

Powderview Annual HOA Meeting

July 18, 2019

3:00pm

President Nick Rivera called the meeting called to order at 2:58pm.

Roll Call: 10 out of 10 present by proxy or in person.

President welcomed everyone. Review rules: be courteous (don't interrupt; raise your hand).

Board &/or Greg will speak first. Questions; please keep those to the current agenda item.

Complaints shared should be brought forth with a solution.

Introduced Greg Wiggins (PR Property Management).

President gave proof of notice.

Minutes

- President reviewed minutes out loud (page 2 of packet handed out).
- Motion for approval of minutes: Mandy Sheets; Julie Manchester seconded.

Manager Report

- PR Management does the following: mow yard, plow, shovel front entrance and walk arounds (grounds & interior)
 - o if you have a problem with the grounds, contact PR
- Nick Rivera does work on behalf of PR; a way to keep the price down
 - o Ex: Dumpster, windows, decks, crawl spaces, common area storage, etc.
- Big snow year; did minimal removal since roof was to be repaired
- Siding – no repair/staining etc. because we will be repairing. *Skyland* hasn't said a word because we are in process for replacing siding. Want it to blend in with the neighboring buildings.
- *Skyland* has been quiet; only thing they've contacted us about was a few years ago around parking (Beth's vehicle and trailer) as well as issue with dogs (Beth's).
- Ruth mentioned that there were samples for the siding (and roof) as well as mentioning the stamped concrete; she will follow up with architectural committee to see if it will be approved.
- All changes/designs must go through the architectural committee of *Skyland*
 - o Roof and fascia replacement has already been approved
 - o They've also seen ideas for siding/rock but it has not been approved as of yet. We will bring in samples (colors, stone samples, etc.)
- Parking: *Skyland* has a rule against trailers and RVs. VRBOs need to be aware of this. *Skyland* has a 48 hour policy; they patrol and will place stickers on vehicles and move towards towing. Homeowners need to be aware of this and let their guests know about this.
 - o FYI – Nick suggests continued leniency with Beth and her trailers due to disability

Officer Report

- no roof tile replacement because we are re-doing roof this summer.
- Allied is the company who has been hired for the roof replacement. The start date was stated as August 26th. Predicted 7-10 days of work.
- Last email to Don was sent July 17, 2019 to get in touch with Jerry who will be the lead contract on site.
- Julie asked how long it took to get a permit? Nick replied that it should take about one day; Ruth mentioned it is the contractor's duty

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- Troy asked about contingency plans, etc. Nick replied that change orders must come through the board. There are two contracts: roofing & siding. If the roof comes in on time and within budget (within reason, due to unexpected issues), then we will move forward with the siding contract.
- \$92,000 in bank; and \$10,000 in a CD + incoming dues for this quarter
- We have not paid any money to Allied at this time. The bid was for **\$62,045.29**.
- Don (at Allied) said he had already ordered the materials.
- Contingency plan if the contract with Allied falls through?
- Greg says if Allied shows up, he will get the job will get it done. Every now and then there is a hole. Little companies will take a long time. Big companies can get it done quickly. What we see is mostly cosmetic damage not structural damage that will cause problems. You can push it out another year. If Allied doesn't show up, we have not yet had any money expended at this point.
- If we need to go with another roofer, we will have to go back to the architectural board with a different roofing material. Allied is using "standing seam" whereas other roofers will use corrugated metal; these are two separate materials.
- Mason Collins was the next contractor in line. He bid \$74,500 back last Fall.
- The roofing that is being replaced is the sloping portions; the flat roof has already been replaced.
- We phased the projects because of money; we did not have the funds. Board asked homeowners about money; feedback was to phase it and pursue a loan.
- Carpet was just cleaned this month. Window cleaning we held off on to save money. Talked with Greg about decreasing walk-throughs, vacuuming, mowing, etc.
- Water is a flat rate. Amount of water won't change the charge, but it can cause a need for more mowing (\$97/time).
 - o Brown areas? Ruth asked about watering more? Doesn't cost more to water but will cost more to mow.
 - o Greg said to be aware of lifts, etc. that break heads

Old Business

- a) see above
- b) WINDOWS
 - o back common area window Nick replaced for us
 - o Windows up top and skinny windows on either side of door in front and back entry have been paid/ordered.
 - o Window installation is charged by window (regardless of the side of the window). One vendor quoted \$1200/opening.
 - o Nick Rivera can replace windows for us instead; chargers about \$450 larger windows. Board agreed to move forward in this manner. Nick asked if homeowners had any objections. Owners said they were comfortable moving forward.
- c) Short-Term Rental Management
Homeowners who rent are being asked to:

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- a. provide rules/regulations (emphasize the quiet hours, trailers/motorcycle, vans (sleeper/sprinter) not allowed)
- b. provide renters the trash dumpster codes please! We've been having some trouble with renters just leaving trash outside the dumpster.
 - i. Code: 5544 (on left side) and 4455 (on right)
 - ii. Codes periodically change; if you need it, contact PR
 - iii. Owners please keep eyes out to dissuade 'poachers'
 - iv. If ever frozen, call PR.
- c. Be aware of "Sprinter Vans" and the possibility of 'mooching' off of electricity, etc. – Skyland has concerns about this.
- d) Basement Storage
 - a. Everyone has their assigned areas
 - b. Please don't dump stuff in the common walkway; restrict your use to your 'unit storage space'
 - c. Units 3 & 4 still has stuff in theirs ... they share with # 10

New Business

- a) Loan for siding project
 - a. Ruth is taking this on. She has spoken to the accountant; he is open to us calling with any questions throughout the process.
 - b. Accountant said it is not a big deal for a homeowner to pay a lump sum if we want to go that route.
 - i. Greg said it is much simpler if everyone stays with the loan. The Lodge has done this twice in the past – recommends keeping it a community/HOA thing.
 - ii. Troy asked if everyone has been happy with that process. Greg said no, not everyone... J
 - iii. Gabe asked about loan. Does our quarterly HOA payment stay the same? Nick says YES. That is the plan. The board will send a letter to the bank to show that we have already increased our payments (from \$1000 to \$1500 quarterly) to pay for the loan (as noted in the 2017 minutes).
 - iv. The board stressed that currently we are moving forward with a loan, but this does not mean we may not vote OR need to also institute a special assessment at some point to take care of the loan.
 - v. Troy asked if we have "looked under the hood" to try and ascertain if there might be hidden issues that would cause increased need/money? Nick said he had an inspector take a peek a year ago. There were discussions about water drainage (into storage and crawl space areas); roofing project should alleviate these issues. 22-gauge steel roof with a 5 in overhang. With the standing seam, we don't need as much. We've discussed adding "safety cleats" to break the snow coming off the building.
- c. Troy asked if we have "looked under the hood" to try and ascertain if there might be hidden issues that would cause increased need/money? Nick said he had an inspector take a peek a year ago. There were discussions about water

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drainage (into storage and crawl space areas); roofing project should alleviate these issues. 22-gauge steel roof with a 5 in overhang. With the standing seam, we don't need as much. We've discussed adding "safety cleats" to break the snow coming off the building.

d. Venting in the storage areas will be something we need to deal with when we move through the siding project. There are 4 vents we need to close off (two on each side) while keeping one open on each side to vent dryers. Greg says it runs about \$5,000. The first year we did not have vents at all. Installed the vents in the 80's. Always water in the storage areas in the Spring. The current vents have kept the moisture and mold at best. This is a preventative measure. Board will get bids for this work.

- Ruth asked if her unit was open underneath. Nick/Greg said no.
- bottom units have gravel underneath sloping down towards the building.
- Ruth asked about a French drain. This is something to pursue.
- Greg reminded us that in winters like this past one, water is saturated throughout the grass. Surprised that we didn't have more water in our building.
- Would be nice to insulate the bottom floors as well (think 10 year plan). This would help everyone with heating.

b) Unit Remodels/Permitting

- a. When a unit performs remodels, please notify your neighbors.
- b. Do due diligence to get quality contractors.
- c. If it involves electrical and plumbing, please get a permit. This can affect all homeowners and it's critical for the value of all units. This is especially critical for units 2, 3, 4 and 9 which have not undergone any remodels.

-Beth's unit has some work that needs to be done around door due to dogs.

-There is a letter from the board stating that when her unit sells, her door needs to be replaced. This is the only unit that has doors/windows that have not been ordered/replaced.

-Units 3 & 4 have been ordered.

- d. Nick will spray paint the trash can (we own it) to state: No illegal dumping; for residents only. Unprotected trash will attract bears & wildlife. Once new board decides

Other Business:

c) Beth's dogs

- a. Unit 8's daughter had an incident with Beth's dog
- b. Renter in #9 also had an incident this month; their child was bit by Beth's dog.
- c. If there is an issue with the dogs, you should contact the police.
- d. The HOA is not responsible for Beth's dogs. Call the sheriff with any complaints.

d) Smoking

- a. We had a past complaint about cigar smoke (two years ago)
- b. Currently we have had a lot of complaints about pot smoke.

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- c. Nick asks if HOA can make the building (inclusive of inside units) non-smoking? Greg said the Lodge did do this.
- d. Ruth said (Greg agreed) one can call the sheriff on this if it is impacting other people.
- e. Ruth made a motion that we make our building non-smoking.
- f. Troy and Nick seconded.
- g. Unanimous vote to approve a NO SMOKING policy (smoking ban).**
 - i. This means no smoking in units or on outside decks.
 - h. Greg said we can put a notice on the building.
 - i. Gabe asked if the rule is enforceable.
 - Can rewrite bylaws but this requires a lawyer and is pricey. Board knows a rewriting of the bylaws and put this in the "10 year plan."
 - j. Nick responded that all owners should approach owners/renters first to try to solve the problem. Process should be Owner to Owner and then reach out to Sheriff and/or PR Management.
 - k. Units 7 and 8 have put into their rental agreements that there is no smoking/vaping and will incur a fine.
- e) Bike Rack
 - a. Kim and Julie are going to move the rack so it's no longer in the sprinkler
 - b. Julie said there has been a bike stolen from The Lodge and a few in town as well. Greg made a comment about "borrowed townies" from late night drinkers. She has started locking up her bike now.
- f) Land
 - a. Jason (the neighbor in the duplex next to Beth's unit) is technically encroaching on our land. His landscaping is on our land.
 - b. A surveyor has been out and stakes are present.
 - c. HOA has the right to "take it back" but because of the nature of the owner (Jason) we do not think this would be an easy discussion.
 - d. The community association (Skyland) looks the other way because there has not been a complaint. Coyote Circle has problems with Jason as well. We stored snow in that area of the parking lot, which is technically Coyote Circle's property; Coyote Circle HOA has not complained.
 - e. Jason does not own the land, only his condo. Coyote Circle owns the land.
 - f. Julie said that we have not forced the issue of Jason's wall being on our land, because of our parking lot being on the community's land.
 - g. Mandy asked about the 6-8 feet that Jason is "taking." Because it is not a structure (it's just land/landscaping), it will stay our land; it does not become anyone else's land. [Structures on contested land are bigger issues.]
 - h. The grass/gravel to the right of our parking lot (space 1) because it is technically Coyote Circle HOA's land.
 - i. When PR moves/stores snow, they are careful/thoughtful of the neighboring HOAs.
 - j. Currently we are not "kicking a sleeping dog."

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k. Julie made note of the fact of once the roof starts, she is certain that Jason will complain about the construction and noise. We have a letter on file saying we have gotten it approved through the Skyland architectural board.

l. Mandy stated that we should be clear with our contractors about the noise/space (survey lines) and hours/days.

m. Nick stated that the letter from the surveyor put Julie's name on it. Julie will work on getting that letter.

Duplex Information

a) Two duplexes one road up from Coyote Circle (Powderview Drive) were originally part of our Powderview covenants. We are Powderview I and they are Powderview II. The duplexes wanted to break out of our covenants and wanted us to share in the views. We said no.

b) This joint association only involves yearly taxes, so we currently run taxes with them and that is it.

c) We do want to update our covenants, but this will be part of our 10 year plan due to funds, since it runs about \$10,000.

Taxes & Homeowners?

Troy asked if there were additional write-offs due to assessments for their own personal taxes? Ruth said you can write off special assessments. Julie said her accountant said that to write off a special assessment it has to be depreciated.

Greg said there are primary homes, secondary homes, and rentals. Primary homeowners cannot write off dues. Rentals can write off some of the fees. Second home owners cannot. Greg mentioned that if over 30% of building is short term rentals... something to look into with our accountant.

Surplus Reserves: We have approved all the special assessments and the increased quarterly dues are occurring to fund the roofing and siding.

Budgets & Tax Return (Greg)

- Doug Gorman is our HOA's accountant
- We do not do an audit; instead it is an opinion since we do not carry enough money. (see page 8)
- See page # 14 (actuals are on here for 2018). It contains remodel expense for 2019. It also includes a proposed 2020 budget since it is required later and we only meet in July.
- See pages 10/11 and 12/13 for the 2018 and 2019 (Jan – June) Income Statements
- The board approves the budget, but it is included in member packets for information purposes.
- Nick asked about expenses on page 12 the -136 figure (that is a rebate).
- Sewer and water are Skyland Metro and East River San. District line items.
- Nick thinks we pay more than other homes/duplexes; Greg disagrees. As a building, we pay per unit. This is in the rules/regulations. Nick wants to start a revolt. J
- Our HOA does not go over the base rate fee ever because irrigation is what typically stresses this and we have a small yard.
- Roof budget: we did not spend a lot to shovel snow last year.
- Our biggest expenses are insurance in addition to our water/sewer.
 - o We cannot have coal or wood fires.

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- Gabe asked about sweeping of chimneys. This is the responsibility of individual homeowners. 7 of the 10 units still have wood fireplaces.
- Greg mentioned the changes of rules/regulations around fire.
- Nick also reminded all homeowners that snow removal is also the responsibility of homeowners, not the HOA.

Election of Directors

Nick Rivera's three year term is up and he is not running again. Nick nominated Troy for the open seat on the board. Ruth nominated Gabe for the open seat on the board. Nick asked to stay part of the committee that is working on the siding/roofing.

- It is a three-year term.
- Ruth asked about background of each proposed member.
- Troy has worked in healthcare, and healthcare sales; lots of contracts and million dollar deals. Owns a few properties in Denver and CB. Has been coming up here for years. Just put a bunch of money into their unit and want the property values to go up. Views it as a little slice of paradise. Son lives/works in CB. Has connections to judges, attorneys to help look over documents, etc. Want to continue to create a community.
- Gabe is aligned with some of Troy's sentiments. Is an entrepreneur, publishing, author... Great Grandfather was a biology professor at Western State. Mayor of Gunnison. Colorado guy. Planning to move here permanently in the next year if all goes well. Will have a newborn in September! We bought into the building because we met people we liked when renting a unit on Airbnb. Dad is a contractor so have a general knowledge of the contracting world
- For the record, Kim wanted to thank both Nick and Ruth for all the time, energy and work into getting roofing and siding moving. Years worth of work is appreciated!
- Julie moves that Troy is on the board.
- Ruth asks if we need to vote. Kim asks if you need to VOTE or to make a MOTION?
- Troy and Gabe discussed if waiting on Gabe because he is having a child
- VOTES:
 - o Troy -6
 - o Gabe-3
 - o Abstain (#1)
 - o Troy will be the new board member for the next three years.
 - o Nick asked to stay in the know with siding/roof.

Next year's meeting: July 15, 2020 at 3:00pm. Greg will confirm. Troy asked about a conference call option.

5:05 pm Julie made a motion to adjourn. Ruth seconded.

Meeting adjourned at 5:06.

The new board met briefly with Nick and Grant present. Board decided that Ruth Collins and Troy will be added to the Bank of the West signature card for Powderview's bank accounts.

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Board also decided Ruth would be the point person for the board; Board did not feel that set titles (President, Vice President) were necessary at that time.