#### **Stagecoach Property Owners Association** ecoach Express **A Quarterly Newsletter** www.Stage-Coach.com N⁰ 2nd Quarter • 2019 **Final Voting Results of New Proposed ACC** School District President's Message Think green! Recycling **Proposed Covenant** Guidelines drop-off options in Oak Announcement

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Annual Meeting Minutes

July 21, 2018 [DRAFT]

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## President's Message

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By John Troka

**Friends of Stagecoach** 

State Park

With Spring being a complete no show in Colorado this year, we have moved directly into summertime at Stagecoach. As been the case in recent years, this summer will be another busy one for our owners and the Association with a high volume of new projects planned for the coming months.

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This summer we expect to finalize the approval of the four proposed amendments to the Association's Declaration of Covenants, Conditions and Restrictions thanks to the prompt and strong voting response by our members. In summary, these amendments allow for the drilling of water wells, the keeping of chickens and pack animals, and the parking of a single trailer outside of an enclosed space. An extraordinary 67% of Association members cast votes and of the votes cast, two-thirds or more were cast to approve and accept each of the four amendments. Given these results, The Board will now petition the District Court for final approval of the amendments. You will be receiving additional information about this petition in the mail in the coming weeks. I would like to thank each of you who cast your ballots and participated in this important governance process for our community. Additional information of the proposed amendments and the voting results can be found on page 3 of this newsletter and on the Association's website at www.stage-coach.com.

Summertime is also the time when we most think of the ongoing threat and dangers from wildfire in our community.

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## ANNUAL MEETING

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2019 Annual Meeting Notice

and Proxv

Saturday, July 20th

**PLACE:** SOROCO HIGH SCHOOL 305 S Grant Avenue in Oak Creek, Colorado **TIME:** 9:00 AM MST

The 2019 Annual meeting will be held on July 20, 2019 at the SOROCO High School located at 305 S Grant Avenue in Oak Creek, Colorado. The Meeting packet will be mailed on June 30 and will include the Meeting announcement and proxy form. Last year's Draft Annual Minutes can be found on page 21 of this newsletter. For your convenience, the proxy form is also included on the last page. **If you cannot attend the meeting, please send in your proxy form so business can be conducted.** If you own multiple lots, you can list them all on one form.

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President's Message • Continued from Page 1

Wildfire mitigation and education continues to be a top priority for the Board. Recently the Association sent an email to members which included several documents regarding wildfire mitigation and creating defensible spaces. For the safety of our families and community, I encourage each of you to take the few minutes needed to read these important documents and then to take the actions recommended to prevent and prepare for a wildfire. Copies of the documents that were sent can be found on the Association's website at are www.stage-coach.com.

The ongoing threat of wildfires also reminds us that droughts have become an all too frequent occurrence which limits the availability and use of our most critical resource - water. The Upper Yampa Water Conservancy District plays a critical role in the planning for and managing of the water resources in the Yampa River basin including those which flow into and out of the Stagecoach Reservoir. Currently UYWCD has an initiative underway called "Stagecoach Firming" which is an effort to secure or "firm" the water supplies into Stagecoach Reservoir. As a part of this project, UYWCD is reviewing several structural and nonstructural water supply strategies. Of particular interest to our community are the alternatives which involve the construction of a new reservoir and pipeline in and around the Stagecoach area. The proposed reservoir, known as the Morrison Creek Reservoir, would be located in the Morrison Creek drainage to the North and East of the Horseback subdivision. In addition to the reservoir itself, a pipeline would be constructed to transport and release the captured water into the Stagecoach Reservoir during periods of drought. The UYWCD Board is moving rapidly to make decisions and begin the permitting process for their selected alternatives. In the coming weeks, the Association will be working to gather and provide additional information on the "Stagecoach Firming" initiative. Until then, I encourage all members interested in this project to visit UYWCD's website at www.upperyampawater. com and read the posted board meeting materials which include information on this initiative.

Summer is also the time for our Association's annual membership meeting which I encourage each of you to attend. This year's meeting will take place on Saturday July 20th and will once again be held at SOROCO High School in Oak Creek. The business portion of the meeting, including the election of three Board members, will begin at 9:00 am and end at 11:30 am. Immediately following the meeting, you're invited to join

neighbors and fellow property owners for a picnic lunch. After lunch, we will have an information and idea sharing session for those members wishing to stay and discuss road infrastructure in the community. Additional details about the annual meeting, including the agenda, will be mailed to each owner and posted on the Association's website at www.stage-coach.com.

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Finally, as the final few weeks of my six-year tenure on the Board of Directors quickly pass, I want to take this opportunity to thanks all those members of our community who I have had the pleasure of serving alongside. Each of these dedicated individuals have given their time and energy for the betterment of our community. It has truly been my privilege to serve with them. I also want to thank our community manager Bryan Ayer. Bryan has served as Community Manager during my five years as President and he works tirelessly in the daily management of our Association. He has been a trusted advisor, supporter and friend.

Enjoy your summer and remember to mark your calendars and attend our annual member meeting on Saturday July 20th. I look forward to seeing many of you there!



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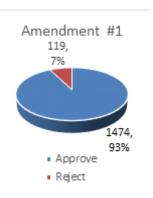
### Final Voting Results of Proposed Covenant Amendments

As of May 31st, the voting results for each of the four proposed four proposed amendments to the Association's Declaration of Covenants, Restricts and Conditions (the "Covenants") are shown below. Votes were cast by 995 of the Association's 1,488 property owners representing a 67% participation rate.

Given the high level of owner participation and strong support for each amendment, the Association will now petition the District Court for approval of the proposed amendments. The Association expects to know the results of this petition by the end of the summer.

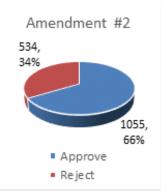
The Board of Director thanks all those owners who cast their ballots and participated in the voting process.

Amendment # 1 - Allow the drilling of water wells by individual lot owners. Currently this is prohibited. With the recent ruling by the Colorado Division of Water Resources on water well permitting in the Yampa River basin, the Morrison Creek Metropolitan Water & Sanitation District has indicated they will stop requesting individual water



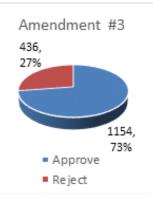
well permits on behalf of owners whose lots are not served by the District's water system. While the District is willing to work with lot owners as the Association seeks approval for this covenant amendment, there is no guarantee they will continue this practice in the future. Without amending the current restriction, owners of undeveloped lots not served by the District's system will not be able to drill and use a well as a source of water. Amendment #2 - Allow for the keeping of chickens. Currently the keeping of chickens is prohibited in all areas of Stagecoach. The amendment would allow the keeping of a limited number of chicken hens on developed lots within Stagecoach.

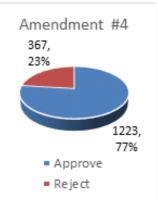
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Amendment #3 - Allow for the keeping of horses and pack animals. Currently the keeping of horse/pack animals is prohibited in all areas of Stagecoach. The amendment would allow the keeping of a limited number of horse/pack animals on developed lots in certain subdivisions that are 5 or more acres in size.

Amendment #4 - Allow for the parking of one (1) trailer outside of an enclosed space. Currently no trailers of any kind are allowed to be parked outside of an enclosed space (i.e., garage or approved ancillary building) on any lots within Stagecoach. This amendment would allow for the parking of one (1) sports/ recreation related trailer outside of an enclosed space





on all developed lots. The amendment also extends the temporary parking of trailers from 120 to 180 days during the construction of a permanent residence on a lot.

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### New Proposed ACC Guidelines

As many of you know, the Stagecoach Covenants prohibit lot owners from constructing a house or other structure before the construction plans are approved by the Architectural Control Committee. However, the Covenants don't provide much guidance as to how the ACC is supposed to decide which applications to approve. This makes the process difficult for both the members of the committee and for the owners wishing to build.

Over time, the association directors have adopted policies that help to interpret some of the vague language of the Covenants. However, the policies adopted to date only cover a few of the issues facing owners and committee members. At their meeting on May 18th, the directors tentatively approved more comprehensive guidelines. These proposed policies are published below. Under the governance policies of SPOA, all new policies must be published to the members prior to being finally adopted. The purpose of this publication is to give all members an opportunity to comment. If you wish to object or otherwise comment on the proposed guidelines, please send your objections or other comments, in written form, to the SPOA managing agent, Bryan Ayer at *bayer@steamboatassociations.com*.

The proposed policies are numbered 2019-1,2,3 and 4. Proposed policy 2019-4 deals with the way in which decisions are made within the ACC. Although the Covenants say that the committee must have at least three members, there is no direction on how the votes are counted. The proposed guidelines make it clear that the vote of the majority of the members who vote will be the decision of the committee.

Proposed policy 2019-3 deals primarily with how applications are handled. It sets out certain situations in which an application will automatically be rejected. So, for instance, if an owner commences construction before applying for approval the application will automatically be disapproved. It also sets out an "informal" process that allows an owner to get a promise of approval from SPOA before spending the time and money to prepare final plans for submission to Routt County. It also sets out the documents that need to be provided to the committee along with the application.

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Proposed policy 2019-2 deals with house sites, materials and design elements. As in the case of 2019-1, certain things are prohibited. So, for instance, owners cannot use wood shake shingles [because they are a serious liability in the event of a forest fire] and cannot cover the entire exterior of a house in metal [because metal buildings don't blend well with the natural environment]. However, most of the potential restrictions are labeled as "disfavored" which means that the owner must convince the members of the committee why a material or a design element that would otherwise be disallowed should be permitted in their particular case.

Proposed policy 2019-1 restricts the colors that may be used for the exterior of houses and other structures. So, for instance, if the policy is approved, owners will not be able to construct orange colored roofs or use yellow colored siding. In tentatively approving this policy, the directors have taken the position that houses at Stagecoach should be constructed in a way that will blend, to a reasonable extent, with the natural environment. This is consistent with the admonition in the preamble to the Covenants that the ACC exercise its discretion to try to "insure the lasting beauty" of Stagecoach.

It is the opinion of the ACC members and the board of directors that these proposed policies will greatly help to eliminate much of the uncertainty that currently surrounds the approval process. We invite your review and comment.

### Call for Board of Directors Nominations

The Board of Directors is seeking candidates to fill three positions on our nine-member Board of Directors. These positions will serve a three-year term expiring at the 2022 annual membership meeting. If you are looking for a way to make a difference and help move the Stagecoach community forward, please contact our Association Manager Bryan Ayer. Bryan can provide you with information on serving as a member of the Board including responsibilities and time commitments. You can reach Bryan by phone at 970-875-2810 or by email at BAyer@steamboatassociations.com.

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### Think green! Recycling drop-off options in Oak Creek

Looking for recycling options near Stagecoach? Every 4th Monday of the month the Green Monster Waste Management recycling dumpster is placed in the Decker Park parking lot in Oak Creek for an entire week. Single stream recycling can be dropped off here for free during this time! For a list of what you can recycle please visit http://www.wm.com/ thinkgreen/what-can-i-recycle.jsp or visit http://www .yampavalleyrecycles.org. You can also download the Yampa Valley Sustainability Council's free mobile app for a detailed recycling guide. Decker Park is located at 305 Moffat Ave just three blocks off Main Street.

### South Routt School District Announcement

Kindergarten registration is open for South Routt. South Routt Elementary School is trying to locate all children who will be attending Kindergarten Fall 2019. Children must be 5 years old prior to October 1, 2019, Please call the elementary school at 970-638-4558 or email *llombardi@southrouttk12.org* if you have a child that is not currently enrolled in the SOROCO Preschool and will be starting Kindergarten.

## Friends of Stagecoach State Park

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Friends of Stagecoach Park is a small group but we make a positive difference to the park experience. We help out with the popular DeBunk the Winter Funk event, Fishing Tournaments and other special events. Our fundraisers have helped purchase or maintain items loaned to park users at no charge. Fat tire bikes, snowshoes, fishing equipment and bait, corn hole, and giant jenga. We have also helped with the purchase of heart defib machines, the souvenir display in the park office, snow tracks for the Polaris side by side vehicle, and the weed sprayer, and the Junior Ranger supplies. We placed a Little Free Library at the corner of the marina patio. If you have books to donate just place them in the library or on the bookshelf in the marina store. Think of how much more we could do if we had more volunteers! Call Susan at 970-736-8333, or email friendsofstagecoachpark@gmail.com. We'd love to have your help!



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## 2019 Stagecoach Real Estate Update

By Rebecca Bailey, Town & Country Properties

Stagecoach real estate activity for the first half of the year has been moving at a steady pace!

Since January 1, eleven single family homes have sold, ranging from \$360,567 to \$720,000. The average sales price is \$502,324. In contrast, there were 8 sales in the first half of 2018, with the average sales price of \$466,000. Currently, there are 5 homes under contract, and 12 active listings.

There are currently 7 active Stagecoach Townhomes, priced from \$227,500-\$290,000. One Stagecoach townhome is pending, along with 3 Eagles Nest townhomes. 2019 has not seen any closings yet on townhomes.

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At Wagonwheel, there have been 4 sales since January 1, priced from \$162,000 to \$239,000. In 2018, there were 4 sales throughout the year. Two condos are currently active.

Presently there are 113 active lot listings, ranging from \$4,500 to \$1,550,000 (a 250 acre parcel in Greenridge). We have seen 18 sales this year, with another 3 parcels under contract.

If you would like more detailed information, please feel free to contact our office.

Information provided is from the Steamboat Springs MLS, and does not include private sales/listings. It is deemed accurate, but not guaranteed. Statistics are through June 13, 2019.

Summertime In Stagecoach Activity is Brisk and Inventory is Low! We are Long Time Stagecoach Residents and Your LOCAL Source for Buying and Selling!

Call Us Today and Call it SOLD



106 E. Main St., Oak Creek



Kerry 970.846.9591

Rebecca 970.757.1111

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SPOA Policy 2019-1 relating to the application of the phrase, "harmony of external design and location in relation to surrounding structures and topography," found in Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions ["Covenants"] provides that, "No building... or other structure shall be commenced, erected, or maintained ... until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;" and

WHEREAS, the goal of the Covenants, as stated in the preamble, is to, "secure to each individual owner the full benefit and enjoyment of his home and/or property with no greater restriction upon the free and undistributed use of his property than is necessary to insure the same advantage to other similar owners; and to insure the lasting beauty and investment value of the property..."; and

WHEREAS, the Board finds that the investment value of the Lots and the ability of Lot owners to enjoy their property is directly linked to the preservation of the natural beauty of Stagecoach; and

WHEREAS, the Board finds that the adoption of a policy concerning the colors of buildings and other structures constructed at Stagecoach will help to insure the lasting beauty and investment value of the property of all Lot owners;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

#### I. SUBDIVISIONS WITH SEPARATE COVENANTS

A. If an applicant owns a Lot in a subdivision that is subject to separate covenants, in addition to the Stagecoach Covenants, and if those separate covenants specify, directly or indirectly, the colors that may be used in constructing or renovating

structures, then the colors specified in the separate covenants shall be permitted.

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B. If an applicant owns a Lot in a subdivision that is subject to separate covenants, in addition to the Stagecoach Covenants, but the separate covenants do not specify, directly or indirectly, the colors that may be used in constructing or renovating structures, then the policies stated below shall apply, provided that the ACC shall defer to colors approved by any review board or committee established pursuant to the separate covenants, unless the colors are prohibited below.

#### II. CONDOMINIUMS

A. If the condominium declaration states, directly or indirectly, the colors that may be used in constructing or renovating structures, then the colors specified in the condominium declaration shall be permitted.

B. If the condominium declaration does not specify, directly or indirectly, the colors that may be used in constructing or renovating structures, then the policies stated below shall apply,

### III. SUBDIVISIONS NOT SUBJECT TO SEPARATE COVENANTS

A. <u>New Construction</u>. In the case of new construction on a Lot, the proposed colors of the new structure(s) will be reviewed in two ways: The proposed colors of each of the components [roof, siding, trim, window frames, doors, decorative stone, decorative metal, etc.] will be reviewed to determine whether they meet the requirements set forth below; and the proposed color scheme of the assembled components will be reviewed to determine whether it harmonizes with surrounding structures and the surrounding natural environment. Generally, it is expected that if the

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#### SPOA Policy 2019-1 • Continued from Page 7

component colors meet the requirements below, then the proposed color scheme will harmonize with surrounding structures since they will have been constructed with similar component colors. However, even if a proposed color scheme harmonizes with the surrounding structures, it may not harmonize with the natural environment. If the proposed color scheme detracts excessively from the enjoyment of the surrounding natural beauty, then the application to use the proposed color scheme may be disallowed. The objective is to use a color scheme that will allow the structure to blend in with the surrounding environment in a visually pleasing manner. To the extent that the Lot owner proposes a color scheme that does not blend well with the surrounding environment, the Lot owner may propose to create a better visual effect by agreeing to plant trees and other vegetation on the Lot.

1. <u>Roofs</u>.

a. Although proposed roof covering materials may contain a variety of colors [for instance, a blend of grays, browns, greens and blacks], the color of the roof will be assessed based upon the color of the roof when viewed from a distance.

- b. Prohibited colors:
  - i. White and black;
  - ii. Yellow, orange, pink, red, blue, and purple;
- c. Permitted colors:

i. Darker shades of brown, including shades that may emphasize the red or black components of the brown;

ii. Darker shades of gray, such as charcoal, and including shades that contain small amounts of other colors, including blue;

iii. Darker shades of green mixed with gray and/ or black and/or brown.

d. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

2. Siding.

a. Although proposed siding materials may contain a variety of colors, the color of the siding will be assessed based upon the color of the siding when viewed from a distance.

- b. Prohibited colors:
  - i. White and black;

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- ii. Yellow, orange, pink, red, blue, and purple.
- c. Permitted colors:

i. All shades of brown that occur in the Stagecoach natural environment, including shades with a red or yellow tint, and including shades that are found in the clays present in the soil;

ii. All shades of gray that occur in the Stagecoach natural environment;

iii. Colors resulting from the mixture of green and gray, or green and black or green and brown and which occur in the Stagecoach natural environment [such as the color "sage"]; and

iv. In the case of unpainted corrugated metal siding, the rust color that occurs naturally when such metal is allowed to oxidize.

d. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

3. <u>Trim.</u>

a. Although proposed siding materials may contain a variety of colors, the color of the trim will be assessed based upon the color of the trim when viewed from a distance.

- b. Prohibited colors:
  - i. Yellow, orange, pink, blue, and purple;
  - ii. Highly reflective shades of white;
- c. Permitted colors:
  - i. Black

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ii. Shades of white that do not excessively reflect sunlight;

iii. All shades of brown that occur in the Stagecoach natural environment;

iv. All shades of gray; and

v. Colors resulting from the mixture of green and gray or green and black or green and brown and which occur in the Stagecoach natural environment;

d. Other colors, including shades of red, will be reviewed on a case-by-case basis.

### 4. <u>Window frames, doors, garage doors and decorative</u> <u>stone.</u>

- a. Prohibited colors:
  - i. Yellow, orange, pink, blue, and purple.
- b. Permitted colors:

i. For window frames: All colors that are permitted for roofs, siding and trim;

ii. For doors and garage doors: All colors that are permitted for roofs, siding and trim except

black and shades of white.

N⁰

iii. For decorative stone: Shades of gray and other colors that occur in the Stagecoach natural environment, including shades of brown found in the clays in the soil.

a. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

#### B. Renovation of or Additions to Existing Structures.

1. If an owner renovates or adds to an existing structure, the only permitted color scheme is the color scheme of the rest of the structure; all other proposed color schemes will be reviewed on a case-by-case basis to determine whether the colors blend with the color scheme of the rest of the existing structure.

2. If an owner proposes to change the color scheme of an existing structure then the policies stated above with respect to new construction will be applied.

C. <u>Rejection of Applications Proposing Prohibited Colors.</u> If the Association managing agent receives an application to construct a house or other structure using colors that are prohibited, and if the chairman of the Architectural Control Committee concurs that the proposed colors are prohibited, then the application shall be disapproved.

### **Stagecoach Property Owners Association Lodging Benefit**

As a benefit of SAM management, SPOA members enjoy **special savings on vacation rentals** at our sister companies. Simply enter promo code *RGVIP19* at the time of booking, or mention it when you call (800)525-2622.







www.simplysteamboat.com

Use promo code RGVIP18 for an extra 10% OFF lodging at Steamboat Association Management sister companies

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SPOA Policy 2019-2 relating to the application of the phrase, "harmony of external design and location in relation to surrounding structures and topography," found in Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions [DRAFT – 5/18/2019]

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions ["Covenants"] provides that, "No building... or other structure shall be commenced, erected, or maintained ... until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;" and

WHEREAS, Section a of Article V of the Covenants provides that one "ancillary building" per Lot will be permitted so long as the Architectural Control Committee [referred to below as the "Committee"] determines that the ancillary building is, "in keeping with the overall architecture or scheme of the dwelling;" and

WHEREAS, the goal of the Covenants, as stated in the preamble, is to, "secure to each individual owner the full benefit and enjoyment of his home and/or property with no greater restriction upon the free and undistributed use of his property than is necessary to insure the same advantage to other similar owners; and to insure the lasting beauty and investment value of the property..."; and

WHEREAS, the Board finds that the investment value of the Lots and the ability of Lot owners to enjoy their property is directly linked to the preservation of the natural beauty of Stagecoach; and

WHEREAS, the Board finds that the adoption of a policy concerning the location of, design of and materials used for buildings and other structures constructed at Stagecoach will help to insure the lasting beauty and investment value of the property of all Lot owners; and

WHEREAS, Article V Section h. of the Covenants provides that,

"Approval shall be obtained from the Committee to cut down, clear or kill any trees on any lot;

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NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

[This policy purposely does not address all possible design elements and all possible materials. This policy is a work in progress. It is the intention of the Board to amend this policy in the future as experience dictates.]

I. SCOPE AND GENERAL STANDARD OF REVIEW Both the design of the proposed structural components [roofs, walls, foundation, etc.] and the proposed site of the structure will be reviewed. The materials that the Lot owner proposes to use in the construction will also be reviewed, to the extent that those materials will be visible from outside the structure. The purpose of this review is, first, to determine whether the proposed structure will harmonize with the surrounding structures [even though the surrounding structures may be located hundreds of yards away from the proposed structure]. In the case of an "ancillary building" the review will consider not only whether the ancillary building harmonizes with structures on other Lots, but also whether the ancillary building harmonizes with the dwelling on the Lot. If the proposed design of a structure is determined to be so different from the design of surrounding structures that it creates a feeling of disharmony, then the application may be disapproved. Similarly, if the location of the proposed structure is determined to adversely affect the surrounding structures, then the application may be disapproved.

The second purpose of the review is to determine whether the proposed construction will preserve, to a reasonable extent, the natural beauty of the Lot. In this regard, the Committee will look at how well the proposed structure fits the existing

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topography of the building site. The Committee will also look at whether the construction will result in the destruction of trees on the Lot and/or prominent natural features, such as large rock outcrops. And, the Committee will look at the materials used for the exterior of the structure. If the proposed location or the proposed materials are determined to create a feeling of disharmony with respect to the surrounding natural environment, then the application may be disapproved. Generally, the objective is to select a site and use a design and materials that will allow the structure to blend in with the surrounding environment in a visually pleasing manner. To the extent that the Lot owner proposes to use a design or material that does not blend well with surrounding structures and/or the surrounding environment, the Lot owner may propose to create a better visual effect by agreeing to plant trees and other vegetation on the Lot.

#### II. SPECIFIC STANDARDS

A. Prohibited, Disfavored and Favored. If an applicant proposes a location, design or material that is listed below as "Prohibited", the application will be disapproved. If an applicant proposes a location, design element or material that is listed below as "Favored", that particular location, design element and/or material will be approved, although there may be other aspects of the proposed structure that will cause the application to be disapproved. If an applicant proposes a location, design element or material that is listed below as "Disfavored," the burden will be on the applicant to convince the Committee that there is some aspect of the Lot or the existing structures on the Lot that justifies the use of the proposed location, design element and/or material. So, for instance, if all of the structures existing on the Lot already have "lean-to" style roofs, then it would make sense that the proposed new structure would also have a "lean-to" style of roof, even though lean-to roofs are disfavored.

For locations, design elements and/or materials that are not listed below, the Committee will review the application under the general standard of review stated above.

B. Structure Site.

#### 1. Prohibited.

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a. Any site that encroaches on the front, rear and side utility and drainage easements.

#### 2. Disfavored

a. Structure sites that significantly block the established view from surrounding Residences, to the extent that the size and the topography of the Lot reasonably allow other, less obstructive, structure sites.

b. Structure sites that will require a significant alteration of the existing topography of the Lot, to the extent that the size and the topography of the Lot reasonably allow structure sites that will require less alteration of the existing topography.

3. Favored. [Reserved]

#### C. Architectural Design.

- 1. Design as it relates to the Lot topography.
  - a. Prohibited [Reserved]
  - b. Disfavored [Reserved]
  - c. Favored:

i. When the owner proposes to build on an existing slope, structures that are built into the slope, such as a house with a "walk-out" basement.

ii. Designs that preserve prominent natural features, such as rock formations.

- 2. Roofs
  - a. Prohibited Design Elements:

i. Primary or main roof planes that have a pitch of less than 5 inches vertical for each 12 inches of horizontal. [When a proposed roof has several roof planes, the largest roof plane will be deemed to be the primary roof plane.]

- ii. Carports.
- b. Disfavored Design Elements:

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i. Roofs with a single plane, such as the roof of a lean-to.

ii. Roof planes where the lowest edge of the roof is less than 8 feet above ground level, except in the case of structures partially buried into extreme slopes.

iii. In the case of an "ancillary building," roofs with a design different from the design of the residence on the Lot.

c. Favored Design Elements:

i. Roofs with two or more planes, where the roof planes are at an angle to each other, including roofs in which the various roof planes share a common edge [such as a gabled roof], and roofs in which the various roof planes do not share a common edge [for instance, where the back-side roof plane and the front-side roof plane are separated by a vertical section of wall].

#### D. Materials

- 1. Roofs
  - a. Prohibited Materials:
    - i. Wood shake shingles.
  - b. Disfavored Materials [Reserved]
  - c. Favored Materials
    - i. Standing seam metal;
    - ii. Asphalt shingles, including "dimensional" asphalt shingles
- 2. Siding.
  - a. a. Prohibited Materials:

i. Standing seam metal siding that covers more than 50% of the walls of the structure.

ii. Corrugated metal siding that covers more than 50% of the walls of the structure.

b. Disfavored Materials:

N⁰

i. In the case of an "ancillary building", siding that is different from the siding of the Residence on the Lot.

- ii. Vinyl
- c. Favored Materials:
  - i. Wood, including logs and partial logs;
  - ii. Manufactured wood siding;
  - iii. Fiber cement siding;
  - iv. Stucco;
  - v. Stone and faux stone.
- 3. Trim.
  - a. Prohibited Materials: [Reserved]
  - b. Disfavored Materials:

i. In the case of an ancillary building, trim that is different from the trim of the Residence on the Lot.

- c. Favored Materials:
  - i. i. Wood, including logs and partial logs;
  - ii. ii. Manufactured wood;
  - iii. iii. Fiber cement;
  - iv. iv. Stucco;

**III. Rejection of Applications Proposing Prohibited Locations or Design Elements.** If the Association managing agent receives an application to construct a house or other structure in a prohibited location and/or using a prohibited design element and/or material and if the chairman of the Architectural Control Committee concurs that the proposed location and/or design element and/or material are prohibited, then the application shall be disapproved.

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SPOA Policy 2019-3 relating to the application of the phrase, "No building... or other structure shall be commenced, erected, or maintained .until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing .by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;" found in Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions [DRAFT – 5/18/2019]

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions ["Covenants"] provides that, "No building, fence, wall, swimming pool, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;" and

WHEREAS, the Board has previously adopted a policy to the effect that only plans actually submitted by the applicant to Routt County for approval will be reviewed and approved pursuant to the Covenants; and

WHEREAS, the ACC has established an informal procedure that allows review of plans before submission to Routt County, so as to minimize applicant costs in the event that changes to the plans are required, but this informal procedure has not, to date, been formally adopted by the Board; and

WHEREAS, Section a of Article V of the Covenants states that, "All Lots shall be ... used only for Residences," but also allows one "ancillary building", and

WHEREAS, there is still often confusion about various aspects of the application process;

NOW, THEREFORE, the Board hereby adopts and promulgates

#### the following policies:

[These policies purposely do not address all aspects of the application process and all issues that may arise. These policies are a work in progress. It is the intention of the Board to amend these policies in the future as experience dictates.]

I. AUTOMATIC DISAPPROVAL OF APPLICATIONS

N⁰

A. Applications Made After A Structure Is Commenced.

1. Applications made after a structure has been commenced shall be disapproved. The term "commenced" includes grading, cutting and/or filling that is done primarily to prepare a Lot for the construction of a structure.

2. Commencement of a structure, prior to obtaining written approval, shall be treated as a violation of the Covenants.

B. Applications For Structures On Lots Without A Residence.

1. With the exception of applications for fences, or as otherwise allowed by the Board on a case-by-case basis, applications for construction of a structure other than a Residence shall be disapproved unless the Lot has an existing Residence, or a Residence will be constructed contemporaneously with the structure.

C. Applications For Formal Review Pursuant To Article V

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1. For structures that require a permit from Routt County prior to construction, if an applicant has not submitted plans to the Routt County Building Department at the time the applicant requests formal review of plans pursuant to Article V of the Covenants, the application shall be disapproved.

2. If an applicant requesting formal review of plans pursuant to Article V of the Covenants fails to include with the application and plans pictures showing the materials (including sheet metal, corrugated metal, wood, manufactured wood, stucco, asphalt shingles, wood shingles, cement board, stone and manufactured stone) that the applicant proposes to use for the exterior of the structure, in the colors that the applicant proposes to use, the application shall be disapproved.

D. Notification Of Automatic Disapproval

1. Upon receipt of an application subject to automatic disapproval, the Managing agent shall notify the applicant in writing of the disapproval pursuant to this policy.

### II. CLARIFICATION OF "EXTERIOR ADDITION OR CHANGE OR ALTERATION"

In order to streamline the process and lessen the burden on Lot Owners, consistent with the stated purpose of the Covenants, the Board has determined that the phrase, "exterior addition or change or alteration should be interpreted to exclude certain repairs and minor alterations, which are listed below. Owners wishing to make a repair or minor alteration that is not on the list are advised to consult with the Managing Agent.

A. The following repairs and minor alterations shall not be treated as an "exterior addition or change or alteration," for purposes of the application process only. The Board reserves the right to change this list from time to time, as experience dictates.

1. Repair and/or replacement of roofing or siding or trim materials and/or coatings, including paint, so long as the materials and coatings have approximately the same color as the original color of the materials and/or coatings replaced;

N⁰

2. Repair and/or replacement of windows and/ or doors and/or garage doors, so long as the replacement windows and doors and garage doors have approximately the same color as the original color of the windows or doors or garage doors replaced;

3. Construction of a roof over an existing doorway of a Residence, so long as the materials and colors are substantially the same as those of the Residence;

4. Construction of a roof over an existing deck attached to a Residence so long as the materials and colors are substantially the same as those of the Residence.

#### III. CLARIFICATION OF THE TERM "ANCILLARY BUILDING"

Except as otherwise provided in any amendment to the Covenants, or any other policy or guideline adopted by the Board, an "ancillary building" is, generally, a roofed structure that does not share a common wall with a Residence, provided, however, that:

A. A roofed structure that does not share a common wall with the Residence on the Lot but which is connected to the Residence by a walkway that allows passage from the structure into the house is not an "ancillary building" if: (1) the walkway is not longer than twenty (20) feet in length, and (2) the walkway has been enclosed with walls and/ or windows, and a roof, so that the interior is protected from the elements. Any such structure and walkway will be treated as part of the Residence for purposes of computing minimum and maximum square footage requirements.

#### IV. INFORMAL REVIEW OF APPLICATIONS

The Covenants provide that an application must be approved or disapproved within 30 days of submission or it is automatically approved. In the past, the ACC would approve applications prior to submission of the plans to Routt County. In some instances the applicant would change the plans after approval by the ACC but prior to submission to Routt County. SPOA would only discover the change after the structure had been

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#### constructed.

In an attempt to reduce construction of structures that have not been approved, the SPOA Board has adopted a policy to the effect that only plans submitted to Routt County will be reviewed by SPOA; all others will be disapproved. However, this places Lot Owners in the position of incurring the expense of preparing submission copies of plans without knowing whether those plans will be approved by the ACC. So, the Board hereby establishes a procedure whereby an Owner can obtain the agreement of SPOA, prior to submission of plans to Routt County, to later approve those plans when they are submitted to the County. This "Informal Review" shall proceed as follows:

A. An Owner wishing to participate in an Informal Review shall initiate the process by signing a letter, which shall also be signed by the Managing Agent, pursuant to which the Owner agrees that the 30-day deadline for review of applications stated in Article V of the Covenants does not apply to the application which is being submitted contemporaneously with the letter. The letter shall also provide that the Owner can terminate the informal review at any time by requesting such a termination in a writing delivered to the Managing Agent.

B. The Owner shall then provide the Managing Agent with the following: documents:

1. For an application for a Residence or an ancillary building:

a. A GIS print taken from the County website showing the location of the Lot in relation to the surrounding Lots; and

b. A site plan, preferably showing topography lines, that shows the proposed location of the structure(s) on the Lot and the proposed location of any propane tank to be situated on the Lot; and

c. To the extent not shown on the site map, a map of the Lot and the immediately surrounding Lots showing the approximate location of the proposed structure(s) and any Residences

located on the surrounding Lots [this map may be roughly drawn by hand]; and

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d. Floor plans, with dimensions noted, for all proposed structures; and

e. Elevations, with dimensions noted, for all proposed structures, which elevations shall also show the location on the exterior of the house of all materials (including sheet metal, corrugated metal, wood, manufactured wood, stucco, asphalt shingles, wood shingles, cement board, stone and manufactured stone) that the Owner plans to use for the exterior [location of materials may be shown by hand-written notes]; and

f. Pictures showing the exterior materials (including sheet metal, corrugated metal, wood, manufactured wood, stucco, asphalt shingles, wood shingles, cement board, stone and manufactured stone) in the colors that the Owner proposes to use.

2. For an application that is not for a Residence or an ancillary building:

a. A site plan showing the Lot, the location of the existing residence and any other structures on the Lot, and the location of the proposed structure [the proposed structure may be hand drawn on an existing site plan that shows the Residence and other structures]; and

b. Elevations, with dimensions noted, for all proposed structures [The elevations may be drawn by hand]; and

c. Pictures showing the materials composing the exterior of the proposed structure, in the colors that the Owner plans to use.

C. Upon receipt of the materials submitted by the Owner, the ACC shall decide whether to approve or disapprove the plans as submitted. If the plans are approved as submitted, then the Managing Agent shall send a letter to the applicant notifying them that formal approval of the plans, under Article V of the Covenants,

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will be issued upon confirmation that the plans submitted to Routt County are substantially the same as the plans reviewed by the ACC.

D. If the plans submitted for Informal Review are initially disapproved by the ACC, the ACC shall attempt to reach agreement with the applicant on changes to the plans sufficient to result in approval.

E. If the ACC and the applicant are unable to agree, the applicant may appeal to the Board of Directors by requesting such an appeal in a writing delivered to the Managing Agent . In the event of such an appeal, the matter shall be scheduled for hearing by the Board at the next regularly scheduled meeting. If the Board approves the plans, then the Managing Agent shall send a letter to the applicant notifying them that formal approval of the plans, pursuant to Article V of the Covenants, will be issued upon confirmation that the plans submitted to Routt County are substantially the same as the plans approved by the Board.

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### V. APPEAL FROM A DISAPPROVAL BY THE ACC UNDER FORMAL REVIEW

If an applicant chooses to submit to the ACC plans that have previously been submitted to Routt County, and the ACC disapproves the plans, the applicant may appeal to the Board of Directors by requesting such an appeal in a writing delivered to the Managing Agent . In the event of such an appeal, the matter shall be scheduled for hearing by the Board at the next regularly scheduled meeting. If the Board approves the plans, then the Managing Agent shall send a letter to the applicant notifying them that the plans have been formally approved pursuant to Article V of the Covenants.

## SPOA Policy 2019-4 relating to decision making by the Architectural Control Committee [DRAFT – 5/18/2019]

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions ["Covenants"] provides that, "No building, fence, wall, swimming pool, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;" and

WHEREAS, the Covenants are silent as to how the Architectural Control Committee (referred to below as the, "Committee") will make its decisions;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

1. The chairman of the Committee shall be a Director, appointed to the Committee by the Board, unless there is no Director willing to serve in that capacity, in which case, the Board shall appoint someone other than a Director to be the chairman of the Committee.

2. Applications for approval pursuant to Article V of the Covenants, along with accompanying materials, shall be forwarded by the Managing Agent to the chairman of the Committee, who shall check to see if all required documents have been presented. The chairman shall also review the materials provided by the applicant to determine whether the application is subject to automatic disapproval, pursuant to policies adopted by the Board.

3. If the application is not subject to automatic disapproval, the chairman of the Committee shall distribute copies of the relevant documents to the members of the Committee and,

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after a reasonable period for discussion, shall call for a vote on the application.

4. Committee members may choose not to vote on a particular application. If less than three members of the Committee vote, or if the Committee has less than three members, then the chairman shall distribute copies of the

relevant documents to the members of the Board who are in the second year of their three year term and, after a reasonable period for discussion, shall call for a vote on the application by those Board members.

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5. If at least three members of the Committee vote on an application but there is no majority decision, the chairman shall

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#### SPOA Policy 2019-4 • Continued from Page 17

distribute copies of the relevant documents to the members of the Board who are in the second year of their three year term and, after a reasonable period for discussion, shall call for a vote on the application by those Board members.

6. If the plans submitted for review do not include a "disfavored" structure site or design element or material, and at least three members of the Committee vote on an application, the decision of the majority of the members voting, if any, shall be the decision of the Committee. If Board members vote on the application, pursuant to paragraphs 4 or 5 above, the decision of the majority of the combined Committee and Board members voting on the application, if any, shall be the

decision of the Committee. If there is no majority decision resulting from the vote of the combined Committee members and Board members voting on the application, the chairman shall refer the matter to the Board for decision.

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7. If the plans submitted to the Committee for review include a "disfavored" structure site or design element or material, the application shall be disapproved unless all voting Committee members, or all voting Committee and Board members, as the case may be, approve the application.

8. If the voting Committee members, or the combined Committee and Board members, as the case may be, are unable to agree on whether the plans include a "disfavored" structure site or design element or material, the chairman of the Committee shall refer the matter to the Board for decision.



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### Committee Members Needed Get Involved

The Stagecoach Property Owners Association is an organization that has many opportunities to be involved. There is of course a Board of Directors and there is the ACC Committee, however the Board would like to have property owners involved as much as possible and thus help is needed in several areas. Please contact your Association Manager if any of the following possible committees sound of interest to you.

#### **NEWSLETTER COMMITTEE**

Develop articles, artwork and editorials for publication in the newsletter

#### COMMUNITY DEVELOPMENT COMMITTEE

Development of ideas to benefit the community of Stagecoach such as picnics and fireworks

In the future we expect additional opportunities such as serving on a road and/or an infrastructure committee. Since SPOA encompasses a large area and many individual property owners, there must be individuals with an array of expertise, talents and life experiences. If you could contribute some energy and time to help out it would be greatly appreciated.

## Stagecoach Express Advertising Rates

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Stagecoach Property Owners Association puts out a quarterly newsletter that is mailed to approximately 1200 owners of which about 400 live in Stagecoach and another 400 more who have property in Stagecoach and live in the Oak Creek and Steamboat area. We are accepting ads to be included in our next publication which comes out the beginning of February.

The newsletter is in an 8-1/2 x 11 inch format, written in 2 columns. The ad sizes and prices per edition are as follows:

1/4 page – 3.625" w x 3.25" h\$80
1/3 page – 3.625"w x 5" \$120
1/2 page vertical - 3.625"w x 7.5"h \$150
1/2 page horizontal – 7.5″w x 3.25″h \$150

There is a 20% discount if 4 orders covering one year are placed. Sorry but we no longer do business card size due to our new layout.

Ads can be in color or in black/white and can be sent to us as hi-resolution JPG, TIFFs or PDF files. Please Email us your format.

If you would like to advertise, please contact the Association Manager:

bayer@steamboatassociations.com

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### **Current Board of Directors**

Stagecoach's Governing Body

#### President

John Troka (Term-ends July 2019) 2890 Majestic View Dr, Timnath, CO 80547 jtroka@msn.com

#### **Vice-President**

**Rob Walker** (*Term-ends July 2018*) 22636 Commanche Road, Oak Creek, CO 80467 walker.rob.1973@gmail.com

#### Secretary

Kayleen Cohen (Term-ends July 2021) kayleen@mtndogmedia.com

#### Treasurer

Matt Kaufmann (Term-ends July 2020) 2075 Walton Creek Road Steamboat Springs, CO 80487 mattkaufmann@mybrokers.com

John DiNicholas (Term-ends July 2019) 33225 Ramuda Trail, Oak Creek, CO 80467 johndinicholas@hotmail.com

Scott Okerstrom (Term-ends July 2020) scottokerstrom@gmail.com

**Tom Watts, Current ACC Chairman** (*Term-ends July 2020*) 31675 Shoshone Way Steamboat Springs, CO 80467 *ttwatts@comcast.net* 

Vicki Weber (Term-ends July 2019) 32456 Ute Trail, Steamboat Springs, CO 80487 2webers@q.com

Kate Rachwitz (Term-ends July 2021) katerachwitz@gmail.com



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### The following information can be found on the association's website:

www.Stage-Coach.com

**Financial Statements** 

**Meeting Minutes** 

**Governing Documents** 

**Committee Charters** 

#### **Community/Common Area Documents**

**Additional Community Information** 

For other questions please contact: **Stagecoach Property Owners Association**  *Managed by Steamboat Association Management* 675 Snapdragon Way Suite 100 Steamboat Springs, CO 80487 **Association Manager – Bryan Ayer bayer@steamboatassociations.com** (970) 875-2810



#### Stagecoach Property Owners Association Minutes of the Annual Meeting of Members SOROCO High School July 21, 2018 – 9:00am

John Troka called the meeting to order at 9:05 am. He introduced all Board members present which included himself, John DiNicholas, Vicky Weber, Matt Kauffman and Rob Walker. Also present were Community Manager Bryan Ayer and Association Managers Steve Gadbois and Beau Riley from the Association's management company, Steamboat Association Management.

With 326 of the owners represented in person or by proxy, a quorum was established.

#### Approval of minutes of 2017 Annual meeting

The annual meeting minutes from July 22, 2017 were presented to the ownership. Property owner Kate Rachwitz made a motion to approve the 2017 annual meeting minutes as presented. Property owner Melaine Thompson seconded the Motion. Motion passed without dissent.

#### Presidents Report – John Troka:

<u>Water Well Update:</u> In the Fall of 2017, Morrison Creek Metropolitan Water and Sanitation District (the "District") imposed a moratorium on issuing new water well and sealed sanitary vault permits. The District rescinded the moratorium in February of 2018. For owners seeking water well and vault permits, the District will continue to operate pursuant to their Intergovernmental agreement with Routt County. There will be a minor procedural change in the water well permitting process. Specifically, the District will first send all well permit applications to the Colorado Division of Water Resources for their approval prior to the District approving an owner's application.

For lot owners not requiring a vault permit, the District is changing the water well permitting process. Currently, lot owners apply for a water well permit through the District who permits the water well in the District's name. In light of recent rulings by the Colorado Division of Water Resources, the District has various legal and lability concerns with the current process and intends to change the process. Specifically, owners will apply for water well permits directly with the Colorado Division of Water Resources and if approved, the wells will be permitted in the name of the property owner. This change by the District causes an issue for SPOA members as the Association's covenants prohibit lot owners from drilling individual water wells on their lots. SPOA has negotiated a delay in the District's implementation of the new permitting process with their Board. The District has agreed to allow SPOA adequate time to seek approval from the membership for an amendment to the covenants allowing individual

lot owners to permit and drill water wells. The ownership has been informed that a proposed amendment to the covenants to address this issue will be sent out to the ownership to vote upon within the next year.

Stagecoach State Park Projects: Owners were briefed on discussions between the SPOA Board and representatives of the Stagecoach State Park about two projects the State Park would be working on in 2018. The first project involves the construction of an access point and trail from the park into the BLM parcel that stretches from an area close to the reservoir dam over and across to the area North and East of the South Shore subdivision. In 2017, SPOA closed public access to the BLM parcel at the top of South Shore by securing the common area where the public was crossing with a fence and signage stating that the common area crossing was only for Stagecoach Owners and their guests. As a part of the project, the State Park in cooperation with the BLM, is intending to construct a public parking lot and trailhead at the end of Arapahoe Road. The parking area and trailhead will be constructed on parcels that do not belong to the Association and are accessed by the platted public right-of-ways in the South Shore subdivision. While the SPOA Board understands and supports the public's right to use the BLM parcel, it requested the State Park forego constructing the new parking area and direct the public to use the existing parking area on the north side of the Stagecoach dam to access the new trail. More information on the project can be found on the website at www.stage-coach.com.

The second project entailed changes and improvements to the Morrison Cove day use area. The State Park intends to increase the beach space as well as add picnic areas, boat moorings, and a swim platform. They also intend to restrict Morrison Cove boat launch to non-motorized water craft due to the limited volume of motorized watercraft using the area and the lack of funding to staff the boat inspection station.

<u>Wildfire mitigation</u>: Owners were provided an update on the Association's ongoing wildfire mitigation efforts. Specifically, SPOA has contracted with the Natural Resources Solutions Group (NRSG) over the past two years to consolidate and burn the slash piles left from the 2012 beetle kill mitigation efforts. Between the Fall of 2017 and Spring of 2018, NRSG burned 59 piles eliminating a total of 136,000 cubic feet of potential wildfire fuels. The piles burned areas included the Community pile and the those in the areas of Colt Trail, Filly Trail, Bridle Way, King Bolt, Surrey Trail, Bigwhip Way, Wagon Wheel Trail, Cinch Trail, Shay Way, Bucking Way, and Wagon Box Way.

The Board has also been working with NRSG on a Stagecoach community wildfire mitigation plan. Although the dead timber from most of the SPOA common areas and public right of ways has been removed, there still remains a tremendous amount of standing dead and fallen trees on individual lots. The Board is working with NRSG on pursuing available State grants to help owners with the expense of removing these



wildfire fuels and creating a FIREWISE certified community which encompasses property owner education, signage and community relations with the Oak Creek Fire District.

<u>Road Maintenance</u>: The Association continues to focus its road maintenance efforts on critical road segments and failure points that directly impact the ability of owners and fire and safety services to access lots and common areas of the Association. Recent projects have focused on fixing drainage issues that are undermining the existing roadways. These efforts include grading of main arterial roads to establish better water run-off and replacing culverts that have failed or are failing and unable to adequately direct water flows. Last fall work was completed on drainage projects on Filly Trail and at the intersection of Whiffle Tree and Shay Way. The Board will continue to assess critical road maintenance and drainage issues and make repairs consistent with available funding.

SPOA has road maintenance agreements with Routt County for the Horseback, Morningside and South Shore subdivisions. There are several roads in these subdivisions that currently serve no residences that have not been maintained by the County per the agreements. This issue came to light when a lot owner seeking a building permit on a road covered by these agreements was denied the permit until the road was improved. The Association met with County officials to review the existing agreements and the County acknowledged they have maintenance responsibility for roads in these subdivisions. As of the annual meeting, the County had performed some preliminary maintenance work on several of the identified roads that had not been adequately maintained.

<u>Trails and Recreation</u>: The Association continues to receive positive feedback and support for the construction of a community trail system. In the past couple of years SPOA has built community trail segments within the Association's common areas near Schussmark Trail and also off of CR 212. The next step is to work on an overall Master Trail Plan that would encompass the recently built trails, the public trails at the Neighborhoods at Youngs Peak, possibly a new trail system that the owner of Young's Creek would like to incorporate as well as other previous planned trails throughout South Shore. The Master Plan, when completed, will serve as the roadmap for the construction of new trails as funding permits.

<u>Neighborhood Grant Program</u>: SPOA offers a grant program to help promote neighboring activities and neighborhood revitalization by providing financial assistance up to \$500. Groups of property owners can apply for grants to help with several activities including neighborhood clean-ups, beautification projects and common area improvement projects just to name a few. Grants are awarded two times a year with deadlines for application on May 15<sup>th</sup> and August 15<sup>th</sup>. Interested parties can contact the Community Manager or the application can be found online at <u>www.stage-</u>



<u>coach.com</u>. The most recent approved grant application helped fund a large dumpster for the Rock Point Trail neighborhood spring cleanup effort.

<u>Stagecoach Mountain Project</u>: In the past year there has been much talk about the purchasing of the ski mountain by new investors. At this time, that project is dead. The sales office in Steamboat Springs is closed and the website has been taken down. The Board will continue to monitor and provide updates of any new developments related to the ski area property.

<u>Owner Participation in the Association</u>: There are many opportunities for owners to get involved in the community and they are encouraged to do so. Every year there are three Board positions up for election. There are also committees for architectural control, roads, and ad hoc projects such as helping with the proposed covenant amendments and community events. The Association also needs project coordinators to help drive and facilitate various initiatives and help bring owners together. In addition to working with the Association, there are also other opportunities to help the Stagecoach community by helping with the Oak Creek Fire Protection District, Morrison Creek Metropolitan Water and Sanitation District or the South Routt County School District.

#### Treasurer's Report – Matt Kaufmann:

Matt presented a financial summary for the current fiscal year through June 30, 2018 including the balance sheet, income statement for operations, and project/reserve spending report.

**Total assets** at the end of June was \$646,328. Of this balance, \$586,706 is cash including \$157,145 of restricted road funds held for use in the Horseback, Morningside and South Shore subdivisions.

**Operating income** from annual assessments for the period January through June was \$57,751 with other income (i.e. finance charges, late fees, fines, etc.) of \$3,608 for a total income of \$61,359.

**Operating expenses** for the same period totaled \$50,748. These expenses include management fees, professional services including accounting and legal, insurance, maintenance costs, including the grooming of the Nordic trail and the maintenance of the Coyote Run playground as well as meetings and postage.

Through June 2017, the Association's YTD **operating surplus** (income minus expenses) is \$10,610.

**Project/reserve** income through June from annual assessments and interest was \$75,452. YTD project/reserve spending was \$26,315 which includes \$21,850 in wildfire



mitigation, \$529 for covenant enforcement, \$500 in neighborhood grants and \$3,436 in legal expenses regarding common area ownership and water well issues. These expenses were offset by the net proceeds of \$4,616 from the sale of a lot previously obtained through foreclosure for unpaid annual assessments.

Through June 2017, the Association's YTD project/reserve surplus (income minus expenses) is \$53,753.

**Restricted Funds income** reflects \$78 of interest income earned on funds held. There are \$2,262 of legal expenses. These costs are associated efforts to change the language in the current road agreement with Routt County to allow the excess restricted road funds to be used for other capital improvement projects within South Shore and Morningside.

**Accounts Receivable:** At the end of June 2018, net accounts receivable was \$49,568. Eighteen members owning twenty-one lots are delinquent 3 or more years and account for 30% of the accounts receivable balance. Of the receivable's balances, 34% is for owners who owe no more than the current year's assessment. By state statute, the Association has liens on all properties where owners are past due on payment of their assessments. For owners with long outstanding assessments owed, the Association will pursue foreclosure of its liens if it is determined to be economically sensible.

**The 2019 budget and assessment** were discussed by John Troka. The assessments for 2018 were \$120. Contributions to the project/reserve fund balance have increased in the past couple of years while the portion of the assessment to fund the annual operating expenses of the Association has been relatively consistent between \$45 to \$50 annually. In accordance with the Association's covenants, the maximum allowed annual assessment for 2019 is \$123.97/lot. The final 2019 assessment will be determined by the Board when the 2019 budget is adopted this fall. Notice of the annual assessment for 2019 will be sent to the ownership at the end of November.

#### **Board of Directors Election:**

The SPOA Board is made of nine members of the Association who each serve a threeyear term. There are three board positions up for election every year. For the 2018 Board election there are four positions due to the resignation of a board member whose term was not expiring in 2018. Three positions are for full three-year terms and one is to fill the remaining two-years of a term. In addition to current Board member Rob Walker, three other members, Kayleen Cohen, Scott Okerstrom and Kate Rachwitz stood for election and the floor was opened up for additional nominations. There were no nominations from the floor and thus the nominations were closed.



As there were four candidates to fill the four available board positions, a motion to elect the nominated candidates by acclamation was made from the floor by property owner Tony Borean. Property owner Susan Hartley seconded. Without further discussion the motion passed without dissent.

#### Member Comments and Discussion:

The floor was open to members for general discussion. Most of the discussion focused on building in Stagecoach and the clarification of the specific requirements to do so. Some discussions/points of note:

You do not have to consolidate to five acres or more to have a water well. You do need to have five or more acres if you would like to utilize an approved septic system versus a sealed sanitary vault.

The original developer Woodmoor built some but not all of the platted roads. As an organization, SPOA was never intended to be responsible for constructing and maintaining county standard roads and our governing documents do not support the Association acting in this role. As far as the road work that is being done, it is focused on preserving the roadways that do exist and providing primitive, dry weather access to all lots and common areas within SPOA. It is important to understand this level of access does not meet the requirement for obtaining a building permit. For an owner to obtain a building permit, an applicant needs to have a road constructed to the standards as defined by the Oak Creek Fire District for fire protection and, if utilizing a sealed sanitary vault, Morrison Creek Metropolitan Water and Sanitation District to ensure access by a vault pump truck.

To complete all undeveloped platted roads to the required standards would be a multimillion-dollar project. There are several mechanisms available to homeowners to finance road construction, but they all require consent by a majority of property owners (60% to 67% depending on the specific mechanism chosen) since it is the property owners who pay for the road construction. One of these mechanisms is the "special assessment" amendment approved by SPOA members in 2015. With this amendment, smaller groups of lot owners can get together and chose to assess themselves an amount, in addition to the Association's annual assessment, to fund capital improvement projects that specifically benefit their properties.

#### **Proposed Covenant Amendments:**

John Troka discussed the proposed covenant amendments that the Board has been drafting based on the feedback and input of the membership. The draft amendments were provided as a handout at the meeting and are posted on the Association's website. In general terms, the proposed covenant amendments would change Article V; Section

m. Animals to allow the keeping of chickens and riding and pack animals on qualifying lots; Article V, Section f. Temporary Residences to allow one (1) trailer whose purpose is sporting or recreational to be parked outside of an enclosed space and to extend the time allowed for parking of a trailer during construction of a residence; and Article V, Section g. Water to allow property owners to drill individual water wells.

The proposed amendments are in draft form with final versions to be developed by the Board before sending out to the entire ownership for a vote. An affirmative vote from the owners of 1,498 lots/units (67% of the total 2,235 lots/units in the Association), is required for a covenant amendment to be adopted. Additionally, State law, specifically the Colorado Common Interest Ownership Act (CCIOA), recognizes that typically low participation level by owners in the voting on property owner association ballot measures make it difficult for associations to amend their governing documents. To address this issue, CCIOA provide a mechanism for an association's board of directors to seek court approval of proposed covenant amendments. To obtain court approval, the association must show that lot/unit owners of more than fifty percent (50%) of the number of affirmative votes required to adopt the proposed amendment pursuant to the declaration have voted in favor of the proposed amendment. As such, for the SPOA Board to seek court approval of any proposed amendments, it must show that the owners of at least 750 lots/units (50% of 1,498 plus 1) voted in favor of the proposed amendment.

#### Meeting Wrap Up:

The Board holds quarterly Board meetings and the dates are posted on the Association's website. Meetings are typically held on the third Saturday of February, April, August and November from 9:00 a.m. until 1:00 p.m. All members are welcome to attend.

#### 2019 Annual Meeting:

The 2019 Annual Meeting is tentatively scheduled for July 20, 2019. Location to be determined.

#### Adjournment:

All members were thanked for attending the annual meeting and invited to stay for a catered lunch and to enjoy some social time with their Stagecoach friends and neighbors.

With no further business to discuss, a motion was made to adjourn the annual meeting. The motion was seconded and passed without dissent. The meeting was adjourned at 11:34 a.m.

#### STAGECOACH PROPERTY OWNERS' ASSOCIATION

#### NOTICE OF 2019 ANNUAL PROPERTY OWNERS MEETING

The Annual Meeting for the Stagecoach Property Owners Association will be held at 9:00 a.m., Saturday, July 20, 2019, at the SOROCO High School, located at 305 S Grant Avenue, Oak Creek, Colorado. The meeting is being held to provide members an update on the operations and financial condition of the Association, elect members to fill positions on the Board of Directors, and any other business that may be presented at the meeting.

Agenda for the Annual Meeting includes:

- President's Report
- Treasurer's Report
- Election of new Board Members
- Open Forum (question and answer session with homeowners)
- Lunch & Community Time

#### If unable to attend, please complete and return the attached proxy, so that we may establish a quorum necessary for the conducting of business at the meeting.

# Signed <u>Bryan Ayer</u> Bryan Ayer

**Community Manager** 

#### PROXY

The undersigned Member(s) of Stagecoach Property Owners Association does/do hereby authorize and appoint to be my/our proxy, and to represent me/us as agent and proxy with full power of substitution for the purposes of voting in any matter in which I/we would be entitled to vote if present at the 2019 annual meeting; or in the event a quorum shall fail, to attend at such time and place as the adjourned 2019 annual meeting shall be resumed. This proxy shall remain in full force and effect for 11 months or until such time as it shall be revoked by me/us in writing. Any proxy, assigned as titled to the Board, the Board President, the Association Manager or left blank will be counted for Quorum only. Any specified name will be assigned to that individual Owner(s) Name (printed): 
 Subdivision:
 Lot #:\_\_\_\_\_

 Owner's Signature:
 Date:

Please be advised that owners must be current on their association assessments to vote at the annual meeting in person or by proxy.

Please return this form to Bryan Ayer, Community Manager, via one of the following methods:

US Post675 Snapdragon Way, Suite 100	
	Steamboat Springs, CO 80487
By Fax	
By E-Mail	bAyer@steamboatassociations.com