

Stagecoach Property Owners Association Stagecoach Express

A Quarterly Newsletter

www.Stage-Coach.com

No 3rd Quarter • 2019

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President's Message

By Kayleen Cohen

Hello SPOA Members!

My name is Kayleen Cohen and I'm pleased to introduce myself as the newly elected President of Stagecoach Property Owners Association. I was honored to be nominated and elected by my fellow board members at our annual meeting in July. I truly look forward to serving our community in this capacity! For those of you that haven't met me yet, I'm a hiker, dog lover, small business owner and I own a house in Red Hawk Village. I'm enamored by the beauty of our incredible, unique community. Each time I drive into Stagecoach and catch the first glimpse of houses across the lake I feel so incredibly humbled and blessed to have the opportunity to help this community grow and develop in a positive direction.

New President Meet & Greet

Join the new President, Kayleen Cohen, for an informal meet and greet on Monday, October 7th from 6-7:30 p.m. outside the firehouse. Share your opinions and ideas about upcoming community projects and 2019-2020 goals and priorities.

Covenant Amendments Adopted

The SPOA Board is pleased to announce that thanks to the successful participation of more than 60% of our

NEXT SPOA MEETINGS

November 16, 2019 - BOARD

February 15, 2020 - BOARD

May 16, 2020 - BOARD

SPOA 2020 Annual Meeting
TENTATIVE July 18, 2020

Board Meetings held at Resort Group
Conference Room 2150 Resort Drive –
2nd Floor 9:00am unless otherwise stated.

membership, we were able to petition the court to pass all four proposed covenant amendments. Thank you to everyone who submitted their opinions and votes! Please visit www.Stage-Coach.com for a breakdown of all four amendments. In summary, these amendments allow for the drilling of

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President's Message • Continued from Page 1

water wells, the keeping of chickens and pack animals, and the parking of a single trailer outside of an enclosed space. Please read further in the newsletter for some reminders as they pertain to the newly adopted amendments. You will be receiving more information regarding details in the coming weeks. The Recorded Amendments can be found on pages 20 to 23 of this newsletter and will be merged with the previous Covenants in the near future.

Fire Mitigation Efforts Underway

Although we enjoyed a wet spring and summer in Stagecoach this year, fire mitigation is still a major concern for our community. As the areas that need mitigation are so large, the SPOA Board has decided to take a phased approach and focusing on reducing fuel in one neighborhood at the time, beginning with Sky Hitch III as our focus neighborhood for 2019-2020. These decisions were made in collaboration with Natural Resource Solutions Group who has provided their professional insights about the parts of our community at the greatest risk. All members should consider it their responsibility to maintain the exterior of their lot, including the creation of defensible space, regardless of whether or not there is an existing residence on the property. More information will be sent out in the coming weeks.

Master Trails Plan

We are very excited to be working with a locally renowned community trails planner, Peter Patten, of Patton associates Inc. to develop a Master Trails Plan for Stagecoach! Peter Patten, along with a team of consultants, will be surveying and mapping our existing trails and common spaces, mapping a new system of trails that would connect our southern neighborhoods all the way to the reservoir, as well as plot potential trail connections. Members hoping to contribute ideas to the project should send comments and feedback to the Manager Bryan Ayer at bayer@steamboatassociations.com

Updated ACC Policies

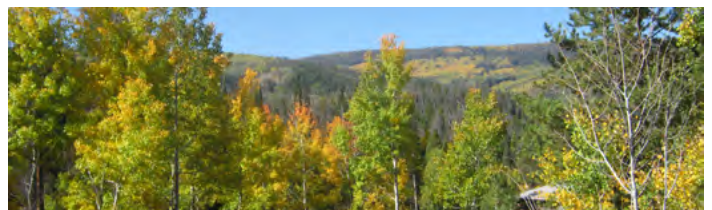
Thank you to all of our community members that

attending the SPOA meetings in July and August to share their opinions about the 2019 Proposed ACC Policies. Certain aspects of the policies, such as prohibited exterior colors and roof pitch requirements, that were viewed contentiously by the community were removed from the policies. Policies 2019-3 and 2019-4 were passed by the board on August 17th with some amendments. Policies 2019-1 and 2019-2 have been updated and can be found on pages 5-6 & 7-9 of this newsletter. These two policies are being published once again for your input and then can be adopted at the next scheduled Board meeting. Both the adopted policies as well as the ones still out for review are available for review at www.Stage-coach.com. Please send any feedback to the Board through the Manager.

Open Board Seat

Due to a technical oversight, there is currently a vacant seat on the Board of Directors. Community member Amber Stewart was elected by the membership at the July 2019 Annual SPOA Meeting; however, it was subsequently discovered that she was not eligible at the time of election as she needs to be a "Member of the Association" as dictated by Article IV, Section 1 of the Bylaws. Although Amber's husband Todd Stewart owns several lots, her name was not yet on any of the deeds.

The Board decided for transparency to notify the membership that this board position is still technically vacant. Owners interested in applying for this position should contact Management. The Stewarts have amended their property deeds and Amber has resubmitted herself for the open board position. The Board will consider all applicants and make an appointment during a supplementary teleconference meeting on October 14th.



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Water Wells and Morrison Creek Water and Sanitation

The goal of the new Water Well Covenant Amendment was to allow for individual owners to obtain a water well permit from the Colorado Division of Water Resources under their individual name. This amendment was developed as a result of Morrison Creek Water and Sanitation (MCWSD) desiring to remove themselves from liability of individual water wells.

As with almost anything in Stagecoach, complications can develop and as a result the overall goal has become a bit more complicated. At the MCWSD meeting on August 15, 2019, members of Routt County Planning, SPOA and MCWSD Board discussed an issue that all platted communities within SPOA

contain the language that "water and sewer to be provided by MCWSD."

It was concluded that due to this language as well as language within the Intergovernmental Agreement between Routt County and MCWSD, that the District will still have to sign off on and approve water wells on any lots that are not consolidated. Also, all well permits on un-consolidated lots will still need to be taken out in the District's name and all existing wells on un-consolidated lots will remain in the District's name. As consolidated lots, essentially become their own replat, the new language of the Covenant will still apply and as a result, MCWSD has developed a new Lot Consolidation agreement specific to consolidated lots. All other lots will remain as the status quo. The new Lot Consolidation agreement and the agreement for non-consolidated lots can be found on the website at www.stage-coach.com as well as on the Morrison Creek website at [www. http://www.mcwater.org](http://www.mcwater.org)

Update on the Adoption of Proposed Policies Governing the Actions Of the Architectural Control Committee

By Tom Watts, ACC Chairman

The Board of Directors has been working for the past two years to try to clarify the process for approval of building applications. In the last newsletter we published for comment by Association members four proposed policies which would apply to the application process. Those proposed policies were numbered 2019-1 through 2019-4.

The proposed 2019-3 policy provided for an informal application process and clarified when Owners must apply for permission to make repairs or renovations and also clarified what happens when Owners propose to connect their garage to the residence by a breezeway. 2019-3 also set up a category of application that would be automatically disapproved and established a right of appeal from the decision of the ACC to the Board of Directors, in the event an Owner wishes to take that route. With one major exception, this policy was formally adopted by the Board at its meeting on August 17th, and should be available for viewing on the Association

website shortly. The change made by the Board on the 17th was to eliminate the category of automatically disapproved applications. The Board felt that there were so many possible variations that it would be best to deal with each application on a case-by-case basis.

The proposed 2019-4 policy dealt with the internal workings of the ACC, specifically, the way that decisions are made, and what happens in the event of a deadlock among ACC members. At the meeting on August 17th, the Board adopted the proposed policy, with the exception of the section dealing with "disfavored" design elements, which was eliminated.

The two proposed policies that generated the greatest number of comments from Association Owners were 2019-

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Adoption of Proposed Policies • Continued from Page 3

1 and 2019-2, which deal with colors and design elements, respectively. At the meeting on August 17th, the Board changed 2019-1 to eliminate the category of "prohibited colors" and substituted a new category titled "disfavored colors", and reduced the disfavored colors to only "white, pink and purple." The Board also eliminated the category of "permitted colors" and substituted instead a new category titled "preferred colors" and further described the preferred colors as "earth tones." Since the changes made by the Board on the 17th were substantial, the Board did not adopt the policy, as amended, but instead voted to publish the amended policy in the Newsletter and seek further comment by the membership. So, if you wish to comment, please review the amended policy, which is set out below, and send your comments to our Association Manager, Bryan Ayer at bayer@steamboatassociations.com

The Board also made substantial changes to 2019-2. Specifically, the Board eliminated the proposed restrictions on

roof design, and also eliminated the portion of the proposed policy that provided for automatic rejection of applications that proposed prohibited materials or design elements. As in the case of 2019-1, the Board felt that since the amendments were substantial, the amended policy should again be published and comments solicited from the membership. You can review the proposed amended policy below.

Please be aware, if you are thinking about building on your Lot in the near future, that the elimination of certain proposed policy provisions by the Board at the meeting on August 17th does not mean that the ACC is prevented from applying the proposed restrictions during the course of its review of your application. The Stagecoach Covenants give the ACC [and the Board] enormous discretion in deciding what is and what is not acceptable. The fact that certain proposed restrictions were eliminated simply means that the matter is left to the discretion of the ACC members, subject to an appeal of their decision to the Board of Directors. So, for instance, the fact that "baby blue" is no longer a prohibited, or even a disfavored color, does not mean that "baby blue" is a permitted color.



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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.

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. New Construction. 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

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SPOA Policy 2019-1 • Continued from Page 5

expected that if the 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. Roofs.

- 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. Disfavored colors:
 - i. White, pink and purple;
- c. Preferred colors:
 - i. Earth tones.
- 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. Disfavored colors:
 - i. White, pink and purple.

c. Preferred colors:

- i. Earth tones.
- 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. Trim.

- 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. Disfavored colors:
 - i. White, pink and purple.
- c. Preferred colors:
 - i. Earth tones.
- 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.

4. Window frames, doors, garage doors and decorative stone.

- a. Disfavored colors:
 - i. White, pink and purple.
- b. Preferred colors:
 - i. Earth tones
- c. 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 preferred 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.

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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

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;

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

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SPOA Policy 2019-2 • Continued from Page 7

natural beauty of the Lot. In this regard, the Committee will look at how well the proposed structure fits the existing 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.

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.

- 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: [Reserved]

- b. Disfavored Design Elements:[Reserved]

- c. Favored Design Elements:[Reserved]

D. Materials

1. Roofs

- a. Prohibited Materials:

- i. Wood shake shingles.

- b. Disfavored Materials [Reserved]

- c. Favored Materials

- i. Standing seam metal;

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SPOA Policy 2019-2 • Continued from Page 8

2. Siding.

- a. Prohibited Materials: [Reserved]
- b. Disfavored 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.
 - iii. 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. Wood, including logs and partial logs;
 - ii. Manufactured wood;
 - iii. Fiber cement;
 - iv. Stucco;

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2019 Summer Real Estate Update

By Kerry Eaton, Town & Country Properties, Oak Creek

Since June 1, seven single family homes have sold, ranging from \$385,000 to \$1,250,000. The average sales price is \$450,000 which is down from \$502,324 during the first 6 months of this year. Currently, there are 4 homes under contract, and 14 active listings, ranging from \$9,950,000 (a 7,000 square foot home on 320 acres) to \$395,000.

There are currently 6 townhomes on the market ranging from \$295,000 to \$259,000, 4 under contract and 8 sales. Sales price range from \$161,000 for a 2-bedroom Wagon Wheel condo to \$290,000 for a Stagecoach Townhome. The activity on condos and townhomes has remained steady over the last 12 months.

Presently there are 126 active lot listings, ranging from \$4,950 to \$2,200,000 (a 377 acre parcel). We have seen 15 sales this year, with another 2 currently 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 September 17, 2019.



New trees at Morrison Cove Picnic area paid for with SPOA monies.



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Stagecoach Firming Project

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 non-structural 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.

As part of its long-term strategic planning, the UYWCD Board is currently working through a process to identify and define a "purpose and need" statement for this project. Preliminary information on the projects purpose and need and identified alternative solutions can be found in the following document:

At the conclusion of this process the UYWCD Board will make a decision as to which, if any, project alternatives they will move forward with. Any project selected will require an extensive and time-consuming permitting process. You can read more on the permitting process for water projects in Colorado at in the following article: [The Evolving Process of Permitting](#).

Members interested in more information on this project are encouraged to visit UYWCD's website at www.upperyampawater.com and read the posted board meeting materials which include information on this initiative.

Fall Hunting Season Reminders

The fall hunting season is a very busy time in Routt County and each year at this time the Association sees an increase in calls about gunfire heard in and around the Stagecoach community.

We would like to remind all Association members that the discharging of firearms within the communities of Stagecoach is a violation of the Association's rules and regulations. Property owners found to be in violation of these rules shall be subject to fines and action for abatement as provided in the covenants and in the Association's responsible governance policies. Guests or tenants must comply with all rules and regulations of the Associations as well.

If you witness individuals hunting or shooting within the community, please call the Routt County Sheriff at (970) 870-5503 or the Division of Parks and Wildlife at (970) 870-2197. Although SPOA borders BLM property as well as Routt National Forest, there is no public access.

Also please notify our community manager, Bryan Ayer at 970-875-2810. If he is not available, please leave him a message indicating your name, property address, the location of the gunfire you observed/heard and any other information (e.g. make/model of vehicles) that may help identify the property owner(s) the Association needs to contact about the incident.



New trees at Morrison Cove Picnic area paid for with SPOA monies.

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Current Board of Directors

Stagecoach's Governing Body

President

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kayleen@mtndogmedia.com

Vice-President

Rob Walker (Term-ends July 2021)
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Secretary

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

Treasurer

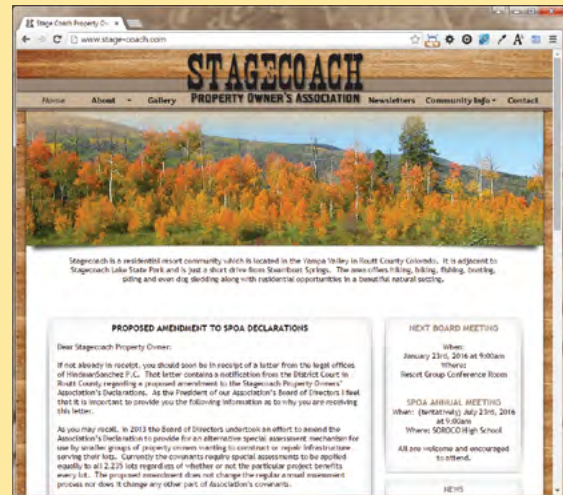
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johndinicholas@hotmail.com

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

Tony Borean (Term-ends July 2022)
32456 Ute Trail, Oak Creek, CO 80467
stagecoachco@gmail.com



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 20, 2019 – 9:00am

DRAFT

John Troka called the meeting to order at 9:05 AM. He introduced the Board members present which included himself, John DiNicholas, Kayleen Cohen, Scott Okerstrom and Kate Rachwitz. He announced this is his last term, as required by the Bylaws, which allows for 2 3-year elected term limits. He also noted that Vicky Weber sold their home and her chair on the Board of Directors is vacant. Also present was Community Manager Bryan Ayer, Sean Lacy, Vice President of Resort Group, and Judy Wagar, Association Operations Administrator for Mountain Resorts.

With 249 of the owners represented in person or by proxy, a quorum was established.


Approval of Minutes of the 2018 Annual Meeting

The annual meeting minutes from July 21, 2018 were presented to the ownership. Property owner Scott Hummer made a motion to approve the 2018 annual meeting minutes as presented. Property owner Chris Zucshlag seconded the motion. Motion passed without dissent.

President's Report – John Troka

Covenant Amendments Update: The amendments to the Declaration have been discussed at annual meeting since 2016. Owners were surveyed and four specific topics rose to the surface. The covenant amendments were drafted and mailed to all SPOA property owners with a ballot for voting. Proposed amendments include:

- **Water wells for domestic use** for which a permit is obtained from the Colorado Division of Water Resources may be drilled on a residential use and shall not be used to water livestock, watering gardens or lawns. These are titled “exempt” and no water rights are conveyed with the permit. Morrison Creek is trying to extricate themselves from owners trying to get water wells drilled.
- **Domestic pets and a maximum of 10 chickens** may be kept on a lot with a residence subject to Routt County’s regulations on pet safety and licensing and pet control and meet the guidelines for housing the hens. No roosters are allowed.
- Allowing for not more than (4) **riding and pack animals** may be kept on a Lot with an existing residence with an area of (5) contiguous acres or more and consolidated through the county. Specific associations are designated for this allowance. This amendment defines stables and stall requirements and minimum area requirements for the horses, llamas, mules and burros.
- **Trailers and Recreation Vehicles** - The proposed amendment is for keeping one trailer outside of enclosed space with guidelines for what will be allowed. There are three sections to the proposed amendment. 1) A temporary residence will be allowed during construction after issuance of a building permit for a residence and written approval from the Association. Temporary residences that would be allowable are one motor home, camper, tent, teepee or yurt on the lot during the active construction for not more than 180 days. 2) Owners whose guests arrive in a motor home would be allowed



for no more than 21 days per year. 3) the last part of this proposed amendment is no trailers of any type, including, but not limited to, mobile homes, campers, cargo, box, flatbed and boat shall be parked or stored on, or about any lot unless completely contained within a garage or ancillary building. For Lots with an existing residence, one (1) trailer whose purpose is sporting or recreational may be parked outside of an enclosed space provided it is parked in the driveway or to the side or rear of the residence and for any other area, location must be approved by the Association.

Ballots were counted and results are as follows:

- Allow Water Wells – 1515 votes cast – 955 owners voted yes – 92.5%
- Allow Chickens – 1511 votes cast – 952 owners voted yes – 65.6%
- Allow Pack Animals - 1512 votes cast– 953 owners voted yes – 71.8%
- Temp Residence-Trailer – 1510 votes cast – 952 owners voted yes – 77.4%


Property owners were thanked for the excellent response to this ballot. The State of Colorado recognizes how challenging it is to get 100% response from owners, so there's a process that allows the Association to petition the court for approval by showing that the lot/unit owners of more than 50% of the number of affirmative votes required have voted in favor of the proposed amendment. In the case of SPOA, the requirement is 750 affirmative votes.

A court hearing is scheduled for 4:00 p.m. August 16, 2019 to approve these amendments. Altitude Law has sent a copy of the petition to all SPOA owners to keep everyone updated with the process. Once the petition has been approved by the courts, they will be recorded and will become part of the governing documents.

Water Wells Discussion – Once the petition is recorded, Morrison Creek will convey ownership to those owners whose well permits are owned by Morrison Creek for only those wells on individual lots. These are exempt wells and no water rights are conveyed. This water is only for indoor use only. It was conveyed to the members that due to these water wells being in house use only, water supplied for chickens or for pack animals would have to be provided by a different source, such as hauling water to the residence. Older well contracts from 2006 forward also state this water is for indoor use only. Owners were encouraged to review their well certificates. A representative from Morrison Creek clarified that previously granted well permits that were in the district's name will be conveyed to the owner.

ACC Policies – John Troka discussed the current and proposed ACC policies. The procedure for adoption is directed by Article VI of the Responsible Governance Policies. In order for any new policy or rule to be adopted, the first requirement is that it can not be in direct conflict with any of the governing documents of the Association, including the Covenants and Bylaws. The process is that the Board approves any new rule or policy at a Board meeting and then gives notice to the ownership through a regular quarterly newsletter. After at least 30 days, at a special or regular meeting, the Board can take into account any comments received and adopt, amend or discard the proposed rule or guideline.

SPOA has an Architectural Control Committee (ACC) comprised of at least three members of the association. The Stagecoach Covenants prohibit lot owners from constructing a house or other structure before the construction plans are approved by the ACC. It was noted that these Covenants don't provide much guidance as to how the ACC is supposed to decide which



applications to approve, making the process difficult for both the ACC and owners who wish to build. It is the Board's goal to establish a clear set of architectural and construction guidelines for future residential homes, ensuring homes and outbuildings harmonize with the environment. In 2018, the ACC adopted guidelines for fences (2018-1), sheds (2018-2), and greenhouses (2018-3).

The recently proposed ACC Policies were provided for owner review and are published on the www.Stage-Coach.com website and include:

- 2019-1 Harmony of External Design Colorado
- 2019-2 Harmony of External Design – Design Elements and Materials
- 2019-3 ACC Approval Requirements and Process
- 2019-4 ACC Decision Making Process


During a member comment period, Kate Rachwitz read the proposed policy prohibitions and there was discussion concerning the roof slope and color restrictions and prohibitions. Owners were encouraged to email Bryan with questions or comments. Comments will be reviewed at the next board meeting, taking all into consideration. Jeff Rachwitz expressed his disappointment with the proposed guidelines. John stressed these guidelines have not been adopted, and owners are encouraged to provide their comments.

Board Meeting Dates and Times – The dates and time of these meetings are posted on the website at www.Stage-Coach.com. The next board meeting is scheduled for August 17th.

Wildfire Mitigation Awareness – Wildfire mitigation and education continues to be a top priority for the Board. Management has been sending information regarding wildfire mitigation and creating defensible spaces. The problem that continues to exist is the standing dead on individual owner lots. National Resources Solutions Group has been putting together a program to encourage people to deal with the standing or fallen dead fuel. Contact information for NRSO was provided to owners. SPOA continues to seek program funding to not be such a financial drain on SPOA.

Road Improvements/Maintenance – Roads in some of the back subdivisions are beginning to fail due to structural and drainage issues making it difficult for access to some lots. The association has been in the process of trying to assure at least seasonal access through the installation of new culverts, ditching and some grading with focus on the major arteries. Improving owner access and safety access for fire and ambulance service is the main goal, however SPOA is not in the process of building roads to the county standard.

Some owners have been making improvements to the roads to gain better access to their lots and to possibly be able to build in the future. The association does provide reimbursement funding for drainage, open access and surveying to help them with this process. Morningside, South Shore and Horseback roads are maintained by the county. These three subdivisions have their own restricted funds that are to be used for roads. The association attempted to make a change to the requirement that these funds only be used for roads under the guise that since the county is in charge of maintenance through the legal agreements, that the money may be spent better for other infrastructure. The county refused to approve a change to the agreement unless SPOA agreed to abolish the agreements completely and add these roads into their regularly scheduled road maintenance program. The Board did not wish to give up the



agreements and declined. If you own property in an area having county-maintained roads, you will need to call them and keep calling them to get the roads graded. If they claim they aren't responsible to maintain these roads, notify Bryan Ayer.

Common Area Projects – A master plan for trails and recreation in the community is in progress and the board is reviewing the plan and will be involving the community while things are being discussed. Some financial resources are now available.

The Neighborhood Grant program is still available with grants up to \$2,000 for community building and neighborhood improvement projects. A grant application is available on the Stagecoach website. Completed applications should be submitted to Bryan Ayer.

Stagecoach State Park – The Morrison Cove area has been improved and completed a new launch site for non-motorized boats. Access to BLM at the end of South Shore has been closed. The State wants to put a small parking lot for 10-12 parking spots at the Arapahoe Road trailhead access. No overnight parking is allowed. This area will be monitored by the State. If you oppose this project, you need to call the State Park offices.

Community Center Plans – One of the priorities that the SPOA board established for the 2019 year is the planning of a community center for Stagecoach. While the Association currently lacks the funds to actually construct a building or other improvement, it does have sufficient funds accumulated in the project account to fund the planning and may possibly have sufficient funds to start the process of acquiring a site for a community center. Tom Watts has agreed to lead the committee and help pull together some ideas for a community center. It was noted the original plans for the Stagecoach area included a plan for a community room next to the fire department. This information will be explored by Mr. Watts. Owners who want to be a part of this committee were asked to contact Bryan.

YVEA Broadband Offering – An owner reported that YVEA is in the first stages of installing broadband for the Stage Coach area. Interested owners are encouraged to visit their website and add your name to the interested parties list.

State Law Change for Licensed Community Manager – In 2014, the State established a requirement for communities to engage property managers licensed by the state. Licensing required proof of education and testing in order to demonstrate their expertise in Association Management. Bryan Ayer is a licensed Community Association Manager with Steamboat Association Management. However, effective last month, the association is no longer required to have a licensed manager. With this new information, Board Member, Rob Walker is putting the management agreement out for bid to ensure the association fee is amenable.

Yampa Valley Sustainability Council – Curbside recycling task force announced that services to the Stagecoach community will soon be available. Interested owners should reach out to Twin Enviro Services to express an interest in curbside recycling.

Treasurer's Report

John Troka presented in the absence of Matt Kauffman, SPOA Treasurer. John provided a summary of the financials for the current fiscal year through June 30, 2019, including the balance sheet, income statement for operations and project/reserve spending report.

Total assets at the end of June 30 was \$737,871. Of this balance, \$519,681 with \$18,554 in the checking account, \$201,073 in the Money Market account and \$300,053 in CDARS investment accounts. There is also \$150,069 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 \$53,403 with other income (i.e. fines, late fees, finance charges, etc.) of \$5,394 for a total income of \$58,798.

Operating expenses for the same period totaled \$51,124. These expenses include management fees, professional services including accounting and legal, insurance, maintenance costs, including the groom of the Nordic trail and the maintenance of the Coyote Run Playground, as well as meetings and postage.

Through June 2019, the Associations operating surplus (income minus expenses) is \$7,674.

Project/Reserve Income through June from annual assessments and interest was \$82,699. YTD project/reserve spending was \$48,348, which includes \$12,900 in wildfire mitigation, \$18,199 in road maintenance, \$4,296 in legal covenant enforcement issues, \$11,572 in governing document cost related to the proposed Covenant amendments and \$1,381 in common area/parks.


Through June 2019, the association's YTD project/reserve surplus (income minus expenses) is \$34,351.

Restricted Funds income reflects \$3,352 in interest income earned on funds held. There was no spending of these funds through June.

Accounts Receivable: At the end of June 2019, net accounts receivable was \$64,743. Thirteen members owning 19 lots are delinquent three or more years and account for 22% of the accounts receivable balance. Of the receivable's balances, 26% is for owners who owe no more than the current year's assessment. By state statute, the Association has liens on all properties where the 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 assessments for 2019 were \$120. The final 2020 assessment could be raised to \$127.69. The board will determine if the assessments will increase when the 2020 budget is adopted this fall. Notice of the annual assessment will be sent to the ownership at the end of November.

Property Tax Valuation – John provided a summary of the recent Routt County property taxes. Some areas have seen some substantial increases in taxes; however, it was noted that property



values are increasing as well. He provided a warning to owners who are considering consolidating their lots, noting real estate taxes on vacant land is higher with consolidated lots than if you leave them as individual parcels.

Board of Directors Election

The SPOA Board is comprised of nine members of the Association who each serve a three-year term. There are two 3-year terms expiring and one vacant chair available. John DiNicholas is standing for election, and John Troka is standing down at the end of his six years of service.

Tony Borean is seeking election and provided a brief bio for the report. The floor was opened to owners who might be interested in seeking election. Amber Stewart expressed her interest in serving and was nominated by Kate Rachwitz.

Kate Rachwitz expressed the board's appreciation to John for his expertise and commitment during his six years of service. His commitment to the community is attributed to the association's growth and development.

There were no more nominations from the floor. Kate Rachwitz made a motion to close nominations that was seconded by Todd Stewart. The motion carried without dissent.

Bob Woodmansee made a motion to elect all three candidates by acclamation which was seconded by Judy Heister. All three were elected by acclamation. Officers will be elected at the board meeting.

Member Forum

Update on Electric Installation to South Shore – A private individual is paying YVEA to extend the lines to the South Shore properties. Owners who wish to tap into the new electric lines for a fee should contact YVEA for how to proceed. The process will start on Monday, July 22nd. The line is coming from Morrison Creek. Surveys are being done now and on Monday, the sagebrush will be removed from the easements. The areas where the line crosses driveways will be rebuilt. All lines will be buried underground. The Board stated they try to collect information for easements and utility installments.

New Covenants Enforcement – There was a question on how the new amendments and covenants will be enforced. The board recognizes this has been problematic in the past. The intent is to notify the owners who are in violation. The Board will be taking a more aggressive stand on those persons who park more than one trailer or recreation vehicle and other covenant violations.

A straw poll for the ACC guidelines, requesting a show of hands for owners who believe they are too restrictive. The floor was opened for discussion with the most common complaint being the 5:12 roof pitch and no carports. Wood shingles and black shingles are prohibited. Owners were encouraged to email Bryan their comments and objections. He will print them and they will be discussed at the next board meeting. John repeated these guidelines are in draft format and have not been adopted. This draft is meant to begin the discussion and all comments will be considered.



Next Meetings

Board meetings are held quarterly and owners are encouraged to attend. The next meeting is scheduled for August 17, 2019 and is open to all members. Check the website for time and location.

Next year's annual meeting is scheduled for July 18, 2020 and will begin at 9am. The meeting will tentatively be held again at SOROCO High School.

Adjournment

With no further business to discuss, Scott Hummer made a motion to adjourn that was seconded by Tony Borean. The meeting adjourned at 11:25am.

After the meeting was adjourned, Bob Woodmansee was introduced to provide an overview of the Stagecoach Firing Project. This project is in the beginning stages of discovery and a study of purpose and need is being conducted. The next UYCD board meeting is scheduled for August 22, 2019.

AFTER RECORDING RETURN TO:
Altitude Community Law P.C.
555 Zang St., Suite 100
Lakewood, CO 80228

**AMENDMENTS
TO THE
STAGECOACH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THESE AMENDMENTS are made this 16th day of August, 2019.

RECITALS

A. The Woodmoor Corporation, a Colorado corporation, created the Stagecoach community ("Community") by recording a Stagecoach Declaration of Covenants, Conditions, and Restrictions in the real property records of the County of Routt, State of Colorado, on December 7, 1971 at Reception No. 229787, as amended by that certain Amendment to the Stagecoach Declaration of Covenants, Conditions, and Restrictions in the real property records of the County of Routt, State of Colorado, on January 5, 2016 at Reception No. 765123 (collectively referred to as the "Original Declaration").

B. The Original Declaration provides for and allows for these Amendments to the Stagecoach Declaration of Covenants, Conditions, and Restrictions (the "Declaration Amendments") in Article VI, Section 1(c), which provides as follows:

This Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than ninety percent (90%) of the Lot Owners and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners.

C. All Owners are aware of the provisions of the Original Declaration allowing for amendment, by virtue of the record notice of the Original Declaration, by acts and disclosures, newsletters or notices of the Association and by other means.

D. These Declaration Amendments have been prepared and determined by the Association and by the Owners that have approved the Declaration Amendments to be reasonable and not burdensome.

E. The purposes of the Declaration Amendments are: (1) to allow water wells on Lots once a permit is obtained from the Colorado Division of Water Resources; (2) expand the current covenants regarding animals to allow for the keeping of chickens; (3) expand the current covenants regarding animals to allow for the keeping of riding/pack animals; and (4) revise provisions regarding temporary residences and trailer and camper parking and storage.

F. On August 16, 2019, the District Court for Routt County, Colorado granted the Association's Petition for Court Approval of Proposed Amendments to the Stagecoach Declaration of Covenants, Conditions, and Restrictions pursuant to the requirements of C.R.S. §38-33.3-217(7). A copy of this Order is attached and incorporated by reference as Exhibit "A" hereto.

G. Pursuant to C.R.S. §38-33.3-217(7), upon recordation of the Declaration Amendments and the Court Order approving the Declaration Amendments, the Original Declaration, as amended, shall be effective as if all of the approval requirements set forth in the Original Declaration were met.

H. As amended by the Declaration Amendments, the Original Declaration is referred to as the "Declaration."

NOW THEREFORE,

I. Amendments. The Declaration is hereby amended as follows:

(a) Repeal and Restatement. Article V, Section (g) is hereby repealed in its entirety and the following Article V, Section (g) is substituted:

Section g. Water and Sewage Disposal. There shall be no water wells drilled or placed on any Lot or tract covered by these Covenants, except those water wells for which a permit is obtained from the Colorado Division of Water Resources. Any sewage disposal system placed upon any Lot shall comply with the requirements of the State of Colorado Health Department and Routt County, Colorado. Any residence constructed on any Lot shall be connected to any public or community water or sewage disposal system which may be constructed to serve the Subdivision.

(b) Repeal and Restatement. Article V, Section (m) is hereby repealed in its entirety and the following Article V, Section (m) is substituted:

Section m. Animals. Except as otherwise provided in this Section m., no animals, livestock, or poultry of any kind shall be housed, raised, or kept on any Lot either temporarily or permanently. No animals, or domestic pets may be raised or kept for any commercial purposes.

1. Domestic Pets. Commonly accepted domestic pets (e.g., dogs, cats, fish, birds) may be kept on a Lot with a residence subject to Routt County's regulations on pet safety and the licensing and control of pets.

2. Chickens. Not more than ten (10) hens may be kept on a Lot with a residence. Roosters may not be housed, raised or kept on any Lot. The hens may be kept, during, and only during, such periods of time as the following requirements are met by the Owner of the Lot:

(a) The hens are housed in one (1) enclosed, predator-resistant chicken house, the design, color and location of which have been approved by the Architectural Control Committee pursuant to the provisions of Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions. This structure is not considered a 'building' for purposes of Article V, Section a. of the Stagecoach Declaration of Covenants, Conditions and Restrictions; and

(b) The hens' movement on and about the Lot is restricted to an area either surrounding or immediately adjacent to the chicken house, which area is surrounded on all sides by a predator-resistant fence, the design, color and location of which have been approved by the Architectural Control Committee

pursuant to the provisions of Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions; and

(c) The chicken house and the fenced area in which the hens are free to roam, are maintained by the Owner of the Lot so that they are clean and structurally sound and do not create foul odors that can easily be detected from nearby Lots.

3. Riding and pack animals. Not more than four (4) riding and pack animals may be kept on a Lot with an existing residence and an area of five (5) acres or more. For purposes of this Section m, riding and pack animals are horses, llamas, mules, and burros.

The Lot shall be located in the Blackhorse I, Blackhorse II, Horseback, Morningside, Overland, Sky Hitch, Sky Hitch II, Sky Hitch III, Sky Hitch IV, South Station I or South Station II subdivisions. If the Lot is bisected by a public right-of-way or access easement, the riding and pack animals must be kept on the Lot in an area comprised of five (5) or more contiguous acres. The riding and pack animals may be kept during, and only during, such periods of time as the following requirements are met by the Owner of the Lot:

(a) A stable with at least one stall no smaller than twelve (12) feet by twelve (12) feet for each riding and pack animal, the design, color and location of which have been approved by the Architectural Control Committee pursuant to the provisions of Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions, is located on the Lot. This structure is not considered a 'building' for purposes of Article V, Section a. of the Stagecoach Declaration of Covenants, Conditions and Restrictions; and

(b) The riding and pack animals are kept in a paddock with a minimum area of seven thousand (7,000) square feet per animal that is surrounded by a fence, the design, color and location of which have been approved by the Architectural Control Committee pursuant to the provisions of Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions; and

(c) The stable and the paddock are maintained by the Owner of the Lot so that they are clean and structurally sound and do not create foul odors that can easily be detected from nearby Lots.

(c) Repeal and Restatement. Article V, Section (f) is hereby repealed in its entirety and the following Article V, Section (f) is substituted:

Section f. Temporary Residences. Except as otherwise provided in this Section f., no structure of temporary character, mobile home, motor home, camper (on or off supporting vehicles), boat, trailer, tent, teepee, yurt or accessory building shall be used on any tract as a residence, temporarily or permanently, and no used structure of any sort shall be moved onto any Lot.

1. Temporary residence during construction. After issuance of a building permit to construct a residence on a Lot, and upon receipt of written approval from the Association, a Lot Owner may use not more than one (1) motor home, camper (vehicle mounted or towed), tent, teepee or yurt located on the Lot as a temporary dwelling, during the active construction of the Residence, for a period that does not exceed one hundred eighty (180) days.

2. Temporary residence for guests. The Owner of a Lot upon which a Residence is located may use a motor home, camper (vehicle mounted or towed), tent teepee or yurt located on the Lot as a temporary dwelling for guests provided that such use does not exceed twenty-one (21) days per year.

(d) **Addition.** Article V, Section (r) is hereby added:

Section r. Trailer Parking/Storage. Except as otherwise provided in this Section r., no trailers of any type, including but not limited to, mobile homes, campers, cargo, box, flatbed, and boat, the primary use of which is recreational, sporting, or commercial, shall be parked or stored on, or about any Lot unless completely contained within a garage or ancillary building.

For Lots with an existing residence, one (1) trailer whose purpose is sporting or recreational may be parked outside of an enclosed space provided it is parked in the driveway or to the side or rear of the residence. If the topography of the Lot does not allow the parking of the trailer as identified above, then the Owner must obtain approval of the parking location from the Association.

II. **No Other Amendments.** Except as amended by the terms of these Declaration Amendments and previous amendments, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, these Declaration Amendments are executed by the undersigned.

Stagecoach Property Owners' Association,
a Colorado nonprofit corporation

By: _____

President

By: _____

Secretary