

**SUN VALLEY ELKHORN ASSOCIATION  
BOARD OF DIRECTORS' MEETING MINUTES  
Tuesday, July 24, 2018  
Minutes**

**AGENDA BUSINESS ITEMS**

1. Review and Approve Financial Reports – <i>March, April &amp; May 2018</i>
2. Correction to the 3-22-2018 Board Meeting Minutes
3. Rezone Status Update and Discussion
4. Dog Waste Dispensers
5. Hot Tub Rules Addition – Minimum Age Consideration

**IN ATTENDANCE**

<b>Board Members</b>	<b>Staff, Counsel &amp; Others</b>
Dave Galloway, President	Jim Laski, Legal Counsel
Jim Monger, Vice President	Chuck Williamson, Staff
Nancy Auseklis, Secretary	Jon White, Staff
Karen Curry, Treasurer	Darlene Kuehn, Staff
Grady Burnett, Director	Sue Ahern, Staff
Anita Northwood, Director	
Laurie Fitzpatrick, Director	<b>Owners and Others:</b>
Peter Jarvis, Director – <i>On Phone</i>	<b>See Attached Sign-in Sheets</b>
Harry Griffith, Director	

**CALL TO ORDER**

President, Dave Galloway, called the meeting to order at 2:05 p.m.

**ESTABLISHMENT OF A QUORUM**

A quorum was established with all Directors in attendance.

**REPORT FROM SUN VALLEY MAYOR**

Mayor Hendricks reported the following:

- Daniel Hollis has been appointed as a Commissioner on the Planning and Zoning Commission.
- Rick Webking and Mayor Hendricks have been appointed to the Mountain Rides Board.
- The City is currently reviewing E-bikes and other human propelled vehicles on the multiuse path throughout the City. Mayor Hendricks explained that E-bikes are becoming more common and the City is reviewing the applicable ordinances. The City has purchased two E-bikes for emergency services use during special events.
- The City has approved the budget and for the 7<sup>th</sup> year there are no tax increases proposed. Employee costs remain a significant portion of operational expenses which can be expected in a resort environment. Capital expenses include 54K for a new police vehicle; 737K for fire command and ladder truck expenses and building maintenance budgeted at 360K. The City approved a total of 1.3 million in capital expenditures.
- The first year of a four year 17.5 million dollar road and path improvement plan is underway. A majority of the work in Elkhorn will take place next year. The City will address drainage problems along roadways in conjunction with roadway improvement work.
- When questioned about the cross-walk laws and pedestrian right-of-way the Mayor differed to general prevailing traffic laws.

## **OWNERS ADDRESSING THE BOARD**

**Lisa Lampl – Bonne Vie 2014** – Lisa Lampl expressed her concern about imposing new rules regarding a minimum hot tub age. She expressed imposing rules due to one incident was an overreaction. Ms. Lampl requested the Board not enact any additional restrictions that disrupts the enjoyment of the facilities by many Elkhorn families. She expressed her frustration with the process and the way the new ruling was imposed with children under five (5) years of age no longer permitted in the hot tub.

**Charlie Mills – 116 Syringa** – Mr. Mills expressed that 3 of his 5 grandchildren can no longer use the hot tub to warm themselves after swimming. He would like the new rules to be posted in the next newsletter, so more owners have an opportunity to express their opinions and voice any concerns they may have before enacting any new rules.

**Pam Larson – Bluff 4023** – Mrs. Larson expressed her approval of the new ruling and stated small children should not be allowed in hot tubs. She expressed concern about the problems associated with health and sanitation of the facilities when small children are present. She stated that small children often disrupt the peaceful use and enjoyment of the hot tub by adults.

**Betsy Hauck – Ridge 2632** – Ms. Hauck stated that reasonable rules should be implemented, and those rules should be properly enforced.

**Michael Bromley – Arrowwood 4624** – Mr. Bromley stated he doesn't use the hot tub because of all the children and expressed the hot tubs should be for adults only.

**Ed Wong – Elkhorn Springs 7403** – Mr. Wong expressed that rules should be based on medical practitioner's or other authoritative expert opinion such as the Center for Disease Control as a basis for rules development.

## **APPROVAL OF FINANCIAL REPORTS**

The financial statements for March, April and May 2018 were provided to all Board Members prior to the meeting.

***MOTION: Jim Monger moved to approve the financial reports as submitted, Karen Curry seconded, and the motion passed unanimously.***

## **BUSINESS**

### **1. Correction to March 22, 2018 Board Meeting Minutes**

Chuck reported that an error in the approved March 22, 2018 Board meeting minutes was brought to his attention by Jim Laski. Jim is quoted as saying "*the Sunrise Park could still be used as a park under OS zoning with a variance or conditional use approval.*" *The minutes should reflect the following statement: "...that Sunrise Park can continue to be used as it has been as a pre-existing use, non-conforming use.*" Pursuant to discussion,

***MOTION: Grady Burnett moved to approve amending the March 22, 2018 Board meeting minutes as proposed and to immediately remove the previously approved minutes and post the amended version on the SVEA website, Jim Monger seconded, and motion passed unanimously.***

### **2. Rezoning Open Lands OR-1 to REC – Update**

***Skyline Parcel #2*** - Chuck reported that the Executive Committee exercised its authority granted by the Board of Directors to withdraw the Skyline rezone application. When the Skyline rezone application was submitted to the Sun Valley City Council for approval, they directed that the application be returned to Planning and Zoning for possible REC zoning conditions to restrict development potential. Dave Galloway attended the City Council hearing for the rezone application for the Sunrise Park from OS to REC. Dave observed that there seemed to be a significant amount of resistance by the City Council for what should have been a simple rezone matter to align the Sunrise Park zoning with its current use. Dave concluded that

without a development plan for the Skyline parcel there was no urgency in pursuing a rezone at this time. To avoid development restriction imposed on the Skyline parcel, the Executive Committee voted to withdraw the Skyline Parcel #2 rezone application.

**Sunrise Park Parcel** – Chuck reported that the City Council completed three readings on the rezone application as required. Upon the third and final reading, Councilwoman Jane Conard moved to approve the update to the Comprehensive Plan. There was no second to the motion, so no vote occurred essentially resulting in denial of the rezone application. Michelle Griffith recused herself from the proceedings since Harry Griffith is on the SVEA Board of Directors.

Given the outcome of the rezone applications for Skyline Parcel #2 and the Sunrise Park Parcel, Staff recommended that previous Board action reclassifying the seven parcels identified for REC zoning on the Future Land Use Map be rescinded and all common lands currently not rezoned remain in a labeled OR-1 non-zoned status.

Harry Griffith requested that all costs SVEA incurs for the maintenance of the Sunrise parcel be identified and prepared for Board review at the September Board meeting. Harry suggested that rather than rescinding all previous Board action that a motion to cease any further rezone activity be considered. After discussion,

***MOTION: Harry Griffith moved to approve that the Board cease all rezone activity for OR-1 land to REC or OS, Nancy Auseklis seconded, and motion passed unanimously.***

### **3. Dog Waste Bag Dispensers**

Chuck explained that initially Karen Curry approached the Board with a proposal to work with the ERC to place pet waste disposal stations in various locations in Elkhorn due to the amount of pet refuse being left in bags along hiking trails and the bike path. The Board requested that staff approach the City of Sun Valley for permission to install pet waste bag dispensers on the sheltered bus stops. The bus stops have trash containers in which the bagged waste could be placed. Harry Griffith expressed his concerns regarding SVEA adding an additional line item to the budget committing SVEA to an on-going expense. Grady Burnett inquired as to the Board authority to remove a line item expense in the budgeting process. Staff reported the Board has authority to make any budget modifications from year to year. Harry requested that staff seek input from Mountain Rides as to placing bag dispensers on the bus shelters and using the refuse containers for waste disposal. Dave explained the City owns and maintains the bus shelters; however, informing Mountain Rides of any intended use would be a reasonable action. After discussion,

***MOTION: Grady move to approve the addition of up \$1,500 to the 2017/18 Operational Budget for the purchase of 8 pet waste bag dispenser stations and bag supplies, Karen Curry seconded, and motion passes with 7 in favor, Harry Griffith opposed, and Nancy Auseklis abstained.***

### **4. Hot Tub Rules Addition – Minimum Age Requirement**

Chuck reported on the circumstances which initiated the implementation of a rule requiring the minimum age for using the hot tub to be set at 5 years old. This rule was enacted due to a parent bringing an infant into the Village hot tub and a resulting complaint received by staff. The complainant cited health and safety concerns for the infant as well as sanitation concerns for both patrons and the child. Chuck stated that he had staff review the Red Cross recommendations for guidance as to a minimum age requirement. Staff found that both the Red Cross and Center for Disease Control (CDC) set the minimum age at 5 years. Chuck stated he implemented the restriction based on these authorities. He then scheduled this item for discussion at this Board meeting. Chuck explained he received a call from a concerned owner who requested and received contact information for Dave Galloway. Chuck relayed to those present the following Red Cross and CDC reasoning behind a recommendation that children under 5 years not be permitted in hot tubs:

- 1) An infant does not possess the ability, or have the body mass, to regulate body temperature. Body temperatures can quickly rise in infants when submerged causing stress on internal organs.

- 2) Infants and young children may not be able to fight off different types of bacteria which may exist in community hot tubs.
- 3) Infants and young children are subjected to and absorb chemicals used to treat the water at a rate which may potentially present a health concern.
- 4) The Center for Disease Control (CDC) maintains the same age policy.
- 5) Infants and small children not yet “toilet trained” pose a health risk to other patrons using the facilities if fecal matter contaminates the water.

Board members expressed general agreement that limitations should be imposed. Jim Laski explained that expert opinion has been given by the Red Cross and CDC as to the minimum age requirement for children using a hot tub. Jim recommended the Board rely on expert opinion when considering implementing rules and limiting liability exposure. Pursuant to discussion,

***MOTION: Anita Northwood moved to approve children using the hot tubs shall be at least 5 years of age, Karen Curry seconded, and motion passed unanimously.***

Dave Galloway suggested that several issues were raised during the discussion that warrant further review and consideration by the Recreation Committee. Dave requested that Anita Northwood, Recreation Committee Chairperson, have the Recreation Committee review the current rules and regulations; outdoor shower feasibility; increasing temperature in Harker kid pool; adult only hot tub hours and other measures which may provide solutions and address the owner concerns raised during discussion. Laurie Fitzpatrick suggested that staff begin by acquiring the rules and regulations for various pools in the area. Harry Griffith recommended review of rules publication methods, use of waivers as well as the enforcement practices and procedures for all rules. Jim Laski suggested the rules be published and posted at pool locations and that the responsible parties enforce the rules in a consistent manner.

**5. Owners Picnic/President’s Meeting – Report and Assignments** – Chuck reported that the Summer owners picnic was fully booked with 350 Owners planning to attend. The event was fully booked within 6 days of initial announcement and a waiting list was initiated. The waiting list had approximately 30 to 40 owners requesting access. As the picnic date approached there were sufficient cancellations to accommodate everyone on the waiting list. Chuck asked that Board members willing to assist in some capacity during the picnic to please check with Sue Ahern about possible assignments. Chuck reminded Board members present the summer Associations President’s meeting follows the Board meeting and all Board members were welcome to attend.

## **STAFF REPORT**

The Staff Report was distributed to all Board members prior to the meeting. Those present had no questions or comments. The Staff report submitted to Board members included the following:

**Association Management Software Update** – The tennis scheduler has been modified to allow for group reservation for clinics and programs. Pickleball usage is now being reported independently from tennis usage at the Village facilities. The separate reporting was done to accumulate accurate usage information for future facility planning. Electronic locks were installed at the access to Village pickleball courts and at the Harker Proshop for restroom availability. During shoulder seasons, when facilities are not fully staffed, owners will have access to these amenities during scheduled hours using their valid amenity card.

## **Amenity Operations**

**Harker Pool** – Minimal tile work was completed this year around skimmers. A valve was replaced on the hot tub jet pump. The diving board was recoated with a non-slip paint. The pool was opened on Memorial Day and is operating efficiently. Staff is reviewing the replacement of the diving board and stand as the structure shows signs of significant rust and deterioration from the salt water. The Harker pool will be open through Labor Day. It will be closed to the public after Labor Day and on September 4th made available for the annual Wet Dog Pool Festival

A near drowning incident occurred at the Harker pool on Friday July 13. A young girl, age 10, was pulled from the deep end of the pool by SVEA lifeguard, Jubal Toothman. After extracting the young girl from

the pool, the guard performed CPR until she coughed up water and regained consciousness. She was transported to hospital and observed for two days. She was later released in good health.

**Village Pool** – Plaster repairs were completed in June resulting in a 1-week delay for opening. Both boilers required repairs and a bad heat pump was switched out after opening. Two new heat pumps were ordered and received and will be installed in the fall, after pool closure, if not required in the event of a premature breakdown. Seven new umbrellas were installed. The pool leaks a significant amount of water daily. A leak detection service has been contacted to conduct testing in late summer or early fall.

**Common Areas/Open Space Trails** – Trail maintenance has commenced and will continue through July/August as required. Trail parking signs have been installed on Horseshoe road for the Prospector Loop trailhead. The hiking trail corridor fencing was replaced at the top of Sagewillow subdivision. Overall, minimal fence repair was required due to the mild winter.

**Ponds** – The sonic algae unit was re-installed in May along with the surface aerator. The Village pond was stocked with trout from Black Canyon Trout Farm for the annual fishing derby. The derby was held on July 7<sup>st</sup>. In the future, the cattails will be trimmed around the Village pond prior to fishing derby event to allow for better accessibility during the derby.

**Harker Park** – Open – Patio pergola, horseshoe pit backstops, and bocce ball frame were stained to protect wood from the outdoor elements. Splash pad valves were replaced and are operating properly. Picnic table legs will be re-painted prior to the property owners picnic on July 25<sup>th</sup>.

**Tennis Facilities** – The Har-Tru clay courts were prepped with new material and rolled several times in May and June. New framing was constructed behind pickleball fencing to support the Acoustifence material as was recommended by the acoustic expert. Additional acoustic foam pads, in response to a soft surface recommendation by the acoustic expert, was attached to the Acoustifence to further diminish sound and echo. Pickleball was moved from Village court #8 to Village Court #3. Village court #3 was painted and striped with four pickleball courts in June. Tennis court lines remain on Village Court #3 for dual use play.

**The ADC and General Restrictions Compliance Report** – The report included new and current construction projects and report on violations processed over the last quarter.

#### **Dues Collections**

Currently, there are five properties that are over 120 days past due and 31 that are 61-90 days past due; last July there were six properties over 120 and 38 that were in the 61-90 range.

#### **COMMITTEE REPORTS**

1. **Finance/Long Range Planning Committee** ~ No Report

2. **Communications Committee** ~ Grady Burnett reported the Communications Committee met on June 13<sup>th</sup>. During the meeting Committee Members reviewed and approved a more professional design for the new owner packet folder. Staff ordered a mock up prepared for committee final approval which has been received. Board members approved of the new folder design. Grady explained the newsletter was redesigned for a cleaner more professional appearance with color and font consistency. The Committee instructed staff to incorporate a similar design concept into eblasts. The Committee, upon receiving a complaint, reviewed the website photos. All committee members agreed many of the images should be replaced with updated professional photography. Staff was directed to prepare an RFP for a summer photographer; however, being late in the season no responses were received due to the busy summer schedules of the professionals solicited. The Committee will work on obtaining a photographer for the next winter and summer seasons. The Committee discussed conducting an amenity survey in the coming year. The previous survey was done 7 to 8 years ago and the Committee believes it is time to update the survey information.

Harry requested Board member consideration for having Grady approach the Board of Realtors on the feasibility of eliminating Elkhorn as a separate area in the realtors MLS. Elkhorn is actually Sun Valley

and the separate area listing confuses potential buyers unfamiliar with Sun Valley which can impede property sales. Anita Northwood and Grady, as local area realtors, agreed the separate area listing may cause some confusion. After discussion,

***MOTION: Harry moved to direct staff, with the support of the Board, to draft a letter to initiate with the Board of Realtors the possible elimination of “Elkhorn in Sun Valley” from the MLS and have property in Elkhorn shown as a Sun Valley listing, Karen Curry seconded, and motion passed unanimously.***

3. **Executive Committee** – No Report

4. **Governance Committee** ~ No Report

5. **Recreation Committee** ~ Anita Northwood, Committee Chair, had Sue Ahern recap the summer activities. Sue reported that most programs have been well attended with the Fishing Derby having over 70 children participating and including their parents there were over 100 participants. Grilling classes have sold out and water aerobics has increased to three (3) day a week due to demand from participants. Overall summer programs have been very successful.

6. **Sub Association Liaison Committee** – No Report

7. **Tennis** – Nancy reported that tennis and pickleball programs are going strong. Nancy expressed Tennis Director, Scott Teller, is doing a terrific job. New pro Courtney Collins is very good and Junior Tennis Pro Tom Whiteveen has doing a fantastic job in the Juniors program. The junior program has grown substantially this season. The pickleball courts on Village tennis court #8 have been moved to court #3. Pickleball court lines have been painted on court #3; however, court #3 can still be used for tennis if desired. A support frame for the Acoustifence sound blocking material has been installed and noise absorption padding has been added to further dampen sound and echo bounce back. The Women’s Summer Challenge tennis program has been well received and remains very active. To date, usage of the tennis courts has increased by 5.5% at the Harker. Village court usage including pickleball has increased 54.5%. Tennis and Pickleball program revenues are up over 16% due primarily to the Junior Tennis program growth.

8. **Water Committee** – Harry Griffith reported the Water Committee met and discussed the following:

- Staff compiled the 2016/17 water consumption data from usage information provided by Sun Valley Water and Sewer. This information will be made available to all Association Presidents and graphs displayed in the next newsletter. The information indicates that overall there was a modest reduction, however, more needs to be done to curtail consumption.
- The Committee is reviewing a possible contest for water reduction for both Associations and individual property owners. Prizes could be awarded, and community recognition given to the winners. The contest details when available will be presented to the Board for consideration.
- Staff was asked by the Committee to review the ADC Guidelines and submit some small wording changes regarding landscape installation. The Committee believes it is important to encourage the use of drought tolerant plant materials and promote Xeriscape style landscape installation. Any changes proposed by the Committee will be presented to the Board for consideration.
- Staff has prepared a flyer for distribution when daytime landscape watering is observed. The flyer reminds owners to please be aware and adhere to the Sun Valley Water and Sewer landscape irrigation schedule and the benefits of nighttime watering.

## **OTHER BUSINESS**

Harry Griffith wanted the Board to be aware of the following:

- The test parking area for the Prospector loop trail is being well used. Staff prepared a small handout for Harry to post on vehicles which reminds hikers of proper parking etiquette in that area.

- Owners in Sagewillow recently discovered their property is classified as a wetlands area. The owners are going through a process to have the classification removed. Owners needing information can contact Harry and he can explain the process for removing the wetlands designation.
- The Culinary Institute is resurrecting the idea of having a culinary course at the Elkhorn Inn. While nothing has yet been confirmed this matter remains under review.

#### **EXECUTIVE SESSION**

*None*

#### **ADJOURNMENT**

With no further business Karen Curry moved to adjourn the meeting, Jim Monger seconded, and motion was passed unanimously. Meeting was adjourned at 4:30 p.m.

Respectfully Submitted,

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Nancy Auseklis, Secretary

## SUMMARY OF MOTIONS, DECISIONS & ACTION ITEMS

Motion or Decision	Page #
Motion to Approve Financial Reports for March, April & May 2018	2
Motion to Approve correction to March 22, 2018 Board Meeting minutes	2
Motion to Approve ceasing all rezone activity for OR-1 to either REC or OS	3
Motion to Approve addition of up to \$1,500 to the 2017/18 Operational Budget for Dog Waste Bag Dispensers	3
Motion to Approve setting minimum age for hot tub use at 5 years old	4
Motion to direct staff to request Board of Realtor consideration for removing "Elkhorn" from MLS	6

ACTION ITEMS	
Who	Does What
Chuck	Correct March 22, 2018 minutes and repost to website
Chuck/Darlene	Compile cost breakdown for Sunrise Park landscape and watering for Board review.
Chuck	Order and install dog waste bag dispensers for bus shelters in Elkhorn
Chuck	Prepare letter to Board of Realtors for consideration of removing Elkhorn from the MLS to be approved by Board.
Chuck/Sue/Jon	Post Rules for minimum age limit for hot tub usage. Set up meeting with Rec Committee to review rules, floatation devices, alternatives for hot tub, adult only hours, rules publication and enforcement policies and procedures.
Chuck/Jon	Initiate with Tennis Committee rebuild plan for 2019/20 for tennis facilities.
Staff	Prepare contest parameters for water consumption reduction for Water Committee approval.
Chuck	Include water consumption information and graphs in next newsletter.