

**Woodside Park HOA Units 1, 2, 3 and 4  
Minutes of Meeting of the Board of Directors  
July 5, 2018**

**Present:** Kathy Lower (President), Kelly Flynn (Vice President), David Rowe (Treasurer), Lorna Serber (Secretary), Ken Van Tuyl, Ed Samberg. Absent: Melissa Fisher Faler.

Guests: Homeowners (HO) and dues-paying members Ken and Sharon Evridge (in person) and Justin and Becky Stewart (via phone).

The meeting was called to order at 7:03 p.m. at Ken's home.

**Quorum:** Established.

Kathy indicated that the Board would like to discuss the **New Business** items first, out of order of previous meetings, in order to accommodate guests.

**NEW BUSINESS**

**Horse registry:** Sharon discussed with Cheryl Fox and Mary Schoen. The Board asked the Equestrian Standing Committee to take on the horse registry; Sharon will put an email together and Bob Banks will broadcast.

**Tack Sale:** no date or time. The Board recommended written proposal from the Equestrian Center Standing Committee re: expenses and how/where to run the sale.

**Rodenator:** Kathy opened floor to questions/concerns of the HOs.

Is the Rodenator legal to use in Colorado?

Board's response: no indication that its use violates any state or local law. The Rodenator is in use throughout Colorado, including by municipalities, according to the company. The Board acknowledged one HO's statement that the Rodenator is banned in Boulder.

Does the HOA encourage use of the Rodenator (referring to an email blast advising residents of the HOA's purchase of the Rodenator and offering its use for rodent activity on residents' properties)?

Board's response: The Board does not "encourage" use of the Rodenator but has informed residents of its availability for use on their properties and to warn that operation of the device produces a loud boom so that residents would not be alarmed.

Will the Rodenator be used when a fire ban in effect?

Board's response: The Rodenator was tested twice in late June with precautions in place including placing wet towels around the opening into a burrow and having a five gallon spray water extinguisher at the ready. The tests were completed with no issue. There was a fire ban in place at the time. For the future the Board agrees that the Rodenator should not be used during periods when a fire ban is in effect.

Who approved the purchase of the Rodenator?

Board's response: Purchase of the Rodenator was approved by unanimous resolution of the Board at its November 16, 2017 board meeting in executive session. All seven board members were present. Prior to voting on the resolution the Board members listened to a presentation from board member Ken Van Tuyl about his research on the device and watched a video on its use.

Reasons for the purchase of the device and homeowner response to the purchase:

The three-year contract (2014-2016) with Nate (owner of company for poison control of critters) cost the HOA \$2,485

There is a continuing problem with critters, so the Board was concerned about the expense

The condition of the Meadow Trail is a danger to horses; the cost of an exterminator to address the problem would be prohibitive

The Board has been looking at options other than poison for critter control

The Rodenator does not use poison and is a reasonable alternative at a cost the HOA can afford

The use of the Rodenator was explained at the January 30, 2018 Board meeting, at which members of the Equestrian Standing Committee were present, and questions were addressed at that time

The use of the Rodenator was also addressed at the April 14, 2018 general membership meeting. No concerns were expressed and several members present indicated it was a great idea

What about two reports online that the Rodenator has caused fires?

Board response: instances are extremely rare and the risk is very low, according to the Rodenator company. HO did not provide copies of the online articles she referenced and on questioning could not provide any details of the reported events other than one occurred in Calgary and happened in the 2006-2008 timeframe. It was not clear to the Board as to the circumstances of the Rodenator use in such

instances and whether the Rodenator had or had not been operated properly or whether appropriate safety precautions had been taken. The Board affirmed that safety precautions will be taken when the Rodenator is operated in Woodside, including wet towels around the burrow hole and availability of a water-based fire extinguisher and a shovel, and that it will not be used when a fire ban is in effect.

Why not hire someone who is licensed (including to use pesticides), bonded and insured to operate the Rodenator instead of board member Ken Van Tuyl?

Board Response: Use of the Rodenator does not involve pesticides, nor does it require a license, bonding or insurance. Ken is well trained on the device and use of the device within Woodside is allowed by the Elk Creek Fire Protection District (ECFD) (per Kathy's discussion with Deputy Chief Ware) and the Jefferson County Sheriff's Department (per Ken's discussion with Deputy Mike [ ]) when no fire ban is in effect.

What about liability if the Rodenator does cause a fire?

Board response: The HOA is insured for activities at the Equestrian Center (EC) and homeowners take on any liability for use of the device on their properties.

What about using Double Bubble bubblegum as a deterrent for critter control instead of the Rodenator?

Board response: The Board does not have any evidence that such approach is an effective deterrent to gophers and other rodents who burrow underground.

What about underground gas, electric and cable lines?

Board response: Regarding electric lines, most if all electric lines are above ground, not buried. Regarding buried gas lines and cable lines, the Board responded favorably to the HO suggestion that a property owner wishing to have Ken use the Rodenator on his or her property should call for 811 locate services to have gas and cable (and if applicable) electric lines marked.

MOTION made that any homeowner desiring Rodenator services on his or her property must call 811 to establish locations of gas lines, cable and electric lines as applicable; Ken Van Tuyl SECONDED; MOTION PASSED.

What about septic systems?

Board response: According to the Rodenator company, the device is safe to use around septic systems. Ken indicated nonetheless that he would take extra care when working around septic systems and would keep a 75-foot range, although his research indicates that no more than 30 feet is needed, if at all. An option would be to require homeowners to map the location of their septic systems (and pay for any costs involved in doing so) prior to Rodenator use on their properties.

MOTION made that, prior to work on any homeowner property, homeowner must present a certified map that shows location of leach field and septic systems; SECONDED; MOTION PASSED.

What about use of the Rodenator to address critter problems on the trails (especially the Meadow Trail)?

Board response: Numerous complaints have been received from equestrians using the Meadow Trail about rampant critter activity on the trail and the consequent danger to horses. The Architectural Control Committee via Bob Banks asked the HOA to consider options for treatment of the Meadow Trail. As noted above, this was one of the reasons the Board investigated extermination alternatives and settled on the Rodenator.

The HOA has no jurisdiction over the trails; the trails fall within the purview of the ACC. Whether it is possible to use the Rodenator on the trails, and under what conditions, and whether it should be used on the Meadow Trail in particular or the Meadow Trail should be closed, are questions for the ACC. The utility easements throughout Woodside that provide our trails system are 15 feet wide. The land on which the easements lie technically belongs to the adjacent homeowners.

MOTION made that the Rodenator be an approved device to address critters on the Meadow Trail pursuant to each individual homeowner; David SECONDED. Vote not taken as members requested further discussion. After discussion the pending motion was WITHDRAWN.

MOTION made that HOA take no action regarding critters on the trails unless and until the ACC evaluates the risk and provides conditions for use of the Rodenator on the trail. David SECONDED. Vote not taken.

Should Rodenator services be offered to individual homeowners?

Board response: Summary of current discussion:

1. The Rodenator will be used on EC property
2. Individual homeowners will have two conditions to follow if it is approved to offer services to homeowners
3. Determination for use on the Meadow Trail is passed to ACC.

MOTION made to approve offering Rodenator services to individual homeowners with conditions as stated:

1. 811 locate
2. Certified map of septic system

FINAL

3. No use during fire ban
4. Waiver by homeowner

Ayes – 3; nays – 2; abstain – 1.

Supplemental MOTION to not offer services to homeowners at this time. Kelly SECONDED. After discussion the MOTION PASSED.

The Board thanked the guests for their participation and the HOs thanked the Board for their work.

Guests departed at 8:55 PM.

Kathy suggested that, because of the lateness of the hour, remaining Board business be tabled until next meeting, with the exception of a quick discussion of upcoming picnic details. The picnic will be held August 11 at the Pine Valley Ranch. She will be taking RSVPs from residents.

**Next Board Meeting:** Date to be determined.

**Adjournment:** Kathy made a MOTION to adjourn, Ken SECONDED. MOTION PASSED unanimously at 9:05 PM.

*/s/ Lorna Serber*

Secretary