

Eagles Nest Property Homeowners Association (ENPHA)
P. O. Box 24419, Silverthorne, CO 80497
July 19, 2018 - Minutes Regular Board Meeting

BOARD OF MEMBERS PRESENT: George Resseguie (GR), Judy Camp (JC), Paul Camillo (PC), Cindy Gordon (CG)

Eagles Nest Management Services: John Ahlquist (JA)

Eagles Nest Residents: JoAnne Nadalin (JN),

Raven Golf Course General Manager: Ryan Parr (RP)

Call to Order

Call to order: GR called the meeting to order at 4:00 PM

Proxy: Jim White to George Resseguie

Additions to the Agenda, commercial development application in The Ponds.

Raven Golf Course General Manager – Updates

Restaurant it performing better than anyone anticipated. Revenue is close to the total revenue for all of last year. Dinner service is going well. Added additions to the menu – salmon, chicken, etc. Plan to increase staff.

Working to develop regular communication with the community.

Financial Report

Monthly Financials

June financial statements have been posted to the website. The largest expenditure this month was \$7,910 paid to A-Peak for the Community Center parking lot and driveway maintenance and new asphalt near the dumpster shed. Crackseal, sealcoat and re-striping were accomplished for \$6,310, which was \$190 under budget. The new asphalt was completed for just \$1,600 while \$5,000 was included in the capital budget for this item. Since the cost of the asphalt was less than our \$2,500 minimum for capitalization, \$1,600 was charged to Other Building and Parking Lot Maintenance in the operating expense budget. That line item is slightly over budget because of the reclassification while capital expenditures will remain under budget by \$5,000. Since all of the work performed by A-Peak is considered deferred maintenance, i.e. occurs periodically but not every year, funds will be transferred from the reserve account to cover this expense.

The DRC is ahead of expectations in both income and expense as a result of continuing high levels of activity.

Collections

As of 6/30, two properties were outstanding on their 2018 dues. One is the property whose owner is deceased and we just recently made contact with a representative who will make the dues payment. One homeowner is not responding to our outreach. A third homeowner, whose home is in foreclosure, has paid the \$200 regular assessment but is past due on fees.

The Special Assessment related to Tract J now totals \$20,346.79.

DRC fines for the homeowner who had not complied with design guidelines related to yard art are \$7,751.05 at the end of June including the initial fine, fines for a continuing violation through April 23, legal costs, late fees and interest.

Town of Silverthorne

Updates

Smith Ranch construction underway on single family and duplexes. Preliminary plan for townhomes has been approved. Town is conducting a study on when or whether the Water Treatment Plant should be expanded.

Jurisdictions participating in consultant study of whether there is a need/desire for an indoor fieldhouse.

Open House – Can't discuss Fourth Street Crossing because there is an application being reviewed by TOS. Concern about slowing traffic-focus needs to be on more efficient movement but really is a CDOT issue. Bike path is being diverted to Brian Ave for the safety of the bikers and drivers.

Short-Term Rental Strategy

The TOS is looking at this from 2 perspectives:

-Administrative – separate license/fee that takes into account additional costs of administration.

- Require license number to be in all advertising & posted at each unit.
- Individual license for each unit rather than umbrella license for property manager
- Local contact required & local contact info given to all neighbors within 200-300 feet of property
- Complaint escalation process
- Ability to suspend license based on number of complaints
- Life safety requirements – smoke/CO detectors, fire extinguishers, etc.
- Significant penalties for violations
- Hire on-sight company to identify unlicensed short term rentals
- Agreement with Air BNB to collect and remit taxes

-Logistical

- Community discussions about whether number/location of Short Term Rentals should be restricted

- Include property managers and hotel owners in meetings

Compliance

This month there was a 5th wheel trailer, 4 RV's, 2 boat trailers and a trailer. There were also two real estate signs. Three of the vehicles were removed after personal visits. Five appeared temporary and were removed without contact. One real estate sign was replaced after a phone call. I found a second real estate sign in violation on my tour yesterday. I have called the realtor and he will replace the sign with an Eagles Nest compliant sign.

Removal of Dead Trees from Private Property

GR and JA met with Kirsten Jacobse and David Siderfin of the Town's Sheriff's office to discuss plans to remove dead, diseased, and/or beetle infested trees per Town Code 4-8-52. In discussion, there are conflicting definitions with the County regarding what constitutes a tree that needs to be removed. Further discussion needed.

Tract J Site Rehabilitation

GR wants to recognize Bob and Katie Nees for permitting their water to be used for the newly planted trees. Presently, GR hand-waters the trees twice a month. BM will search out aspens that can be replanted near the Tract J site to enhance privacy of the Nees' house.

There also was discussion regarding irrigation of the trees with a drip-line set-up. Rather than rely on the property owner who cut down the trees to provide water, it was agreed to install a drip-line system with water from the Nees property that will replace the present hand-watering system. BM and PC will work out the details.

GR reported that of 60 trees planted last fall, there are about 20 that must be replaced, half of which are diseased(Cytospora). GR will meet with Ceres Landcare to discuss the warranty coverage and replacement options.

Transition

JA is going to retire at the end of the year. GR will work with the rest of the Board to evaluate possible options for a new Compliance Manager.

Real Estate Signs

It has been a long-standing practice to allow property owners with property on the golf course to put up 2 "For Sale" signs, one on the golf course and one in front of their home. However, the Decs specifically state that only one For Sale sign may be used. **Board Motion: JC moved that the Board enforce the number of realty signs displayed; LSJ second, passed unanimously.** Further discussion concerned how to "roll out" the change from present practice. GR and JA will meet with the HOA attorney to discuss and provide a strategy at the August Board meeting.

Environmental

Weeds, Trees & Trails

There were no complaints and no request related to weeds, trees and trails. We are working on 2018 plans for the Weed Program and trail maintenance. We worked the J Track area on the HOA workday We installed five sets of steps and a small bridge.

A meeting was held to formulate our weed spraying plans. Spraying started July 16. Four Sub Associations have opted out of the weed program. 47 opt-outs being reviewed by BM and John Taylor. Invoices for the weed spraying were mailed today.

Some owners rejected their invoice stating they had sprayed their weeds and had opted out. However, no communication had been received. It was agreed to cancel the billing in all of these disputes given the amount of confusion/ignorance of communications from the Board.

Thank you to all who help in any way to make improvements to our great neighborhood.

Please let us know of any areas that require our attention.

Building & Grounds

South Entrance - Lawn and island planting looking as good as ever. Neils Lunceford doing a good job of maintaining the area.

Held going away party for Dave Anderson well attended he will be miss by many in the community.

Raven entrance - Good news Josh - Raven grounds keeper, has determined that there is a sprinkler system that can handle both sides of the entrance. Bad news, appears to have some leaks and not exactly sure where it runs. Josh says he is unable to address issues at this time. Will continue discussions to see what might be accomplished.

Community Center - all scheduled maintenance and improvements (crack and seal coating, asphalt repair and guard rails) for the CC have been completed with the exception if upgrading of the flower beds in front of the CC. That work will be scheduled for fall.

Community Center usage 22 events

7 MahJongg , 4 Enpha, 2 Non profits 2 sub assoc 4 social and 3 paid events

Sub-associations

No discussion.

DRC

Open Projects/Financials

Concept - 2

Preliminary - 8

Notice to Proceed - 3

Under Construction - 7

Completed or TCO - 2

Modification Approved - 3

Modification Under Construction - 4

Modification Completed - 0

Total Projects – 29

Other

Rescheduling August 9 Board Meeting – the meeting will be rescheduled to 4 pm on August 16. GR to advise Peggy Long.

Cell Tower Next Steps – GR sent a previous e-mail explaining rationale for the lack of progress from Verizon regarding the drone study. He is going to let this go for a few months and circle back with Brad Johnson (Black & Veatch) in October.

PO Boxes in ENPHA – GR advised that an owner had questioned whether the Board now may consider placing PO Boxes on HOA open space, mainly the Community Center. LSJ advised that based on previous research, there are no sites either large enough or with convenient access to enable PO Boxes to be installed. GR will advise the owner.

Sharing ENPHA Membership Lists – JC will draft a resolution for discussion at the next Board meeting.

Potential Development

GR has been invited to a meeting with developers/architects to discuss a potential development for the Ponds Lot 4/Commercial Tract Property along Route 9.

Further details will be forthcoming in August.

The August Regular Board meeting is moved to August 16th due to a conflict in scheduling at the community center.

Executive Session

Board Motion: GR moved to go into Executive Session to discuss collection of a past due assessment. He further moved to reconvene the meeting after the conclusion of the Executive Session for the purpose of taking any actions deemed necessary. BM seconded; passed unanimously.

Board Motion: JC moved instruct the ENPHA attorney to proceed with a potential assignment of the HOA lien on property located at 1819 Falcon Drive for the amount of \$1,500. Seconded by PC, approved unanimously.

Adjourn

GR adjourned the meeting at 6:15 PM.

Respectfully submitted,

Eagles Nest Property Homeowner Association
SPECIAL BOARD MEETING – 4 PM
Eagles Nest Community Center
July 26, 2018

BOARD MEMBERS PRESENT: George Resseguie (GR), Judy Camp (JC), Linda St. John (LSJ), Bob Mock (BM) and Cindy Gordon (CG)

Call to Order

GR called the meeting to order at 4:00 PM

Proxy: Jim White to George Resseguie

Executive Session

Board Motion: CG moved to go into Executive Session to discuss an offer from a homeowner to resolve a dispute involving the removal of 59 trees from ENPHA property. Seconded by JC. Approved unanimously.

Board Motion: GR moved to come out of Executive Session and that the Board direct the ENPHA attorney to accept an offer presented by the owner's attorney in an e-mail dated July 23, 2018. The funds must be received no later than August 9, 2018 and must be certified funds. The ENPHA attorney will prepare the necessary legal documents to finalize the settlement. Seconded by BM. Approved by the majority. GR will contact the attorney.

Board Motion: JC moved to go into Executive Session to discuss a lien on a homeowner's property due to delinquency of HOA dues. Seconded by LSJ. Approved unanimously.

Board Motion: GR moved to come out of Executive Session. Seconded by JC; approved unanimously.

Board Motion: JC moved to instruct the ENPHA attorney to proceed with a potential assignment of the HOA lien on property located at 1819 Falcon Drive for the amount of \$2,000 instead of \$1,500 as previously directed. Seconded by GR, approved unanimously.