

**STAGECOACH PROPERTY OWNERS' ASSOCIATION**  
**Board of Directors Meeting**  
February 20, 2021  
Meeting Minutes

The Board of Directors meeting was called to order by Board President, Kate Rachwitz, at 9:07 A.M.

**Roll Call**

Board members attending via teleconference included Kate Rachwitz, Amber Stewart, Rob Walker Brayden Jerde, Sydney Yapoujian, Julia Wallace, Christopher Simao, and John DiNicholas. Tom Watts was in attendance as Co-Treasurer and committee member.

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

**SPOA members present via teleconference:**

Ted Scambos	Charles Martin
Nick and Marley Hareen	Cory Spakes
Bernie Lafleur	Bill Bue
John Troka	Jill Cannon
John Peterson	Dan Stevens
Susan Hartley	Janet Miller
Robert Meldon	Meghan Zidman
Christopher Reed	Tavis Rogers
Patti Douglas	Jerome Wiedel
Carrie Easton	Terrie Huntington
Willie Summers	Tabitha Callies
Jerry Gasau	Marty Carrigan
Bryant Scrafford	

Guests in attendance were Walter Magill and Rebecca Lindeman with Four Points Surveying.

Representing Steamboat Association Management were April Sparks, Michelle Koci, and Judy Wagar.

**Approval of Minutes**

The board meeting minutes dated November 21, 2020 were reviewed. A correction to a motion made by John DiNicholas was made, correction "increase" to "decrease."

**MOTION:** There was a motion by to approve the minutes as amended which was seconded. With no further discussion, the motion carried without dissent.

**Payment Plan Ratification**

**MOTION:** There was a motion by Kate Rachwitz, seconded John DiNicholas, to ratify the payment plan, and with no further discussion, the payment plan was ratified by unanimous consent.

**Member Comments**

Gasau Garage Appeal – Tom Watts, Architectural Review Committee (ARC) member, provided a summary of the appeal related to the ARC policy that detached ancillary buildings square footage cannot exceed one-half of the floor area of the residence. Because the applicant's garage plan exceeded this

limitation, the ARC rejected the application. Sydney Yapoujian, ARC member, noted the ARC decisions are constrained by the restrictions within the policies and all application approvals are based on these guidelines. She also noted this is a policy, not a covenant, and the Board can alter the policy following the Association's procedure.

Owner Jerry Gasau provided a summary of their reasons for request and provided the plans for discussion. He reported that Routt County has approved the plans and square footage.

After discussion, the Board agreed to review the square footage restrictions for auxiliary buildings and change the policy to increase the square footage based on the study results.

**MOTION:** There was a motion by Kate Rachwitz to amend to the auxiliary building policy for the 50% of square footage restrictions to allow for exceptions by the Board which was seconded by Sydney Yapoujian. The Board will discuss the increased limitation at a future meeting. The amended policy will be published for owner review. Following discussion, the motion was withdrawn by Kate and Sydney.

**MOTION:** There was a motion by Kate Rachwitz to grant an exception for the construction of the Gasau garage which was seconded by Sydney Yapoujian. With no further discussion, the motion carried without dissention.

#### **OLD BUSINESS**

**Proposed Policies and Covenant Changes -- Article V Declaration of Covenants, Section B**, regarding the minimum 1,000 square footage building size requirement in residential subdivisions for Sky Hitch I, II, III and IV, South Station I and II, and Overland to amend it to reflect minimum floor areas of not less than 500 square feet, not to include balconies, open porches, and garages. The associations noted were selected based on seasonal access.

There was discussion regarding the wording of the amendment, noting the need to be specific regarding how the total square footage of the building is calculated.

Consideration for how vault permits would be requested and used was discussed.

After discussion, the Board agreed to revise the amendment with specific language regarding square footage and livable square footage. Reference to Routt County will be eliminated, and legal language required for amending a covenant will be inserted.

*BOARD ACTION: Tom Watts agreed to provide the first revision and forward his revisions to Amber Stewart who agreed to assist with structuring the language regarding square footage calculations for her review. The amendment will then be reviewed by all Board members for review and comments. John Troka agreed to participate in the review process.*

**MOTION:** There was a motion by Kate Rachwitz to table the covenant change discussion until the next board meeting pending Tom's and Amber's revisions for Board review. The motion was seconded Brayden Jerde. The motion was amended to state the revision will be completed by Friday, March 19<sup>th</sup> and a special meeting of the Board will be called to review and discuss the revisions. The amended motion was seconded by Brayden Jerde. With no further discussion, the motion carried with one abstention from John DiNicholas.

### **Common Area Easements Discussion – MCWSD / YVEA**

The letter from Sarah (Sally) Claassen dated February 10, 2021 regarding easements across common areas was discussed. She cautioned the Board regarding their authority to grant easements in common areas. The Declaration restricts SPOA from “dedicating or transferring” any part of all of common areas unless there is a two-thirds vote of the members. The Board must determine if the conveyance of a utility easement is a dedication or a transfer. She noted this has been done at least twice in the past. She stated that should the Board choose to grant easements, it does so at some risk that the easement will be declared invalid and therefore all such risk should be placed on the person or entity requesting the easement. After discussion, the Board agreed to ask Sally to draft the document.

**MOTION:** There was a motion by John DiNicholas to allocate the funds to draft the standard easement document for a cost not to exceed \$2,000 that will permit individuals to cross common area easements. The motion was seconded by Kate Rachwitz. With no further discussion, the motion carried unanimously.

**Wildfire Mitigation Survey Update** – April reported the survey from Ethan Abner, graduate student at CU Boulder, has been mailed to owners and responses are being received. Kate noted the survey didn’t include a question whether the respondent currently has a dwelling on the land. *ACTION: Management will ask Ethan to include this question and resend the survey.*

### **Standing Committees Updates**

**South Shore Speed Limit Signage and Mag Chloride Update** – April reported she is planning a meeting with Routt County roads staff in March and asked for guidance from the Board regarding speed limit signs placement.

She reported that the county doesn’t install speed bumps; however, the Association could choose to install temporary speed bumps at an estimated cost of \$100 per bump which could be removed in the fall. Cory Spakes discouraged the use of speed bumps, noting in his experience, they have not been effective.

The county will not provide the mag chloride coverage; therefore, the estimated cost for this project is \$500/\$600 per mile. Cory Spakes is working with State parks to determine if they can assist in funding some of these projects. There was discussion regarding asking the South Shore owners to share the cost of the mag chloride, after determining the cost of the project. The possibility of including the area of Arapahoe and Uncompahgre which is the main road to the new parking lot, estimated at about one mile, was also discussed. The total estimated cost for the mag chloride application in these areas is \$15,000.

*ACTION: Management will coordinate a meeting with Mike Mordy, Marty Carrigan, Susan Hartley, Jerry Gasau, Brayden Jerde, and Rob Walker to discuss speed limit signs and mag chloride applications to determine how to proceed and provide a report to the Board by April 1<sup>st</sup>.*

Sydney recommended doing a traffic study in the spring and in the summer that will provide a comparison of traffic flow and increases. Cory Spakes reported that the Sunset parking lot has a traffic count already installed.

**Trails Committee Update** – Amber Stewart, committee chair, provided a summary of their Committee meeting and discussion items, noting they are gathering information to assist with prioritizing new trails

construction. Committee members agreed to walk the trails to determine feasibility, focusing on the northern trails and the trail proposed along CR16. Their next meeting is scheduled in April, prior to the May board meeting.

There is a parking lot in Sky Hitch off Stirrup and is used as the Nordic trail access parking. The lot accommodates a maximum of eight cars and overflow parking is along Stirrup and Hoch Eye. John Troka noted this area around the parking lot is common area and could be expanded.

There was discussion regarding how to gauge the usage of trails and if the SPOA trail systems should be limited to owners only. Liability issues related to trail usage was discussed, suggesting placing signage in the parking lot stating the trail system is for the use of SPOA members and guests only to reduce liability to the Association. After discussion, the Board agreed to the installation of this signage, adding a warning to use at your own risk.

*ACTION: Management will create signage that states: "These trails are for the use and enjoyment of SPOA members and their guests only. If you are not a member or a guest, you are trespassing. Use the trails at your own risk."*

**MOTION:** There was a motion by Kate Rachwitz to approve the creation and installation of the signage as noted in the above action. The motion was seconded by Julia Wallace, and with no further discussion, the motion carried without dissention.

**MOTION:** Kate Rachwitz made a motion that the estimated cost for the signage creation and installation will not exceed \$500 which was seconded by Amber Stewart. With no further discussion, the motion carried without dissention.

**Road Committee Update** – Chris Simao, committee chair, provided a summary of the Committee meeting, reported discussion included how to effectively use resources with the goal of presenting a proposal to the Board this summer.

It was noted that Walter Magill, Four Points survey engineer, requested an additional \$1,500 for GSI map improvements which the Board approved. He will be able to provide cost estimates related to the proposed roads with these additional improvements to the map. His contract has been approved for up to \$35,000. Walter provided an update on their progress and reported there is a new residential subdivision development planned for an area behind Red Hawk Village, near Wagon Wheel. Snowkomo plans include 13 lots and two duplexes and will require a traffic study. He agreed to provide the traffic study information to the Board when it becomes available. Tom asked him to discuss their covenants preparation with them to ensure they are coordinated with SPOA covenants early in the development.

**Board Vacancy** - Three owners have expressed interest in filling the vacant board position. John Peterson and Cory Spakes provided a brief bio and stated their interest and goals in joining the board. Marty Carrigan was no longer in attendance and his bio was read by Kate Rachwitz.

Board members present were asked to send a private chat to Steamboat Association Managers (SAM) regarding their selection. Results were tallied and Cory Spakes was appointed to serve the vacant position.

**Motion Book Update** – April reported that years 1999-2016 have been updated in spreadsheet form, and she is working on updated the 2017 spreadsheet. Tom Watts is providing the historical information. The goal is to provide a copy to Kate by the first week in April, prior to the next Board meeting, so the board will be able to review the manual and reference material.

## **NEW BUSINESS**

**Website Update and Options** – The SPOA website has not been updated recently, and April has been working with Creative Bearings, who has provided a proposal to update. The site was created in 2004. The new proposed platform will now allow Management to insert information and attach files and Board members could also be given access. The proposal totaled \$2,004 and recent update costs were estimated at \$1,000. During discussion, Chris Simao, who is a website designer, recommended the Board consider expanding information options for the website and suggested the architecture of the site could be significantly improved. After discussion, the Board agreed move forward with the Creative Bearings proposal.

**MOTION:** There was a motion from Kate Rachwitz to update the website with a NTE of \$2,100 which was seconded by Julia Wallace. With no further discussion, the motion carried without dissention.

*ACTION: Management will confirm the total project cost and determine annual costs and report to the Board.*

**One Email Communication Source with the Board** – April is getting an increased number of potential buyer inquiries, requesting construction options and process. She reported these calls are taking time away from her ability to focus on SPOA property owners and issues and recommended creating a private owners' website link to access contact information for Management and Board members. A separate link would provide the information for "How to Build a Home in Stagecoach" on the website. Management could then encourage these callers to use the resources provided on the SPOA website. The Board agreed to provide the owner private link on the website.

There was discussion regarding providing prospective buyer information in the newsletter and invite owners to provide personal testimonials regarding their purchase process that could be included.

*ACTION: Management will send an email to all owners regarding this update.*

**Newsletter Submission Deadline** is March 29<sup>th</sup>. This newsletter will include:

- the Board President's letter,
- an invitation for owner testimonials,
- Trails and Roads Committee updates.
- The amended square footage policy and the proposed policy change will be included in the newsletter, requesting owner feedback, so the ancillary building limitation can be addressed at the May board meeting.
- John Troka may provide a Morrison Creek update.
- A reminder regarding property improvements and the need to submit their plans to the ARC prior to beginning any project.
- Cory will provide a State park update information section and mention information regarding boat slip rentals.
- A reminder regarding speed limits and safety will be included.

*ACTION: Management will submit the draft of the newsletter to all Board members for review and comment. April will contact the marina manager, Tom Thurston, to provide information regarding boat rentals and coordinate a Zoom call with Tom Watts, Cory Spakes, and Management.*

**Governing Documents Interpretation** – There was discussion regarding how to proceed with email voting. Tom stated the CCIOA state statute takes precedent over the governing documents. He reported that in the past, Bryan would publish on the website notice of the informal meeting in advance of the proposed meeting, so that interested owners could call into the meeting, and he also sent an email blast with this information. No board meeting can be held when formal decisions will be made without notice to the owners. John Troka stated the bylaws can be modified to adopt the non-profit update that allows the Board to make decisions using email.

The Board discussed what kinds of business discussions can be emailed so Board meetings can become more efficient. After discussion, it was agreed that most board discussions should be discussed in a formal meeting attended by owners to maintain transparency, noting some topics that are proprietary and pre-approved budgetary decisions can be made without a formal meeting. *ACTION: Management will determine areas where she would like discretion to be able to make decisions without Board approval, such as payment plans and budgetary payments that comply with approved not to exceed provisions and present those requests to the Board for consideration.*

#### **Nordic Center Suggestions**

**Pet Station Installation** on the trail was discussed. The estimated cost for each station is between \$199 and \$400, not including installation. Maintenance cost is estimated at \$80 per week to maintain disposal bag availability, empty receptacles and monitor the trail to pick up any bags. Comments included the potential abuse that could occur and potential animal invasion of trash receptacles. No action will be taken at this time to install pet stations. *ACTION: Management will include Nordic trail signage a notice to pick up after your pet that will be provided by Cory from existing State park signage.*

#### **TREASURER'S REPORT**

Brayden Jerde reported that all CD funds have been transferred into CDARS with higher interest rates.

Tom Watts provided a summary of the financials through the end of November 30, 2020, reported the financials were below budget and there may be a small surplus in the operating budget. There was not much spending for reserve projects. At the end of December, cash on hand totaled \$662,000 spread across checking at Yampa Valley Bank and Community Association Bank, money market accounts, and two CDAR accounts. There is \$150,000 in CDARS for restricted road funds for three subdivisions. He noted there is cash available to fund new roads and trails this summer, if those committees can provide recommended roads and trails on which to focus by the May Board meeting and provide gross dollar amounts for board consideration.

**Accounts Receivable–Collections** – It was noted that the report only reflects information through the end of November; therefore, there is not current information for those owners who might have brought their accounts up to date.

Management stated monthly financial details can be provided, if so directed by the Board, and can also provide bank statements to the Board Treasurers' to review monthly payments made. Tom asked the Board to make this request.

**MOTION:** There was a motion by Kate Rachwitz for Management to provide the monthly financial details, bank statements, and posting journal by the 20<sup>th</sup> of each month to the Board President, Vice President and Treasurer. The motion was seconded by Cory Spakes, and with no further discussion, the motion carried without dissention.

*ACTION: Management will investigate providing online access to the YVB bank accounts for the Board Treasurers' and provide forward information to them and will provide the monthly financial information going forward.*

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

**Accounts Receivable** – April reported there are currently no foreclosures pending. She noted there are 90 owners who are two years for more delinquent with their assessments. A total of 32 owners are between \$300 and \$500 delinquent.

Seventeen owners were sent a delinquency notice in November 2020; therefore, the Board may pursue legal action. Seven of those have paid their accounts and are current. The remaining ten owners must now be researched regarding property value. The Board agreed to discuss potential foreclosures in Executive Session. The State of Colorado states that liens are only good for six years; therefore, action against them needs to be taken into consideration in a timely manner.

*ACTION: Management will include Tom Watts and John Troka with email correspondence with these delinquent owners so they can provide input. The current list of delinquent owners will be sent the Board for their information and review.*

**The Community Burn Pile** burn-off has been completed by Mr. Keller. This contract for trail and burn pile maintenance was signed by SAM as agent of the Association. It was noted that the Board didn't formally review and approve the contract. Kate stated that Board members must respond to email requests from Management in order for her to be efficient.

**MOTION:** There was a retroactive motion from Kate Rachwitz to approve the funds for the Nordic trail and burn pile maintenance contract which was **seconded by \_\_\_\_\_**. With no further discussion, the motion carried with one abstention, retroactively approving the expenditures for the Nordic trail.

**MOTION:** There was a motion by Kate Rachwitz to retroactively approve the Keller contract signed by Management which was seconded by Brayden Jerde. With no further discussion, the motion carried with one abstention, and was retroactively approved.

*ACTION: Management will ensure there are no metal objects remaining on the burn pile and have them removed as needed.*

**ARC Application** summary reported there is one application currently active.

### **Executive Session**

None.

### **Adjournment**

With no further business to discuss, the meeting was adjourned at 2:40 P.M.