	Yes \$500-\$500	No
Insurance	No	Yes \$1,000 per year	Yes \$1,000 per year	Yes \$1,000 per year
Extras	No	Yes \$1,000 per year	Yes \$1,000 per year	Yes \$1,000 per year
Location	Confield	Confield	Cortez	Douglas

### Pros and Cons of Various Options

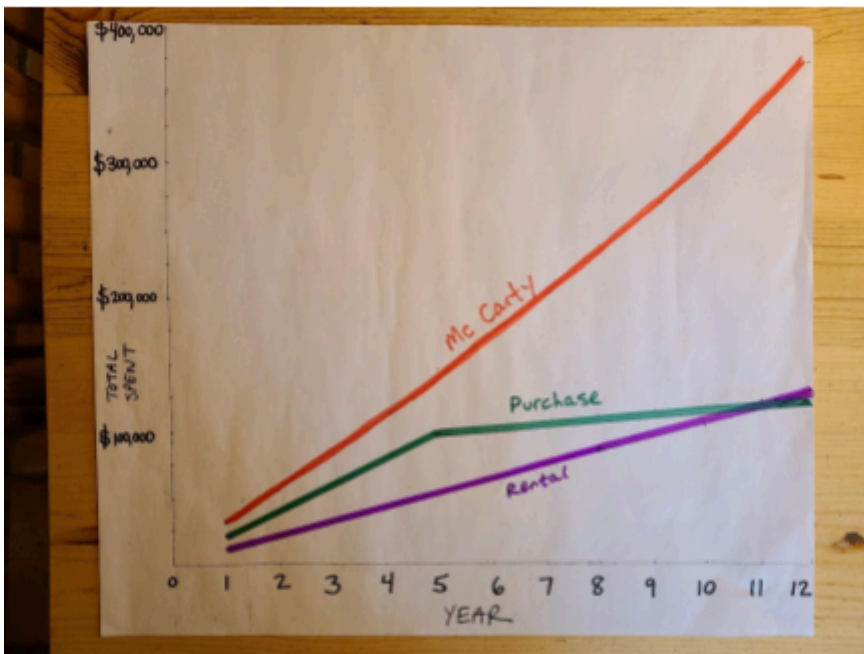
Options displayed include

- Staying with McCartney
- Purchasing a Kubota
- Purchasing a Deere
- Renting equipment

Color code: Green = Nice feature

Yellow = Some issues

Red = Problem to solve or live with



YEAR	MCCARTY	KUBOTA	TARGET RENTAL
1	\$27,500	\$20,070	\$11,315
2	\$55,000	\$40,140	\$22,630
3	\$82,500	\$60,210	\$33,945
4	\$110,000	\$80,280	\$45,260
5	\$137,500	\$100,350	\$56,575
6	\$165,000	\$104,620	\$67,890
7	\$192,500	\$108,890	\$79,205
8	\$220,000	\$113,160	\$90,520
9	\$247,500	\$117,430	\$101,835
10	\$275,000	\$121,700	\$113,150
11	\$302,500	\$125,970	\$124,465
12	\$330,000	\$130,240	\$135,780

Cumulative estimated expenditures over 12-year period for Contractor, Equipment Purchase, and Equipment Rental. Assumes that McCartney increases are similar to the past few contracts, that equipment purchase is paid off after 5-yr, and that rental costs do not change.

Some details:

Patrick has a number of quotes for equipment and Dave Fetterly also researched a quote for the Board. Prices vary depending on the type of equipment, and there was lively discussion about what the appropriate equipment would look like (e.g., plow vs. snow blower, size of vehicle, operator skills needed, etc.).

Based on Patrick's research, to purchase the smallest appropriate Kubota with a snow blower would cost ~\$16,800/year for 5 years. 0% interest, and we would have equity in the machine. There are also large skid steers that could work. Dave Fetterly disagrees with the quote, and got a substantially higher quote (~\$146,000 + cost of chains) to duplicate the rig at Sierra Verde. The Deere package that Patrick researched would run ~\$19K/year for 5 years. 0% interest, again we have equity. We can also rent or buy attachments that could make Association-owned equipment available for other projects.

Don Brown notes that he uses a larger Kubota than the one at Sierra Verde for his driveway, and he does not think his Kubota is big enough for our subdivision. He strongly advocates for a snow blower over a plow, but notes that a blower will have rock issues. Linda Baerthel also wondered about issues with rocks. Patrick says the snow blower he researched will handle up to 2-inch rocks.

Other cost estimates of running our own equipment include ~\$2100/season to compensate operators, ~\$800-1200 for diesel/maintenance, and ~\$1170/year for insurance.

Per Patrick's research, renting equipment from Target would run ~\$2178/month with similar costs for operators, diesel, and insurance, but no costs for maintenance. There is a discount if used less than 50 hours/month.

Tappan Souther wondered if the Forest Service would even let us plow their road with our equipment. Lots of discussion ensued, especially about liability and permissions. Earl Yousey clarified that there is risk, either we take it or a contractor takes it. Caroline noted that we would have insurance coverage. Others were quite concerned about risk/liability and if even our \$2M coverage would be sufficient for a major issue.

Dave Fetterly wondered what the State would require in order for us to put our equipment on a public road.

There were also concerns raised about contingencies. What are we going to do if our equipment breaks down? Even new equipment can have issues.

Ed Fry asked if we could use cost savings to buy more insurance. Caroline confirmed that we can certainly increase the insurance and still see substantial cost savings. Ed also wondered what the market is like if we decide to get out of the business after a few years. Is there a market for used equipment and can we sell it?

Dave Fetterly remained concerned that we haven't addressed a lot of details yet. Contingencies? How do we get diesel up here? Who does the maintenance on our equipment?

Earl Yousey encouraged everyone to keep on the big focus right now, but to continue to identify contingencies and solutions.

MOTION: Ed Fry made a motion to further explore our options and come back to the membership with deeper work that would lead the Board to a specific recommendation. Larry Slivon seconded and the motion passed. There was some discussion that we could call a special meeting to advance to next steps, but it was also understood that next steps might not happen until the June 2025 meeting.

Pat Colclasure worried that we would have to raise dues in order to purchase and maintain our own equipment. Caroline and others noted that would not necessarily be the case; in fact dues might even go down after the 5-year purchase was complete.

Patrick asked Gordon Shupe how it was going in Los Ranchitos after they dropped the plowing contract with McCarty. Gordon indicated that Los Ranchitos has a local person doing winter work and it seems to be going fine. Answering a question from Larry Payne, Gordon said they are using a big vehicle with a plow blade. Gordon thinks plowing Los Ranchitos is not as much of a challenge as plowing our upper roads, and that we'd likely need larger equipment up here. Gordon also said that McCarty threatened to pull out of summer work if Los Ranchitos didn't hire them for both summer and winter. This is what McCarty has told WLMEA before as well. In the end, that did not happen and McCarty negotiated a summer-only contract.

Pat Colclasure noted that we have always had plenty of options for summer work, but not for winter. And she wonders why we are paying McCarty for summer work when he's not really doing what we say we need.

Caroline reminded people that the long term with a contractor looks out of control financially, with expectations for steady cost increases. She wonders where members will cross the line and be unwilling to keep raising dues. She encourages us to take the long view of becoming more independent and to set a timeline for buying our own

equipment. Others responded that we should do more investigation first, as outlined in Ed Fry's motion.

Dave Fetterly is still quite worried about risk mitigation.

Phil Ramsey noted that he was very happy with Gene's responsiveness and plowing support. Robyn noted that others have said similar things over the years about the overall quality of winter plowing. There have been some communication hiccups from time to time. We need to be sure we have a Road Committee in place before we leave the meeting today.

**Outreach to the County and/or Forest Service.** Robyn Dunbar and Jessica Andrews had conversations with Dave Fetterly, Tim Kelley, and Heather Erb to learn more about any recent conversations with County or Forest Service and, in Tim's case, find out if the County plowing has been solving the problem it was put in place to solve. The overarching goal was to prepare for conversations that might lead to more sustained plowing along the Forest Service Road. Detailed notes from each conversation are in the Secretary files. Robyn summarized a few of the big take-aways:

**Dave Fetterly** (WLMEA neighbor):

- Had several conversations with County Road and Bridge, Forest Service, and County Commissioner Matt Salka between 2019 and 2023.
- Forest Service was sympathetic, but insufficient budget for maintaining and plowing that road.
- A deal with the County to plow to the quarry has been in place now for several years. The County continues to place the gravel Forest Service road as a low priority and does not guarantee plowing every snowfall.
- The County still turns around at the cattle guard to ensure other routes (e.g. mail routes, school bus routes) are plowed promptly. They then may come back to plow to the quarry.
- Outreach to Matt Salka did not go anywhere.

**Tim Kelley** (Kelley ranch neighbor):

- Mostly had conversations with the Forest Service over the years. Minimal outreach to the County. He knows who to contact with the Forest Service and is happy to stay connected if a larger neighborhood collaboration would be helpful.
- Tim's issues have all been around the problems caused by snowmobilers in front of his driveway. This was supposed to be fixed when the County and Forest Service agreed to move the FS gate to the quarry and for the County to plow.
- It's not 100% great, but Tim is very appreciative of the County efforts. His issues with the snowmobilers are pretty much non-issues anymore.

- His observation is that the County comes back up, widens what McCarty has done, and plows to the quarry when there is a foot or more of snow. He doesn't think they come up for less snow, and they generally don't come up on weekends.
- He wonders what it would take to get the County to take over the FS road and provide full maintenance. He's disappointed that it is not in better shape given that it is access to revenue-generating campgrounds.
- Tim was one of the neighbors who originally plowed on our own. He notes that midnight and dawn plowing gets really old, and he is not interested in doing that again.

**Heather Erb** (Florida Park neighbor, local realtor):

- Happy to help collect input from her neighbors and partner in conversations with the County or Forest Service.
- She estimates about 5 homes with year-round residents in her sub-division, but that needs to be confirmed.
- Wonders if the Forest Service Road could become a County Road.
- As a realtor, she sees home buyers increasingly concerned about winter plowing for insurance coverage.
- She is good friends with past County Commissioner Julie Westendorff and offered to reach out to Julie about how to best approach road questions.

**Julie Westendorff** (via conversation with Heather Erb):

- Two-term County Commissioner who heard a number of road proposals.
- County is always reluctant to take on new road commitments because that becomes a permanent commitment. Julie says it is helpful that they are already plowing our road.
- It often boils down to distance and Julie says the distance to our subdivision (or beyond) is far enough that the County would be reluctant to take it over.
- Julie says the best angle of approach would be to talk to Public Works Director Jim Davis and get his perspective on the history and past agreements.
- Julie advises being very careful in how we approach the County. The Commissioners often feel that residents buy property at a discount because roads are a problem. And then requests to the County to improve or plow are viewed negatively.
- Overall, the County does not have the funds to do the roads they already have. They might be more open to a long-term (e.g. 10 year plan). Or a change in protocol (e.g. keep one truck on the road until they finish instead of coming back later.)

Dave Fetterly confirmed that Jim Davis was the person who coordinated the deal with the Forest Service resulting in the Forest Service Road now being plowed to the quarry. Jim is also the person who told Dave that this was a very low priority road and they were not willing to plow the extra distance on a regular basis.

Caroline Chaplin wondered what was the problem with us just doing the Forest Service Road on our own. A number of people spoke up about liability, licensing, and being bonded/insured. It is not a given that the Forest Service would give permission for us to plow.

### **Unfinished Business: none**

### **New Business:**

#### **Road Committee.**

MOTION: Robyn Dunbar made a motion that we populate the Road Committee to support decision-making. Earl Yousey seconded, and the motion carried. Earl Yousey, Larry Slivon, Larry Payne, Don Brown, and Dave Fetterly will be this year's road committee working with Patrick Keelan.

Pat Colclasure and Don Brown volunteered to be the winter points of contact for McCarty's plow team (Gene again?). They will communicate to McCarty if the snow is accumulating beyond the 6-inch level. IMPORTANT: Pat and Don should be the primary communication link between the subdivision and McCarty. We need consistent and streamlined outreach. ***If anyone has concerns about what is happening with the snow, they should contact Pat or Don, and not directly call McCarty.***

Pat Colclasure: 970-375-0625

Don Brown: 970-946-1848

#### **Bylaws committee.**

Robyn Dunbar will work with Betti Souther over the next few months to review the Bylaws and determine if any changes should be proposed in advance of the next annual meeting.

**Board Elections.** There is one open Board position as Robyn Dunbar is stepping down. There were no volunteers. The Board will appoint a new member.

### **Announcements:**

Ed Fry is interested in forming an informal bluegrass group to play from time to time. Let him know if you are a musician who would like to build such a neighborhood group. Ed also wondered if there was any appetite for setting up neighborhood waste removal. This question has come up a number of times before. There was a lot of discussion along with historical context. Dave Fetterly regularly explores it, and to date there are no

companies willing to come up. There are also quite a few neighbors who do not want a dumpster up here for various reasons. One great suggestion was to see if Lemon Lake Lodge would be interested in sharing costs on their dumpster. This was done many years ago when that property was under other ownership.

**Motion to Adjourn** by Dave Fetterly, seconded by Pat Colclasure. Meeting adjourned at 4:47.

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#### Minutes of the WLMEA June 8, 2024 Board Meeting

The Board convened following the annual membership meeting to select officers and discuss options for filling one vacancy. At this time, there were no changes made to officer positions. The President will work to fill the open position over the coming weeks.

President Patrick Keelan ([wlmeppresident@gmail.com](mailto:wlmeppresident@gmail.com) )

Vice President Betti Souther ([southerbetti@gmail.com](mailto:southerbetti@gmail.com) )

Treasurer Caroline Chaplin ([chaplincpa@gmail.com](mailto:chaplincpa@gmail.com))

Secretary Robyn Dunbar ([wlmesecretarty@gmail.com](mailto:wlmesecretarty@gmail.com))

Member-at-Large Jessica Andrews ([jessicaenglishrose@yahoo.com](mailto:jessicaenglishrose@yahoo.com) )

Plans for moving road decisions forward were further discussed. The Road Committee will work on further investigation of the options outlined at the annual meeting, with a goal to enable the Board to make a specific recommendation. They will also review the road contract text with a goal of clarifying and improving for the future, as relevant.