

Pinon Ranch HOA - Board Meeting Minutes (DRAFT)

Date: May 16, 2018

Time: 7pm

Place: 2139 Chuck wagon, Suite 216
Colorado Springs, CO 80919

Attendees: Steve S., Shawna U., Dan T., Amanda B., Frank H., Alex C.

Meeting was called to order at 7:05pm; Quorum (a majority or 4) was confirmed; April meeting minutes were accepted unanimously.

I. Board Member Comments:

- a. Steve S. - There has been at least one dead deer on Flag Way that was shot and poisoned. State Patrol is looking into it.
- b. Steve will email Michele to put contact info on website for places to call with dead wildlife.
- c. Amanda to post info on Facebook.

II. HOA Member Comments on Topics NOT on the Agenda:

- a. Alex C.'s lawsuit went well. He received \$4800 from the seller to cover the house painting. Painting is scheduled for July. Shawna U. will help with color selection. A darker will be better for covering the dust stains. Shawna will take a picture of his house and look at the paint options at Home Depot.
- b. Mr. Lusk, the seller, may be suing the HOA for allowing the sale to occur and for not requiring the house next door to paint over its dust stains. The judge at Alex's case said Mr. Lusk may have a good case. The Board will deal with that if it happens.

III. Manager Report:

Banking: April Bank Statements and reconciliation's emailed to all board members on or about May 6, 2018, April expenses are as follows:

- Dennis Delahoy \$60.00 for snow removal on 2/19 and 2/20.

Checking account balance \$18,661.44, Savings (replacement reserves) \$2983.27. Total deposit in April \$0.00.

1. 2018 Assessment / account statements were mailed and emailed to all the members on or before January 14, 2018. **Update 5/6/18:** 2 members still have not paid. Late charges and new updated statements sent out on or about 5/8/18. **Update 5/16/18** from Bradley: Kevin Ryan has sent his check in.

2. Social fund. Donations of 4/4/2018 totaled \$439.00. Steve will list donating member in the next update newsletter. **Update 5/12/18**: Social fund expenses for the May party were \$114.80 and included the piñata and candy, chicken, pork, paper plates, plastic cups, plastic utensils. There are plenty of plates, cups, and utensils left for subsequent parties. Amanda is storing them. Remaining balance is \$324.20.
3. Landscape Maintenance, as requested by the Board we have changed the irrigation startup date from 2nd or 3rd week in April to 1st week in May. The Board would like to save money and reduce water consumption by waiting longer to turn the water on and initially watering to a depth of 1/2" only once per week. The Board also suggests turning the water off sooner in the fall. Such changes are recommended by Colorado Springs Utilities and Colorado State University to create heartier grass with a deeper root system. The risk of such a strategy would be damage to the trees over the winter or potentially losing some grass, which we don't have a budget to replace. To limit the risk to the trees we could pay Corbran's to winter water the trees. The risk of turning the system on too early is potential freezing and cracking of valves and sprinkler heads. The compromise for this season is to reduce the watering to once per week with 1/2" water saturation level until May 15, then increase to twice per week, then eventually three times per week depending on how quickly the weather heats up. Update 5/18: This requested was emailed to our landscaper in late April. **Update 5/16/18**: Frank talked to the landscaper this morning, he is switching to twice a week watering. He refuses to do once a week watering for the health of the grass.
4. Website: Update 4/23/18: HOA board meeting added along with the current board members, but still need to add board member emails. Note: Frank sent a test email on 4/21 and 4/23 to HOA website, and it does not appear that the HOA website is forwarding requests to the HOA email account, so people looking to contact us cannot. Need to provide contact emails on website. Note 2: Website still does not allow you to register, even though on the home page it says registration is required. Update 4/25/18: Everybody should send an email to Amanda with their preferred email address for listing on the website and Amanda will compile the contacts to send to Michele for the website. Update 5/16/18: Michele has not communicated with Frank or responded to his emails since January. There still aren't points of contact for Board members on the website. We switched websites to improve our communication abilities and now our communication is worse. Minutes and financials haven't been posted. **Steve will ask Michele if she is still committed to working on the website.**
5. PO BOX: Update 3/6/2018 both Shane and Steve are now listed as signors. The Post Office is working on getting us another set of keys and will need to change out the lock. **Update 5/16/18**: Frank needs to pick up the extra set of keys.

IV. Old Business:

1. Trash Club:
Shawna received 23 responses to her trash survey, 100% of whom were in favor of unified trash service, many of them quite enthusiastic about it. We need to further publicize this program. Amanda will post it on Facebook. Best Way is the Board's

preferred provider for the quality of their service. **Update 5/16/18:** Dan said BestWay won't take the contract unless it's 100% of houses. They are running a special right now for individuals, combined trash and recycling is \$22.90/month.

2. Signage on Vehicles. There was limited discussion of this topic, with most Board members preferring to have a more expansive conversation when all Board members are present. Some Board members would like to see vehicles with writing, branding, or other types of signage fully prohibited except when parked in the garage. Other Board members are not in favor of this type of limitation. One possible compromise may be to allow signage of a certain size, such as 2' x 2' or fully contained within a single body panel of the vehicle, and existing vehicles that don't meet these requirements will be "grandfathered." Amanda will draft some possible alternatives in language to present to the Board and the membership for review. **Update 5/16/18:** Steve proposes letting this go. It's a lot of effort, time, and expense involved to deal with something for one renter. The code has been the same for several years with no issues until now, and even if we do implement a change, the existing vehicle won't change. All members present agree.
3. Statutory amendment of the Covenants. State law will be changing to allow our type of limited expense HOA to increase the maximum annual assessment from \$300 to \$400 with yearly cost of living adjustments. We can change our covenants to House Bill HB-16149, effective July 1, 2018, is partially replicated below:

38-33.3-116. Exception for new small cooperatives and small and limited expense planned communities. (1) If a cooperative created in this state on or after July 1, 1992, but prior to July 1, 1998, contains only units restricted to nonresidential use or contains no more than ten units and is not subject to any development rights, it is subject only to sections 38-33.3-105 to 38-33.3-107, unless the declaration provides that this entire article is applicable. If a planned community created in this state on or after July 1, 1992, but prior to July 1, 1998, contains no more than ten units and is not subject to any development rights or if a planned community provides, in its declaration, that the annual average common expense liability of each unit restricted to residential purposes, exclusive of optional user fees and any insurance premiums paid by the association, may not exceed ~~three~~ FOUR hundred dollars, AS ADJUSTED PURSUANT TO SUBSECTION (3) OF THIS SECTION, it is subject only to sections 38-33.3-105 to 38-33.3-107, unless the declaration provides that this entire article is applicable.

(3) The DOLLAR limitation set forth in SUBSECTIONS (1) AND (2) of this section shall be increased annually on July 1, 1999, and on July 1 of each succeeding year in accordance with any increase in the United States department of labor bureau of labor statistics final consumer price index for the Denver-Boulder consolidated metropolitan statistical area for the preceding calendar year. The limitation shall not be increased if the final consumer price index for the preceding calendar year did not increase and shall not be decreased if the final consumer price index for the preceding calendar year decreased.

Frank suggests that the Board do the following regarding this change in state law:

1. Draft a resolution and have it reviewed by our attorney.
2. Give Notice of Statutory amendment of the Covenants to the membership via US mail and email (could be mailed with the Spring / Summer Newsletter). Also post Notice on our website and Facebook.
3. Record Amendment with County Clerk and Recorder.

Bradley suggested starting with a brief chat with our attorney to see what our options are regarding this change. Dan raised the question of whether we even want to be a limited expense HOA. Amanda would like to engage with the membership before incurring attorney fees. Bradley moved to call our attorney and get a brief summary of our options from most conservative to most risky. Amanda seconded. Motion passed unanimously. Frank and Amanda will visit with the attorney. **Update 5/16/18: Amanda and Steve will design a communication strategy for this to get ahead of the rumor that dues are going up \$100 this year. Steve wants to talk to members first, attorney second. Communicate via all means necessary. Facebook, email, website, fliers, mailboxes.**

V. Architectural Review Committee:

5470 Sample Way: Paint color review is still in progress by the board. **Update 5/16/18: Color approved unanimously. Frank will email Shawna a sample approval letter she can modify to send to the homeowner. Delay due to the contractor's schedule was also approved.**

5460 Flag Way; New plastic shed on North side of house, which is visible from the street. members did not submit the required plans and information for approval prior to installing shed. **Update 5/16/18: board members looked at the placement of the shed and approved this improvement. Shawna will issue an approval letter.**

5480 Sample Way: Recently completed a like for like patio replacement, as of 4/25/18. Home is listed for sale. No action necessary.

5510 Flag Way. The Board voted 6-0 to approve the paint colors submitted via email. **Update 5/16/18: Repainting of house in progress. Shawna will need to issue an approval letter.**

VI. New Business:

Bradley wants to buy sandwich boards to advertise events and communicate with residents. Plastic sandwich boards on Amazon are \$64 each. Dan motions, Amanda seconds, passes unanimously. Before purchasing, Shane will contact one of his suppliers to see if we can get a more competitive price. If not, Frank will purchase the sandwich boards on Amazon.

VII. Neighborhood covenant and bylaws enforcement:

Last inspection was on May 9, 2018. Need to discuss the results and the letters that need to go out.

Amanda will organize a neighborhood Spring Clean Up Event for June 16. Post a reminder prior to then to start spring cleaning then on facebook. Send reminder letters to all the January issues. Give 45 days for fence work. Look into hiring Junk King or paying for a roll-off dumpster for people to clear out junk. Shane will get a price quote on this, possibly to include in the June 16 clean-up date.

Ongoing Bylaws and Covenant Violation Enforcement.

BOD did a neighborhood inspection on January 6, 2018. Inspection conducted by 6 board members. Outstanding issues as follows:

5470 Flag Way: house painting needed due to stained stucco in many areas

o Update: Work not complete as of 8/31/2017, so a Warning letter was issued giving them until October 9, 2017 to complete the work.

o Update as of 10/12: work not complete, resident did try to power wash stains off of stucco recently, but was not successful.

o Update 1/6/2018; owner has painted the front of his house and has successfully covered the stain there. He does still need to complete the other sides of his home, he was not able to complete this the entire house due to financial concerns, he does hope to complete the rest house by.

Update 2/7/18, owner attended meeting and said work will be complete by August to repaint the entire house and is considering a darker color that will need to be approved by the board.

Update 4/7/18 still waiting on paint color submittals, so the BOD can review and vote on approval or not. **Update 5/16/18**: Alex C. received \$4800 from the seller in his lawsuit to cover the house painting. Painting is scheduled for July. Shawna U. will help with color selection. A darker will be better for covering the dust stains. Shawna will take a picture of his house and look at the paint options at Home Depot.

5530 Flag Way: reported raised sidewalk / tripping hazard

Update 1/6/18; owner has painted warning strip as requested. Work is satisfactory. Update 4/19/18: work in progress on replacement. **Update 5/16/18: Work completed. Case closed.**

5470 Sample Way: House painting needed, BOD granted an extension until April 15, 2018

Update 5/16/18: Color approved, extension granted based on contractor's busy schedule.

5535 Sample Way: Overnight resident street parking. Board held a hearing on 2/7/18 and issued a decision letter to the owner on 2/9/2018 agreeing to suspend the fine of \$450 provided that no violations occur in the next 12 months. Continue to monitor.

New Covenant and bylaw violations as of January 6, 2018 (Courtesy visit and / or Courtesy letters sent out on or about 1/26/18, Note: residents given until Spring to complete the requested maintenance.

5590 Flag - Need to reinstall metal edging. Work with resident of 5580 Flag if needed. C. Letter sent on 1/26/18. Update 4/7/18 no progress.

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5570 Flag – need to bury or cap exposed irrigation lines. C. Letter sent on 1/26/18. Update 4/7/18 no progress.

5550 Flag - need to reinstall / replace metal edging around trees. C. Letter sent on 1/26/18. Update 4/7/18 no progress.

5490 Flag – repair lose fascia trim board over front patio. Noted front patio has dropped from its original elevation due to ground settlement. C. Letter sent on 1/26/18. Update 4/7/18 no progress.

5480 Flag – parking on the landscape causing visible rut in the lawn. Note: Courtesy letter needed, Steve made a courtesy visit on this issue back in December 2017. C. Letter sent on 1/26/18. Update 4/7/18 no progress.

5465 Flag – Dead bush in the North planter, need to be replaced during the spring 2018. Update 3/10 dead bush trimmed back, need to see if bush will bloom in the Spring. Update **5/9/18 - Bush is coming back to life. Case closed.**

5515 Sample – fence needs to be re-stained, if residents want to change to color, then it will need to be submitted to the HOA for review and approval. Update 4/9 no progress, no color submittal.

5525 Sample - fence need to be re-stained, if residents want to change to color, then it will need to be submitted to the HOA for review and approval. Update 4/9 no progress, no color submittal.

5540 Sample – fading and discoloration on the South side of home; need repainting/ touching up. Update 4/9 no progress.

New Violations as of March 2018 - Send courtesy letters to these who never received them.

5440 Flag Way 1. vehicle parked overnight on St. 2. Excessive Noise; Courtesy Letter sent on 3/10 giving them until 3/25 to correct infractions. Update 4/25/18: Parking situation has improved and no further report of excessive noise related to the vehicle. Continue to monitor.

5575 Flag – need to bury exposed irrigation lines. Update 4/7 no progress, still need to issue letter.

5460 Sample Way - pile of tree branches. Update 4/7 no progress, still need to issue letter.

5470 Sample Way Fence repair and re-staining needed. Update 4/7 no progress, still need to issue letter.

5510 Sample Way - Clean up river rock that has spilled into the street. Update 4/7 no progress, still need to issue letter.

5535 Sample Way 1. Edge grass, 2. Need to burry exposed irrigation line, 3. Need to clean up oil stains. Update 4/9 no progress on items 2 & 3, oil stains partly cleaned up. Still need to issue letter.

5555 Sample Way. - Edge grass. Update 4/9 no progress, still need to issue letter.

5575 Sample Way. - Clean up oil stains. Update 4/9 no progress, still need to issue letter.

5580 Sample Way. - Edge grass. Update 4/9 no progress, still need to issue letter.

New Violations as of April 2018

5550 Sample Way, vehicle parked overnight on Street. Courtesy letter was sent on 4/19/2018 via US mail. Update 4/23/18 resident has parked on the Street on 4/22 and 4/23/18, continue to monitor.

5540 Sample Way, vehicle parked overnight on Street. Courtesy email / text message was sent on 4/19/2018. Update 4/20/18 resident have been parking in the driveway the last few nights, continue to monitor.

Reminder: Need to set a date and time for the Next inspection.

Do an inspection in July after spring clean up on June 16.

Set Time and Place for next HOA Board Meeting, and Adjournment

The next HOA Board of Directors meeting will be on June 20th at 7pm.

2139 Chuck wagon, Suite 216

Colorado Springs, CO 80919

Meeting adjourned at 8:35pm.