

**STAGECOACH PROPERTY OWNERS ASSOCIATION**  
**Teleconference Meeting of the Board of Directors**  
**Zoom App platform**  
Meeting Minutes  
August 15, 2020

**DRAFT**

**Board members present by teleconference:** Kate Rachwitz, President; Amber Stewart, Secretary; Brayden Jerde, Treasurer, Rob Walker; John DiNicholas; Sydney Yapoujian; and Julia Wallace.

Board members Kayleen Cohen and Eli Nykamp were not present.

Tom Watts as was present as co-Treasurer

Bryan Ayer was present as Association Manager from Steamboat Association Management.

**Owners and Guests present:**

Mike Ratliff	Lot 68 Eagles Watch
Matt Wright	Unit 504 Eagles Nest
Corky Fischer	Lot 26 Black Horse I
Chris Simao	Lot 131 Sky Hitch 2
Marti Carrigan	Lot 26/28 South Shore
Jeff Rachwitz	Multiple lots Sky Hitch 4
Basia Trout	Lot 94 Morningside
Tom Watts	Lot 18 South Shore

Non-Members attending were Peter Patton from Patten and Associates and Walter Magill from Four Points Engineering.

The meeting was called to order by Board President, Kate Rachwitz, at 9:03 AM.

With seven board members attending, a quorum was present and business could be conducted.

**Approval of Board Meeting Minutes and Ratifications:**

Approval of minutes from the May 16, 2020 board meeting.

**MOTION:** Brayden Jerde made a motion to approve the minutes as presented. Amber Stewart seconded. With no further discussion, the motion carried without dissent.

Approval of minutes from the July 18, 2020 board meeting that followed the annual meeting.

There was discussion to amend the minutes to change the wording in regards to Tom Watts role as Co-Treasurer and the function of serving as helping to assist Brayden as Treasurer.

**MOTION:** Sydney Yapoujian made a motion to approve the amended wording of the minutes. Rob Walker seconded. With no further discussion, the motion carried without dissent.

The 2020 Annual Meeting Draft Minutes were presented for review. The Annual minutes are approved at the next annual meeting by the ownership. The Board was encouraged to send any comments or changes to the manager.

### **Member Comments**

Jeff Rachwitz spoke to the diversity of the different subdivisions and how blanket rules across all subdivisions is inappropriate as they all have different needs and wants for the particular area. He would like to see rules reflect the diversity of the separate areas of SPOA.

Mike Ratliff, SPOA member and Morrison Creek Water and Sanitation District (MCWSD) Board member wanted to give an update to the membership in regards to current happenings. MCWSD is presently looking for a new general manager as Steve Colby is retiring. He spoke to the challenges and issues that the Board is currently working on. They have been maintaining the existing system as received from the developer, however the concrete sewer mains are currently having issues with failing lining. The current lift station in Morningside is now 50 years old. MCWSD is working with an engineering firm to prepare and RFP for the lift station. They have enough reserves for this project; however, a larger issue remains with the actual plant and processing system that is also 50 years old. The price for replacing the outdated system is approximately 8 million dollars. They are applying for grants that will help with much of the cost, however there will be the need for supplemental funds that they will have to go to the voters for as required by TABOR which requires that any request for funds for the District would need to be approved by the voters, including any bond issues.

Tom Watts suggested that although there is a need to raise monies, many owners within SPOA are not engaged because they are not getting any services. Mr. Ratliff stated that the District has the power to issue bonds, but haven't tried in the past. MCWSD has tried to raise the mill levy on property taxes twice, but has failed both times. It was suggested that MCWSD develop an article for the newsletter to get updated information out to the ownership.

### **OLD BUSINESS**

Board introductions – The Board members introduced themselves as this was the first meeting since the Annual meeting on July 18, 2020. There was also discussion concerning a document presented by the management on a Code of Ethics for the Board members to agree to through signature, outlining recommended duties, conduct and confidentiality clauses. The Manager will send back out to the Board; however, some Board members had some issues with the language and stated that they weren't in support of signing it.

Management Contract Updates: The original contract with SAM was signed in 2014 for three years. Another contract was signed in 2018 for 1 year and since then there has been two one-year extensions. An RFP for new bids was sent out early 2020. There was only one offer received from Corky Fisher to fulfill the third module of the RFP in relation to Field Operations. There was discussion between the committee and SAM, but due to the complications of creating a separate employee outside of SAM, the committee decided to keep working with SAM on a new contract.

The Manager presented the latest red-line version of the contract as edited by Tom Watts. The current contract evergreens on October 1, 2020. There are still several issues to discuss including language on insurance.

**ACTION:** It was decided to have the Board hold a special meeting before October 1, 2020 to discuss the management contract specifically. Calling a Special meeting will require notice to the ownership following the guidelines of the Governing Documents.

**MOTION:** Brayden Jerde made a motion to have Kate, Tom and Kayleen meet with SAM to negotiate the contract language with a goal to hold a Special Meeting of the Board on September 18, 2020 at 4:00 p.m./ by teleconference. Sydney Yapoujian seconded. Without further discussion, the motion passed without dissent.

**NOTE:** AS Walter Magill was present for Four Points Engineering, there was a change to the Agenda.

Road Maintenance Master Plan – Walter Magill presented the Road Maintenance Master Plan for the Southern subdivisions. The intent of the plan was to establish a database that could catalogue current conditions of roads within the select subdivisions on the South and East portion of the SPOA properties for the purpose of understanding the presence and quality of roads and drainage to aid in prioritizing future maintenance and construction. The database is interactive. Four Points worked with the county, MCWSD and YVEA to establish a baseline of location of roads, water, electrical and even some lot lines.

The next step of the plan is to put together a spreadsheet of priorities. The Board will be responsible for establishing a committee to analyze the database and report to the Board in regards to repairs, drainage and possible surveying recommendations.

There was discussion in regards to upgrading roads to the extent that they could be adopted by Routt county for maintenance. Each plat in the featured subdivisions has a statement that the roads in that particular subdivision would be adopted by the county for maintenance after the public ways have been satisfactorily completed to the county specifications by the subdivider and a Resolution of the Commissioners accepting the same has been adopted and placed on record. The Board had previously had several cul de sacs in Eagles Watch as well as the roads Ormega Way and Barr Trail in the Meadowgreen subdivision surveyed and created a road plan to bring these road areas up to a county standard to try to submit to Routt County for acceptance per the plat. The object of fulfilling the project would be for SPOA to use any positive decision as precedent for other roads within SPOA.

Kate Rachwitz asked those on the call who would be interested in sitting on a Road Committee. Julia Wallace, Todd Stewart, Walter Magill and Kate expressed their interest. There are several other owners that expressed interest in the survey and this core group will eventually reach out to them and try to set up some meetings.

Master Trail Proposal Update – Peter Patten gave an update of the current plan. The plan had gone through several drafts with input from the Board as well as an online survey. It was hoped that there could have been an in-person meeting to get some more discussion, but the survey seemed to work well. Some of the proposed items that the ownership expressed support for were the connector along RC16 to the Elk run trail, the South Shore trail system and the proposed Eagle Rock Trail. There was not a lot of support for trails in the South, however, this is a trails plan and would still need more research on specific trails and support from the Board.

Peter Patten would like to see this Final Draft adopted so that it could be presented to other entities, whose cooperation would be necessary for building, such as Morrison Creek, BLM and Routt County.

The next steps would be to form a committee to analyze which trails to build and when. As the Master Road Plan has been mostly completed, it would be suggested to incorporate the proposed trails maps onto that database as well.

**MOTION:** Sydney Yapoujian made a motion to use the presented trails plan as a foundation for the trails committee to work on finalizing the different aspects of the plan to present to the Board for their review and approval. Brayden Jerde seconded. Without further discussion, the motion passed without dissent.

#### Proposed Policies and Covenant Changes

1. Covenant Amendment change to 500 square foot minimum – The Board discussed potential subcommittees to represent different subdivision requirements and whether rules can be specified per subdivision. The next step is to work on the actual language of the proposed amendment.

**MOTION:** Kate Rachwitz made a motion to move forward with developing the particular verbiage for the amendment and to present it to the Board. Sydney seconded. Without further discussion, the motion passed without dissent.

2. Proposed policy 2020-5 on what constitutes a failure to maintain – The policy had been approved at a previous board meeting and published in the newsletter for input from the ownership. At the May 16<sup>th</sup> Board meeting, the board agreed to withdraw the policy for a possible re-write. The policy was presented again at this meeting and the Board decided that they liked the overall language but felt that a timeline would be more appropriate for enforcement ability.

**MOTION:** Rob Walker made a motion to add the language of the long-term storage of over 90 days to the original proposed policy. Date Rachwitz seconded. Without further discussion, the motion passed without dissent.

3. Policy making a failure to clear deadwood on a Lot a violation of the Covenants – following the original presentation of this proposed policy, there was multiple feedback received outlining that deadwood removal is more of an aesthetic issue and that there are many other aspects that contribute to fire danger. Most of the deadwood has been removed from common area and right of ways and what remains is on private Lots. As some Lots are likely worth less than what it would take to clear the deadwood, the Board didn't feel that the forcing of removal would be prudent. They also had concerns with enforcement. The Board decided not to move forward with this policy.

Wildfire Mitigation Updates - The Manager presented the current Sky Hitch 3 mitigation plan and the responses that he had received back from those particular owners. Many owners own lots in multiple subdivisions. As the prework has been done, the Board would still be in support of the Manager to reach out to any interested vendors and see if they would be willing to place a bid on the focus area, but don't want to force the removal upon any SPOA members.

Community Center Discussion – The results of the survey on support of pursuing a community center was divided approximately 50/50. The Board took a straw pole of who would be interested in moving forward on this subject. The majority of the Board was not in favor and decided to table the project at this time. They may reconsider after pandemic has passed.

## **NEW BUSINESS**

Committee Discussion – Several committees need to be formed to move forward with project recommendations. The Rules Committee is made up of Board members in their final year of term. The current Rules Committee members are Kate Rachwitz, Rob Walker and Kayleen Cohen. The Road and Trails committees should be led by someone on the Board. At this time no one stepped forward for representation. This will again be discussed at the meeting in November.

Meadowview at Horseback Covenant Change – The Manager had been approached by Scott Eggleston in regards to a previous Lot Consolidation of Lots 1 and 2, originally comprised of 12 lots 35-46, in Horseback. When Al Saterdal consolidated these lots into two lots, he recorded an additional set of Covenants. Now that the new Lots 1 and 2 are selling Scott Eggleston had reached out to the manager as they would like to change the language in these additional Covenants as they are content with the new changes that the Board has made in regards to ACC Policies. This additional Covenant has wording in it that states that it cannot be amended unless acknowledged by the ACC of SPOA. The manager reached out to attorney Sally Claassen for her opinion on Board responsibility to acknowledge such a change. The attorney conclusion was that these lots are linked to the original Covenants and have to abide by those building regulations as required, however the ACC could choose not to enforce these other Covenants.

**MOTION:** Rob Walker made a motion that as SPOA was never privy to this additional Covenant for Meadowgreen at Horseback that the Board not get involved in this process. Julia Wallace seconded. Without further discussion, the motion passed without dissent.

3<sup>rd</sup> quarter newsletter – There was discussion about what to put in the next newsletter. The Manager would like to do a piece on meet your Board members and asked for each Board member to send him a short bio. Deadline for any other submissions is September 11, 2020.

Discussion on Common Area Easements – At the May 16 Zoom Board meeting, Tony Stich had come into the meeting to ask for SPOA to grant an easement across a SPOA common area for a water line extension. There had been a previous easement granted in the past, however the parcel that was used at the time was still owned by Mountainair. Since that time, Mountainair had transferred several areas to SPOA to be used as common area. The Board has been approached in the past in regards to easements across common areas and had agreed to an easement for an electrical line in Overland in the past couple of years. There were several email discussions about what was needed to be documented for the Board to agree to an easement. Some members of the Board had made a decision that more detail was needed and that Mr. Stich could provide the requested information at this Board meeting for the Board to consider. Since that time, Mr. Stich had withdrawn his request.

John DiNicholas had requested that the Board discuss working on a streamline process for approval of such easement requests and one that was consistent. Tom wats suggested a standard form agreement for crossing common area. Several requirements were suggested that would include that the homeowner is responsible for the cost and maintenance of any line and removal of the line in the future if necessary.

**MOTION:** John DiNicholas made a motion to have an attorney draft a standard easement document for individuals to cross common area for a cost not to exceed \$2,000. Brayden Jerde seconded. Without further discussion, the motion passed unanimously.

## **TREASURER'S REPORT**

Tom Watts as Co-Treasurer presented and discussed the financials through June 30, 2020.

**Total assets** at the end of December was \$611,320. This amount is comprised of \$89,397 in the checking accounts, \$149,397 in the Money Market account and \$372,525 in CDARS investment accounts. The Money Market and CDARS accounts accrued interest of \$2,764 since the end of December. There is also \$151,805 of restricted road funds held for use in the Horseback, Morningside and South Shore subdivisions, which includes \$126,669 invested in CDARS accounts which show an interest increase amount of \$547.

There are two Reserve CDARS accounts maturing on 10/8 and 10/22 for \$169,008 and \$101,748 respectfully. Interest rates are reflecting only a 0.07% rate. All three Restricted Fund CDARS are also maturing on 10/22.

**Operating income** recognized from annual assessments through June 30 was \$55,564 of the \$111,531 Budgeted for 2020. Other income (i.e. fines, late fees, finance charges, etc.) was \$3,857 for a total income of \$59,532.

**Operating expenses** for the same period totaled \$52,709. All Expensed Line Items are under budget for the year. Insurance, Grounds Maintenance Trails and Water/Sewer are slightly over their monthly budgets at this time. Trails are over from the need for a snowmobile engine part and for two pushbacks on the parking lot. Water is more than last year at this time due to the tap being rebuilt in the spring of last year. The manager is monitoring the water at this time.

**Operating Fund Balance** as of March 31, 2020 is \$6,823.

**Project/Reserve Income** as recognized was \$83,512 of the \$167,100 budgeted for 2020. There was \$2,760 in Interest Income from the Reserve Fund accounts.

**Project/Reserve Expenses** totaled \$15,546 and was attributed to payments for the Trails Master Plan of \$11,707, \$400 in road Maintenance costs for the requested shared expense on winter pushback on Filly Trail, \$383 for the Community Burn Pile Signage and \$2,257 for the purchase and installation of the cluster box parcels at Maricopa. There was also \$800 for a tree removal at Coyote run. Two Cottonwoods have fallen. The second one was removed in the last week and was more of an emergency. The cost of that removal was \$1700. There was also a recent expense of the first payment to Four Points Engineering for \$12,540.

**Restricted Funds income** reflects \$1,102 in interest income earned on funds held.

**Reserve Fund Balance** at the end of 2019 was \$440,503. Including recognized assessments and expenses, the current balance is \$508,469.

There was discussion on what to do with the CDARS funds upon maturity.

**MOTION:** Kate Rachwitz made a motion to have Brayden, Tom and the Manger Bryan Ayer, analyze the options and come back to the Board with a proposal at the upcoming Special Meeting where the management contract would be discussed. Rob Walker seconded. Without further discussion, the motion passed without dissent.

Accounts Receivable/Collections – Following the last process of sending 30-day attorney letters to all those accounts owing over 3 years of assessments, all but three accounts had paid. Those being Lot 91 in Morningside and Lots 38 and 39 in Overland. Those two accounts were referred to the attorney in continuing the foreclosure process. Since that time, lots 38 and 39 have been paid and Lot 91 has a date set for the foreclosure sale of the property at the beginning of September.

The manager presented the updated A/R Delinquency list with several properties highlighted as recommendations to send 30-day letters.

**MOTION:** Kate Rachwitz made a motion to have the attorney send 30-day letters requiring payment to all those owners highlighted in yellow. Rob Walker seconded. Without further discussion, the motion passed without dissent.

#### **COMMUNITY MANAGER'S REPORT**

Cluster Boxes at Maricopa – The cluster boxes have been installed and keyed by Oak Creek Post Office.

Coyote Run Sign – The Coyote Run sign is still being worked on, but Mike Halder has some time now and should be installed in the next couple of weeks.

ACC Applications Since the May 16 meeting there have been nine applications for sheds, homes, roof replacements and garages.

Rules Violations -- Bryan reported there are no outstanding violations and all have come into compliance.

Trailer Violations – It appears that most people have fallen in line with the new Covenant on trailers and overall places look good. Occasionally, the Manager has to reach out to folks, but they have generally been in transition and move come into compliance without further contact.

**EXECUTIVE SESSION:** No executive session was called at this time.

**The Board meeting was adjourned at 2:28 p.m.**