

STAGECOACH PROPERTY OWNERS ASSOCIATION
Quarterly Meeting of the Board of Directors
Stagecoach Fire Station

October 26, 2013

Members Present: Dave Hackett (President), Mike Koponen (Vice President), John Troka (Treasurer), Robert Skorkowsky, Skip Moyer, Art Fine, Tonja Elkins

Staff Present: Ken Burgess, Corky Fisher

Owners Present: Peter Heitman, Tony Stitch, Tracy Zuschlag, Rex Kreissig, Michelle Kreissig, Richard Lay, and Matt Cary

Dave Hackett called the meeting to order at 9:00am.

Special Meeting Proposal – RFP

Dave handed out an RFP for distribution to management firms to replace Ken Burgess as general manager.

Approval of July 27, 2013 Minutes

Motion:

Skip Moyer motioned to approve the July 27, 2013 minutes as prepared.

Mike Koponen seconded the motion.

There was one spelling correction identified: correct the spelling of Robert Skorkowsky's last name throughout document.

The motion was passed unanimously.

Public Comment

Tracy Zuschlag spoke about her concerns for the cluster mailboxes recently added to Southshore. Concerns include location, design and maintenance. Tracy said that she believed the County provided an easement for the location of the old structure and would try to find that record.

Dave clarified the 3 questions:

1. Can they (Southshore neighbors) keep the existing structure?

2. What if the new cluster mailbox set-up does not work?
3. Who will perform ongoing maintenance on the new mailbox cluster and turnaround?

Ratifications

Ratification of Elkins Appointment to the SPOA Board

Motion:

Robert moved to ratify the Board's previous email approved appointment of Tonja Elkins.

Mike seconded.

The motion was unanimous approved.

Ratification of Email Vote Regarding Splitter

Motion:

Robert moved to ratify the Board's previous email approval of changing the previous authorization to be "no more than \$2,000" for the total cost to acquire the new splitter.

John seconded.

The motion was approved.

Ratification of SPOA Legal Contacts

Motion:

Robert moved to ratify the Board's previous email approval assigning Ken and Dave to be the primary contacts from SPOA with our legal counsel relative to current outstanding litigation matters involving the association.

Mike seconded.

The motion was approved.

Ratification to Set Aside Previously Approved Changes to the Annual Assessment Period

It was decided on August 26th to set aside the previously approved change of the annual assessment date to coincide with the Associations fiscal year.

Motion:

Tonja made a motion to ratify the Board's previous email approval to set aside the previously approved change of the annual assessment date.

Mike seconded.

The motion passed.

Kreissig Hearing

Background:

The ARC has previously notified the Kreissigs of several violations of the Association's Architectural Control Committee Covenants, Conditions, and Restrictions and has imposed fines for the same. As provided for in the Association ARC guidelines, the Kreissigs requested an opportunity to appeal the ARC violations and fines to the full Board of the Association.

Rex addressed each violation against him in turn:

Violation #1 – No Approved County Permits or ACC Approval

Rex reviewed his reasons for believing he is not in violation of the Covenants with his “ag” building and building plans.

Violation #2 – Commercial Equipment on the Property

Rex does not see a definition of commercial vehicles supporting a violation.

Violation #3 – Nuisance and Eyesore Issues

Rex disagrees with SPOA that there is a nuisance and eyesore and has not been given specifics.

Violation #4 – Illegal Sewage Disposal

Rex reported that he has a commercial grade port-a-potty on the property.

Rex closed by saying that he wrote a letter in response to the previous hearing.

After questions from the Board Dave reviewed the Governance Policy process. SPOA will uphold or remove the ACC determination of violations or ask for further information/clarification.

Treasurers Report

2012 Fiscal Year Financial Results

John reviewed his financial reports and noted that 2012 expenses were within budget and SPOA's current cash position.

2013 Budget

John reviewed the 2013 budget and noted that management costs will be a function of responses to the RFP and may go up.

Banking

John suggested that current banking charges are buying more service than SPOA needs. He feels that the charges should drop significantly.

John then addressed the question of adding the capability for members to pay their assessments by credit cards. Dave suggested that SPOA wait until responses are received to the RFP for the general management company as they may already have these capabilities.

Motion:

Art made a motion to implement the suggested changes to the banking relationship with Vectra.

Skip seconded.

The motion passed.

Assessment Year vs. Fiscal Year

John reported that SPOA's fiscal year is September– August. The assessment cycle is on a calendar year basis, January to December. Historically the annual assessment billing occurred in February. John suggests that SPOA send out the required notification of the annual assessment amount along with the invoice by December 1st. The invoices will carry a January 1st due date.

Public Comments

Dave then asked anyone who wanted to speak about potential future projects to come forward and speak.

Peter Heitman –representing the Eagles Watch association, raised the issue of subdivision funding. He proposed putting funds and decision back into the hands of the subdivisions. Following discussion touched on (1)the inability to approach major projects if funds are fragmented, (2) only a few subdivisions have functioning sub–associations, (3) some subdivisions had gone into arrears because of major projects. The Board will continue to look for ways to engage the membership

Chipper and Splitter

Corky spoke about the rental of SPOA equipment such as the splitters
Corky would like better documents about the responsibilities of any

damages done by a member renting an item. Robert recommends SPOA not be in the rental business. Corky recommends getting rid of the existing chipper that is broken.

Motion:

Robert made a motion to sell the chipper as is for at least \$5,400.

Skip seconded.

The motion passed unanimously.

Motion:

Robert noted that the old splitter has reached the end of its useful life.

Robert made a motion to sell the old splitter.

Skip seconded.

The motion passed unanimously.

Motion:

Skip made a motion to increase the daily rental fee for the new splitter to \$25/day.

Art seconded.

The motion passed with David voting no.

Coyote Run Maintenance

Ken discussed Coyote Run's proposal to mow and maintain the area with SPOA paying for water. The Board asked Skip and Ken to generate a management plan.

Nordic Trail Costs

Ken reviewed two bids to groom the Nordic trail. The board discussed the need to continually review the value of the trail versus the expense to maintain it.

Motion:

Robert made a motion to have Corky maintain the area.

No second was offered up. The motion failed.

Motion:

Skip made a motion to appropriate \$4,100 to continue the maintenance program to the lowest bidder.

Art seconded.

Robert made a proposal to amend Skip's motion to sell the snowmobile. The amendment failed for lack of a second.

Motion:

Robert made a motion to allow the project manager to decide how to spend up to \$4,000 for the winter trail maintenance project.

John seconded.

The motion passed (with Skip, John, Art and Robert in favor; Dave opposing; Tonja abstaining).

Consideration/Appointment of New Director

Tonja reported on a person who has responded to the ad in the newsletter for a Director to fill a current vacancy on the Board. He is a Stagecoach property owner but is not a resident (he lives in Fort Collins). Tonja recommends appointing him.

Motion:

Tonja made a motion to appoint Ben Mahrle as a director to fill a Board vacancy.

Skip seconded.

Motion passed unanimously.

Adoption of Governance Policy Updates

Ken noted that the adoption of governance policy updates has been reported in the newsletter and requirements have been met.

Motion:

Skip made a motion to adopt the changes to the Governance Policy to bring SPOA in compliance with the new laws.

John seconded.

The motion passed with Robert abstaining.

Covenant Amendment Status

Ken report that the Covenant Amendment vote did not achieve the 50% of a 75% affirmative vote if that is the correct criteria, If 50% of 66.7% is the criteria under CCIOA then the affirmative vote succeeded with 80% of

those responding being in favor of the amendment. Next, the newsletter should report to the membership the status of this project. Also SPOA should notify the membership that the vote will be closed on a specific date.

Dave summarized: that SPOA needs to get the word out to the membership that the vote will be closed on a specific date, to identify next steps that SPOA will be taking if any, to get our attorney to confirm the steps that are required, and finally, get out an additional effort to get more votes on this issue. Robert volunteered to manage the project.

Motion:

John made a motion to instruct Robert to determine if SPOA has met the required elements to pursue this covenant amendment via the Courts as specified by CCIOA.

Tonja seconded.

A vote was taken and the motion passed unanimously.

Roads

Robert reported on results from the Whiffle Tree road project survey. 48% of residents responded to the survey with 70% saying “no.” Robert reported that the Halter Trail letter is ready and Dave asked that any comments on these surveys be given to Robert by the end of the week.

ARC Discussion

Skip reminded the group that the main responsibilities of an association are to protect common areas and enforcing covenants. ARC has been extremely busy with covenant violations. County support was discussed and Dave asked if SPOA could develop a plan for dealing with the county and working with the commissioners.

Stagecoach Community Plan

Dave discussed the need to identify Stagecoach goals before entering a planning phase. The need for a community survey was discussed.

Old Business

Southshore Mailbox Development

Corky reported that \$1,000 will be spent to modify the Southshore mailbox site to improve drainage.

Fire Mitigation Slash Pile Status

Robert estimates that it would cost an additional \$2,500–\$5,000 to consolidate the piles to make cleanup more efficient.

Motion:

Robert made a motion to approve \$2,600 to cover slash pile consolidation. This provides a total of \$5,000 with prior authorization \$2,391.

John seconded the motion.

The motion passed unanimously.

Membership Survey

Skip noted that the survey is on hold due to the other surveys currently circulating. Mike reminded the group that surveys are important to get membership input.

Newsletter Costs

Ken reported that the cost for color copies is going up significantly.

Motion:

Robert made a motion to increase the newsletter fee to \$10 per year for hard copies and to limit the color pages to the first two pages.

Dave made a friendly amendment change the limit to 2 color pages, not necessarily the first two. Robert agreed.

Mike seconded.

The motion passed unanimously.

Rescission of Ormega Way Sign Budget

Motion:

John made a motion to rescind the Omega Way sign budget.

Skip seconded.

The motion passed unanimously.

Previous Funding Authorizations.

Motion:

Robert made a motion to rescind/reduce previous authorization to spend funds for the Stagecoach Community Plan, the remaining for Skyhitch road testing and engineering, and the Filly Trail road upgrade.

The motion passed unanimously.

Budget Approval

Motion:

John made a motion to update the proposed FY 2013 budget to fix the trail maintenance line item budget at \$4,000, reduce the banking line item to \$3,800, and increase the travel expense line item to \$1,200 resulting in a net increase in the FY 2013 operating expenses of \$2,000. The annual assessment would not be increased for 2014.

Dave made an amendment to increase the 2014 annual assessment by 3% from the 2013 actual assessment amount. **John** approved the amendment.

Skip seconded.

The motion passed with Robert voting no.

Executive Session

Dave called for any comments before moving the meeting to executive committee.

Dave moved the meeting to executive session at 2:15pm.

The general meeting resumed at 2:28pm

Motion:

Skip made a motion to find Kreissig in violation of the Stagecoach Covenants, Conditions and Restrictions (CC&Rs) and to make a proffer of compromise.

Dave seconded and the motion passed unanimously.

The meeting adjourned at 3:30pm.