

**STAGECOACH PROPERTY OWNERS ASSOCIATION**  
**Teleconference Meeting of the Board of Directors**  
**Zoom App platform**  
Meeting Minutes  
May 16, 2020

**Board members present by teleconference:** Kayleen Cohen, President; Rob Walker, Vice President; Matt Kaufmann, Treasurer; Kate Rachwitz, Secretary; John DiNicholas, Tom Watts, and Amber Stewart

**Management present:** Bryan Ayer, Association Manager; Sean Lacey, President; Judy Wagar, Association Operations Administrator

**Owners and Guests present:**

Bob & Sarah Woodmansee	Lot 79 Eagles Watch
Jimmy Juel	Lots 43/54 Eagles Watch
Josie Tolan	Lot 3 Blacktail Meadows
Joann Murphy	Lot 48 Eagles Watch
Nick Beers	Lot 19 Meadowgreen
Sydney Yapoujian	Lot 173 South Shore
Corky Fischer	Lot 26 Black Horse I
John Lemke	Lot 65 Sky Hitch IV
Greg Roembach-Clark	Lot 24 Sky Hitch 1
Brayden Jerde	Lot 32 South Shore
Pamela Roy	Lot 39 Meadowgreen
Chris Simao	Lot 131 Sky Hitch 2
Mike Slater	Lot 26 Sky Hitch 1
Tavis Rogers	Lot 28 Meadowgreen
Peter Patton	Patten and Associates

The meeting was called to order by Board President, Kayleen Cohen, at 9:07 AM.

With seven board members attending, a quorum was present.

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

Approval of minutes from the February 15, 2020 board meeting.

**MOTION:** Kate Rachwitz made a motion to approve the minutes as presented. Tom Watts seconded. With no further discussion, the motion carried without dissent.

Approval of minutes from the April 14, 2020 board meeting.

It was noted for the record that the intent of this meeting was to quickly touch base, finalize the digital survey and decide to send it to all owners. Items for the newsletter were also discussed. The proposed policies were not a topic of discussion at this meeting, and the meeting minutes reflect this information. All approved minutes are posted on the website.

**MOTION:** Tom Watts moved to approve the minutes as presented which was seconded by Kate Rachwitz. With no further discussion, the motion carried with John DiNicholas abstaining.

### **Member Comments**

There was a question regarding the proposed policy regarding the removal of "trash, litter or junk." The policies are on the agenda to be discussed later in the meeting.

### **OLD BUSINESS**

Board Vacancy Discussion and Possible Appointment -- There are currently two vacant seats on the board: one is for a 2-year term and another for 2 months. The Board has received the biographies from four owners who are interested in serving. There was discussion for how to fill these positions, noting there will be a total of four positions up for election at the annual meeting, including the expiration of two incumbent members. After discussion, the board agreed to fill both seats at this meeting and then allow the owners to elect the three positions at the annual meeting as the two-month position will also be up for reelection.

**MOTION:** Tom Watts moved to have the board fill both seats at this meeting which was seconded by John DiNicholas. With no further discussion, the motion carried with Amber Stewart opposed.

The applications for Sydney Yapoujian, Brayden Jerde, Julia Wallace, and Kit Buell were reviewed, and a Google ballot form was emailed to all board members. Sydney was present on the call and provided a brief introduction. After this discussion, the board members completed their ballot and returned them to be tallied. When results were tallied, Sydney and Kit were elected.

**MOTION:** Tom Watts moved to accept the two nominees which was seconded by John DiNicholas. With no further discussion, the motion carried without dissent.

**MOTION:** Tom Watts moved to appoint Sydney Yapoujian to serve the 2-year vacancy and Kit Buell to assume the 2-month term. The motion was seconded by Matt Kauffman, and with no further discussion the motion carried without dissent.

The Master Trail Proposal was taken out of agenda order to accommodate Peter Patten's schedule. He joined the meeting at 9:46 AM.

Master Trail Proposal Update -- Peter reported that this proposal has now progressed to the third draft and continues to be revised and refined to produce the final plan document. It was noted that the proposed trail systems are conceptual and have not been field tested at this time. Trails would be prioritized and constructed in phases. The maps of the North and South areas, defining the proposed and existing trail systems was displayed and reviewed, along with a Master Plan graph that provides information regarding the description and other landowner involvement information. Peter outlines some priorities and where public/private partnerships would most likely need to be established. He noted the plan is designed to be sensitive to aligning the trails to issues around minimizing entering lot line easements and focus on using the SPOA common areas.

Other discussion topics included how to identify how the actual trails will be identified and laid out, the installation of bathroom facilities at various locations, especially at the main trail head locations, installing fencing to delineate private property and SPOA trail systems to assist owners in understanding

where these systems are proposed. Various identification options were discussed including small staking or fencing, with identification staking as a more viable option but not fully supported by the Board at this time.

Peter suggested that the next steps for the proposed plans were scheduled to be public meetings. Before the Covid -19 crisis at least one public meeting was planned to obtain feedback from the ownership. Due to the limited ability to hold public gatherings, a survey was suggested.

**MOTION:** Kayleen Cohen made a motion to approve producing an online survey with Peter Patten's assistance that will gauge owner feedback regarding the proposed trail systems. Agencies and state parks who would need to provide approval for land use and easements will also receive this survey. The survey language will be reviewed by the board prior to sending it to the constituents. The motion was seconded by Matt Kauffman, and with no further discussion, the motion carried without dissent.

Peter left the meeting at 10:45 AM.

Management Contract RFP Discussion -- SAM staff were excused from the meeting during the first part of the RFP discussion. Management returned to the meeting at 11:10 am.

**MOTION:** Tom Watts moved that the board inform SAM that we would like to have Corky Fischer take over the third module and ask SAM come back with a proposal reflecting this request. The motion was seconded by Kate Rachwitz, and with no further discussion, the motion carried with Matt Kauffman abstaining.

**ACTION:** Management will review the last red-lined contract version from Tom Watts for further discussion and negotiation purposes.

#### Current Survey Results and Discussion

1. To amend the minimum square footage of 1,000 square feet to 500 square feet in certain southern subdivisions. Results: 57% in favor with 43% opposed, indicating a slight margin of favorability. After discussion the board agreed that Kate will provide an explanation at the annual Homeowners meeting regarding the square footage allowance, noting these will not be tiny homes and educate community regarding the intent of this policy. Amber agreed to assist.

2. Possible future development of a Community Center. Results: 52% in favor with 47% opposed which is very close to a split decision. Owner comments fell along lines for where owners are located. Tom was asked to provide an explanation at the annual Homeowners meeting to provide more information to the community regarding the addition of a community center. Conceptualized plans for a convenience store have been developed. *ACTION: Bryan will forward the plans to all board members for review.*

3. Motorized vehicles prohibited on SPOA common areas will be discussed later in the meeting during the proposed policies discussion. Results: 54% in favor with 46% opposed.

4. Definition for what constitutes a "Failure to Maintain" will be discussed later in the meeting during the proposed policies discussion. Results: 63% in favor with 37% opposed.

It was noted that the responses can continue to be sought after the community is educated and as these processes continue to move forward. The survey will continue to be refined and resubmitted. The next survey would limit the responses to the survey, and owners will be asked to note how many lots each responder owns.

Proposed Policies Discussion - Owner Comments Received - Kayleen noted these policies are designed to streamline the Architectural Review Committee decisions to be more effective and efficient. The board is not trying to be more restrictive. Owners have been provided these proposed policy revisions for review.

*Break at 11:30 AM*

*Meeting resumed at 11:40 AM*

As discussion proceeded, it was noted that none of these policies have been adopted at this time.

**Proposed SPOA Policy 2020-1 relating to approval of new fences pursuant to Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions:** Tom provided a summary of this policy, noting there have been no changes to the document since the February board meeting. He reported that recent requests for fences that don't meet the standards have been received. Current guidelines state a four foot height limitation, and fences can only be built when a home is first in place. Sydney noted that, as a member of the ACC committee, these guidelines are helpful in establishing parameters, so decisions are made using these guidelines, rather than arbitrary decisions based on personal preference. All decisions establish a precedent for future decisions. Bryan noted this information is helpful to him for owner inquiries regarding what is allowed. The board discussed the proposed language. After discussion, the board agreed to withdraw the policy for approval at this time. Tom will revise and present to the board for further review and discussion.

**MOTION:** Kate Rachwitz moved to retain and adopt the "Part B: Fences on Lots without a residence" language for the policy which was seconded by Amber Stewart. With no further discussion, the motion passed without dissent.

**Proposed SPOA Policy 2020-2 relating to the procedures of Rules Committee.**

**MOTION:** There was a motion by Kate Rachwitz to adopt the policy as presented which was seconded by Kayleen Cohen. With no further discussion, the motion passed without dissent.

**Proposed SPOA Policy 2020-3 relating to the operation of motorized vehicles on SPOA common areas.** It was noted that the survey showed a majority in favor of prohibiting motorized vehicles.

**MOTION:** Kate Rachwitz moved to adopt the policy as presented which was seconded by Amber Stewart. With no further discussion, the motion passed without dissent.

**Proposed SPOA Policy 2020-4 relating to application of Covenant Article V, Section p to the clearing of standing and fallen dead trees on Lots.**

**MOTION:** There was a motion by Kate Rachwitz to table this decision. Tom Watts seconded and with no further discussion, the motion passed without dissent.

**Proposed SPOA Policy 2020-5 relating to the application of Covenant Article V, Section p. to the storage of building materials and other items on a lot.**

There was discussion and owner input for what items constitute junk and/or trash. Comments from the owner survey showed eight in support of the policy and eight opposed. Survey results showed 63% in favor with 37% opposed. Most comments received showed support for allowing snow plows on lots without county snow plow maintenance. The board agreed to withdraw the policy which will be rewritten and resubmitted to owners for the three month review period.

Wildfire Mitigation Updates - Next Steps – The Manager provided a summary document of Fire Mitigation Standards that was provided by Sharon Kyle of NRSO. He asked the board to approve these standards so that this information can be disseminated to community owners. The board will need to review the document to ensure the language complies with permissible standards. It would then need to be provided to community owners for review and approval. The Board agreed it could be used in an RFP for contractor bids, but do not want to publish it as a policy at this time.

**MOTION:** Kate Rachwitz moved to approve the Proposed Community Slash Pile Sign language from the presented document. Tom Watts seconded. The motion passed without dissent.

Community Center - Appraisal of Tri-State Property -- Tom Watts reported that the appraisal came in at \$550,000 which is beyond SPOA financial capabilities at this time. There was discussion regarding whether Tri State would be willing to sell a smaller portion of the property. Tom asked for board approval to return and ask for this condition, or should the project be put on hold during the pandemic.

**MOTION:** Kayleen Cohen moved to approve Tom Watts discussing the purchase of a smaller (35 acre) part of the parcel with Tri-State which was seconded by Tom Watts. The motion carried with Amber Stewart and Kate Rachwitz opposed and no one abstaining.

The property listed by Chris Wittemyer could also be discussed. It was noted that the Tri State property would not require a zoning change. Tom agreed to contact Chris Wittemyer.

**NEW BUSINESS**

Road Maintenance Master Plan Estimates -- At the February 15, 2020 Board meeting, there was a motion to instruct the Manager to approach NWCC and Landmark Consultants to obtain a proposal for providing oversight of future repair and road construction efforts. The Manager reached out to both these companies as well as Four Points Engineering in regards to consulting on the subject

The proposal received from Four Points Surveying and Engineering outlined a Scope of Services to complete a road maintenance master plan based on a scaled system which integrates travel surface types and conditions, location within the platted right of way and any drainage issues. The proposal totaled \$43,500 with \$35,000 for field surveying (mapping) of all roads in one season and database work and \$8,500 for the Engineering Roadway Report and Plans. The response from NWCC recommended Four Points provide the mapping for the project, then NWCC could do the soils testing. Landmark declined to provide a proposal.

The Four Points proposal does not include staking and associated costs and does not include county maintained roads in the mapping. This mapping would provide the information that would eventually be

needed to generate an RFP. It would also provide information for critical road areas that require immediate repair which would be a reserve fund expense.

**MOTION:** Kate Rachwitz moved to approve up to \$35,000 to map all the roads, not including county roads, Morningside or Horseback. The motion was seconded by Amber Stewart. The motion amended to condition the agreement to the proposal and clarify that the data generated will be the property of SPOA. After discussion, the motion as amended was passed without dissent.

The board expressed their appreciation to Bryan for gathering all the road maintenance estimate information.

Second Quarter Newsletter will be distributed on June 19th and will include information regarding the upcoming annual Homeowners meeting. The proxy form will be included, along with last year's annual meeting minutes for review. Kate will provide an article regarding the reduced square footage requirements, and Tom will provide an article regarding the proposed policies status. Kayleen will submit an article on the proposed trail systems, co-authored with Peter Patton, and will provide an update regarding the recent owner surveys. Tom will provide an article regarding the community center progress.

2020 Annual Meeting Discussion -- There was discussion on how to host the meeting this year, noting the pandemic restrictions for social gatherings. Using the Zoom virtual meeting platform was discussed, noting that owners could be sent a Google form link for voting in the meeting notice. Mountain Resorts has an IT department who would be available to assist. After discussion, the board agreed to hold the annual meeting via the Zoom platform.

## **TREASURER'S REPORT**

FY 2020 Financials through March 31, 2020 -- Bryan provided a summary of the financials through March 31, 2020.

Total assets at the end of December was \$628,878. This amount is comprised of \$108,192 in the checking accounts, \$217,541 in the money market account and \$303,143 in CDARS investment accounts. The CDARS accounts show an interest increase among of \$1,222 since the end of December. There is also \$151,804 in 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.

Operating income recognized from annual assessments through March 31 was \$27,838 of the \$111,531 budgeted for 2020. Other income (i.e. fines, late fees, finance charges, etc.) was \$1,801 for a total income of \$26,639.

Operating expenses for the same period totaled \$27,051. Expenses were comprised of Management Services, costs for the maintenance of the Nordic Trail and board meeting costs.

Operating fund balance as of March 31, 2020 is \$2,589.

Project/Reserve Income as recognized was \$41,756 of the \$167,100 budgeted for 2020. There was \$1,523 in interest income from the reserve fund accounts.

Project/Reserve Expenses totaled \$6,667 and was attributed to payments for the Trails Master Plan and \$400 in Road Maintenance costs for the requested shared expense on winter pushback on Filly Trail.

Restricted Funds Income reflects \$574 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 \$475,592.

Two CDARS accounts are maturing and all three of restricted road funds CDARS are also maturing. Current rates are 0.5%. A Mutual of Omaha money market account had been set up by accounting as an option last year and the board could transfer the money from the CDARS accounts to this account with an interest rate of 1.8%. At the August board meeting, there could be better interest rates and more options for investment. The Restricted road fund CDARS can remain can just be deposited into their current separate checking accounts when they mature as they will be under the FDIC insured amount.

The board discussed asking Yampa Valley Bank to open a second checking or savings account and store the funds there rather than using the Mutual of Omaha money market account which Tom Watts believes would not be FDIC protected as it is an investment.

**MOTION:** Tom Watts moved that an additional account be opened at Yampa Valley Bank when the CDARS mature so proceeds in various accounts are less than the \$250,000 insured limit for each account. Kayleen Cohen seconded the motion and with no further discussion, the motion carried without dissent.

Accounts Receivable Collections -- There was a total of \$64,504 in delinquent assessments associated with 341 Lots. Delinquent owners have received notice of delinquency and the Manager has also reached out to them via email on a bi-monthly basis. After discussion, the board agreed to remain with the standard procedure of 60 day notices. Three more notices will be sent by the end of December. The board can decide if they want 30 day notices to be sent at the August meeting.

SPOA foreclosure status were reviewed. Current Lots that are in the Foreclosure process due to at least three years of unpaid assessments are Lot 91 in Morningside and Lots 38 and 39 in Overland. The last two foreclosure lots that went all the way through the process were acquired by SPOA and then advertised for sale in the newsletter to recover costs.

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

Cluster Boxes at Maricopa – The cluster boxes have been ordered this spring as approved at the November Board meeting and will be installed once they arrive.

Coyote Run Sign - Bryan reported he has received a bid for \$1,650 to install metal posts for the signage support. The sign has been placed on t-posts for now.

**MOTION:** Kate Rachwitz moved to approve up to \$2,000 to put up the Coyote Run sign which was seconded by Rob Walker. With no further discussion, the motion passed without dissent.

Black Tail Sign has fallen. SAM maintenance was going to re-set it; however, the sign has been destroyed. It is the Association's responsibility to replace signage.

Coyote Run Landscaping contract with Gecko shows no contract increase this year.

Postcard Mailing cost was \$421 for 268 mailing. There are more than 500 lots without email addresses and that number was reduced to 268 by eliminating duplicates.

ACC Applications -- It's been a busy season for applications. An application in Blacktail and one in Coyote Run are pending approval. It was noted the applications for new houses is lower than it was last year.

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

Trailer Violations - Bryan stated that he has been calling people instead of sending an email and most owners are in transition and are working through their reasons for delay. People generally know the rule and are willing to work with Management to comply. He has been allowing a period of three days for loading or unloading.

**Executive Session:** Kayleen suggested moving into executive session pursuant to CRS 38-33.3-308(4)(f) to discuss a legal document.

The Board entered executive session at 2:57 p.m. and adjourned from executive session at 3:00 p.m. There was no motion made from Executive Session.

**End of Business:** Kayleen made an announcement that she would like to step down as president after the annual meeting and would still maintain her place on the Board.

**The Board meeting was adjourned at 3:05 p.m.**