

Eagles Nest Property Homeowners Association

P. O. Box 24419, Silverthorne, CO 80498

Minutes, Regular Board Meeting

Thursday, June 13, 2013

BOARD MEMBERS PRESENT: Peter Foley (PF), Joanna Hopkins (JH), Nancy Keltner (NK), Brian Moriarty (BM), John Taylor (JT), Cherylee (Pinki) Faux (CF)

PROXIES: George Resseguie (GR) JH

ALSO ATTENDING: Stuart Richardson (SR) of Eagles Management Services

CALL TO ORDER: The meeting was called to order at 4:02 pm by PF.

MINUTES: ***BM moved that the Minutes of the May 9, 2013, meeting be approved. PF seconded and the Board unanimously approved.***

E-MOTION: ***JT moved that the Board approve \$640 to plant trees to replace ones lost over the years as well as provide screening for homes in Elk Haven below the Community Center. The trees shall be four Colorado Spruce @\$125 (\$500), one Quaking Aspen (\$30), two Mountain Junipers @ \$40 (\$80) and three bags of soil amendment (\$30). The work will be done June 8, 2013, at the Annual Work Day. Monies in the amount of \$1000 were provided in the 2013 Community Center Budget Account, 5450, Tree Replant. NK seconded and the Board unanimously approved.*** This motion was done by email on May 31, 2013, and Ratified at this meeting with the same results.

ENVIRONMENTAL: (BM) Report attached

PROJECTS: (JH) South Entrance

1. Great progress. planting should be done the end of next week.
2. Huge thanks to Dick Bochan for much work on the letters and lighting on the sign.
3. Irrigation system needs repair of six zones and three new zones. It will require new controllers, wiring, heads and valves.

JT moved to replace the irrigation controller and electrical interface for up to \$700 as a change order to the Neils Lunsford contract against budget number 5160. JH seconded and the Board unanimously approved.

The rest of the irrigation work will be bid out and addressed in a motion next month.

FACILITIES: JT, Community Center, Report attached

1. A drainage problem still exists. It will be addressed in the fall.
2. Next year work day budget (5450) should include flowers as well as trees.

3. Home Services of Summit has submitted bids for bird spikes and building improvements.

JH moved we approve \$400 for the installation of bird spikes in the Pavillion from 5370, Pavillion Maintenance. JT seconded and the Board unanimously approved.

JT moved we approve \$450 for building improvements to include touch up of rail, front steps, door and beams from account 5370, Pavillion Maintenance, subject to price verification by SR. PF seconded and the Board unanimously approved.

DEVELOPMENTS: JT

1. Silver Trout wants 32 units. The land is heavily infested with noxious weeds and we are insisting they eradicate before beginning. SR will follow up.
2. Fox Crossing has no movement.

CORPORATE DOCUMENTS: PF, Legislative Documents attached

All but number 13-1277 have been signed by the Governor. Discussion of whether Eagles Nest Management Services LLC is a 'property manager' and needs to be licensed under the new statute. SR will investigate..

FINANCIAL: JH

1. Five properties still have not paid dues. Registered letters will be sent.
2. Peggy Long has not done our financials.

DRC: CF

There are no guidelines for garden statues. DRC will make recommendation for Board approval.

MANAGER REPORT: SR

Community Center has missing irrigation control box. SR will find or replace.

COMPLIANCE: JA, Report attached

WEBSITE: CF

New DRC Guidelines have been added to the Website, however, old guidelines have not yet been deleted completely (i.e it is still possible to be directed to the old website from Google). GR and Paul Faux will follow up with Rich Waterman to: 1(get the old website removed; 2) develop an improved website update process; and 3) make other minor changes.

ADJOURNMENT: JH moved the meeting be adjourned at 5:30. BM seconded and the Board unanimously approved.

Respectfully submitted,
Nancy Keltner, Secretary



Nancy Keltner <nancykeltner@gmail.com>

Monthly Report

1 message

Brian Moriarty <briguy922@comcast.net>

Thu, Jun 13, 2013 at 3:20 PM

To: George Resseguie <gresseguie@comcast.net>, Joanna Hopkins <jhopkins@marylandcreekcranch.com>, John Taylor <johntaylor1712@comcast.net>, Nancy Keltner <nancykeltner@gmail.com>, Peter Foley <pmfoley41@yahoo.com>, Pinki Faux <pinkif@aol.com>

Environment Directors report for 6/13/2013

On the Saturday workday of June 9th the bridge on the Trail from Two Cabins to the National Forest was torn down and reconstructed as a 4 foot wide bridge. The bridge was definitely unsafe as we found 2 of the 3 supporting logs had rotted. Fortunately these two logs had rotted at opposite ends of the bridge. A group of us worked starting at 8am and finished by 2pm.

On the workday Bill Reed had a group working on the trails putting in stairs as well as water diversion timbers.

Steve Greenwood had been contacted regarding available decking located behind the dumpster at the Community Center. His objective is to rebuild a bridge in the National Forrest. I have informed him that I can not authorize or organize this activity because it is not on any homeowner owned property.

Brian Moriarty



Nancy Keltner <nancykeltner@gmail.com>

Building and Grounds Update

1 message

John & Pattie Pie Taylor <pattaylor1712@comcast.net>

Tue, Jun 11, 2013 at 5:51 PM

To: George Resseguie <gresseguie@comcast.net>, Peter Foley <pmfoley41@yahoo.com>, Nancy Keltner <nancykeltner@gmail.com>, Joanna Hopkins <jhopkins@marylandcreekbranch.com>, Pinki Faux <pinkif@aol.com>, Brian Moriarty <briguy922@comcast.net>

Cc: Stuart Richardson <homes307@comcast.net>, John Ahlquist <JAhlquists@comcast.net>

General:

1. Deep root fertilization and Insecticide application was completed for 80 conifers as budgeted at a cost of \$1,400. (Front entrance, Community Center, Easy Bend Open Space and High Park Court were treated.)
(One conifer with the parasitic witches broom was noted. Should be removed or tree disposed of this winter)

Community Center:

2. Community Center work day achieved a great deal of improvements. Gardens in the front of the center were established as well as moving a few shrubs and adding an aspen to the little island in front. Much was accomplished
in the way of removing weeds in a number of areas to include the children's play area, sandbox, volleyball courts, horseshoe courts, upper picnic area and in a lot of the cobble stone areas. New gravel was spread as well on the upper picnic area. Also, as recommended by
an arborist, some of the mulch has been removed around the spruce to hopefully improve their health.
3. Four Colorado Blue Spruce were planted replacing some which have been lost over the years. Both items 2 & 3 were covered by Budget item account 5450 Tree Replant. (Would suggest that future budgets breakout the major items for work day.)
4. Irrigation system was checked and although one break has been fixed there are still a number of issues and fixes to be resolved.
Stuart met with Caleb K. on Tuesday and promise has been made to fix the issues hopefully on Wednesday. Until that is achieved much of the necessary water is done manually by Stuart.
5. We use to have a plastic box of sand toys for young children. Today there is no box and only a plastic pail left. This is a nice area
for residents to bring young children. Suggest we restore the toys.
6. Yet to do. Round up along paths, under benches, along cobble, and monitor other weeds with appropriate chemical going forward.
7. Board approval to proceed and accept Home Services of the Summit Inc. estimates for:

Purchase and Install Bird Spikes on the main ridge beam in the pavilion in the amount of \$400.

Wash, prep. and paint the back concrete wall (both exposed sides) of the pavilion in the amount of \$425

(Requested bids to clean' spot stain and paint front of Pavilion, touch up exterior of Community Center, steps, front door.)

Front Entrance:

1. Joanna to provide the update.
2. We are experiencing issues with the archaic irrigation system. We urge to board to move forward with a plan to replace all heads with present technology to include valves, wiring and the north controller which does not operate some of the zones, and electrically does not meet code etc. Take a look at the hanging and exposed wires. This would require two bids. We do have a set of plans which Stuart is editing for additional zone understanding and will look to board concurrence to go out for bids. It has been determined that the main water feed lines are still usable which should reduce cost should the system as outlined above be replaced. Moneys are provided for in the budget in the amount of \$15,000.

This is a quick summary, hopefully it all makes sense.
Questions, call 409- 8867 or see you at the meeting.

John TAYlor

HB 13-1276 – (Williams/ Balmer, Carroll)

HOA Debt Collection Limitations

The bill requires unit owners' associations

under the Colorado Common Interest Ownership

Act (commonly known as homeowners' associations, or HOAs) to adopt, and comply with, a

policy regarding the collection of delinquent assessments and other past-due amounts from unit

owners. HOAs are prohibited from referring a unit owner's account to a collection agency or attorney without first giving the owner a notice that:

- states the total amount due;
- explains how the total amount due was calculated;
- offers the unit owner a one-time opportunity to enter a 6-month payment plan; and
- lists the legal remedies, including foreclosure, that are available to the HOA.

The bill also prohibits an HOA from foreclosing its lien for past-

due assessments unless the total amount is at least equal to 6 months of regular

assessments and the foreclosure action has been

formally approved by the HOA's executive board. The bill also lists the terms and conditions of

the 6-month repayment plan that must be offered by the HOA prior to attempting to collect a

debt using a collection agency or attorney.

The provisions of the bill apply to all common

interest communities regardless of when they

were formed, and applies to debts collection

practices, payment plans, and foreclosure proceedings on or after the effective date of the bill.

Effective January 1, 2014

HB 13-1277– (Williams/ Carroll, Todd)

HOA Reg License Common Interest Community Managers

This bill creates a licensing program for community association managers in the Division of Real

Estate (division) in the Department of Regulatory Agencies

(DORA). Beginning July 1, 2015,

individuals or business entities that are paid

to manage common interest communities must

obtain a license from the division. The director of the division is authorized to adopt rules for the

program and charge a fee to applicants. Following licensure, the director

may conduct audits of

the business records of a licensee, conduct administrative

hearings, investigate complaints,

impose fines, and take other disciplinary actions.

The bill applies to residential, not commercial

properties (including the residential portion of a mixed-use development).
NAIOP Subcommittee: General Business
Position: Monitor Outcome: Awaiting Transmittal to Governor

SB 13-126– (Duran/ Guzman)

HOA Condo Apt Electric Vehicle Charging Stations

This bill authorizes a tenant, or a unit owner in a homeowners association (HOA) to install, at the tenant or unit-owner's expense, an electric vehicle charging station (EV charging station).

A

landlord or HOA may not charge a fee for the placement of an EV charging station except that landlord can require reimbursement for the cost of electricity, the cost of installation including any upgrades, and a reasonable fee to reserve a parking spot if necessary. The landlord may require the tenant to comply with safety requirements, a requirement that the EV charging station

be registered with the landlord, and reasonable aesthetic provisions. The EV charging station

remains the responsibility of the tenant or unit-owner who installs it. Signed by Governor Effective: May 3, 20

SB 13-183– (Fields/ Carroll)

Water Conservation Common Interest Communities

Under current law, a restrictive covenant of common interest communities (i.e., home owner or condominium owner associations (HOA)) may not prohibit xeriscaping or drought-tolerant landscaping, as such provisions are deemed unenforceable. This bill further specifies that such

prohibitions may not occur in declarations, bylaw

s, rules, or regulations of any restrictive

covenant. The bill adds a definition of "xeriscape" and prohibits an HOA from prohibiting a unit owner from using xeriscape or other drought-tolerant landscaping; however, the association may

adopt guidelines or rules that regulate the type, number, and placement of drought tolerant

plants. Finally, this bill prohibits an HOA from requiring that a unit owner water landscaping in violation of municipal watering restrictions.

Signed by Governor Effective: March 15, 2013

HB 13-1134 – (Ryden/ Carroll)

HOA Information Resource Ctr Annual Registration

Under current law, the Division of Real Estate (division) in the Department of Regulatory Agencies (DORA) maintains the Homeowners Association Information Office and Resource Center (HOA center), to provide information on the rights and duties of unit owners and HOAs under the Colorado Common Interest Ownership Act. HOAs must register with the HOA center annually. This bill requires that the HOA center:

- compile a database including the name, address, and telephone number of the registered associations;
- coordinate and assist in preparing educational and reference materials to assist unit owners, association board members, and association managers in understanding their rights and responsibilities;
- monitor changes in federal and state law relating to common interest communities; and
- publish information and a "frequently asked

questions" resource on the division website. The bill requires the director of the division to conduct a study of the functions, duties, structure, costs, funding, and success of other states' HOA offices. The director is required to present the

findings and conclusions of the study to the Joint Budget Committee during the 2014 legislative

session. The study must include an assessment of the following functions:

- filing, investigation, verification, mediation, and resolution of complaints;
- referring disputes to alternative dispute resolution services;
- providing an administrative hearing process for HOA-related disputes;
- monitoring, reviewing, and conducting HOA elections;
- determining a per-unit fee for HOA registrations; and
- any other relevant HOA function or duty that the director deems necessary.

Finally, the bill removes the current registration exemption for HOAs created prior to July 1, 1992.

Sent to Governor Effective: August 7, 2013

June 2013 Managers Report

Stuart Richardson

262-9024

Community Center

With the arrival of summer the Community Center received a great deal of attention, both inside and the outside grounds. Since the June 8th workday this facility received the most outside worker attention. This year we did extensive replanting of the front and side gardens and planted 4 new spruce trees. The irrigation system had a troublesome start up with several leaks, and the fixing of delayed maintenance. It will be mid June before the entire irrigation system is in full operation. The scheduled work day was a success with approximately 30-35 people showing up to work on trails with Bill Reed, bridge rebuild with Brian Moriarity and Community Center cleanup with John Taylor and Joanna Hopkins. For these activities I coordinated supplies, crews and provided lunch.

Open Spaces and Trail

The Work day trail crew installed new steps and constructed cross water bars on the Traverse Trail, sprayed for weeds on certain trail segments, and reconstructed a new bridge on the South Trail National Forest entrance

Golden Eagle Entrance

The Golden Eagle entrance reconstruction has begun with our subcontractor Neils Lunceford. The new pillars were constructed and the the new tiered flower beds being partially installed at this date. The irrigation system was pressurized and many faults in the electronic controls were found. This is being fixed by both the Raven and Neils Lunceford crews.

Work Day

This years June 8th work day approximately 35 residents showing up for a very rigorous work schedule. I applaud all that showed up with a very positive work attitude.

Community Center Events

May 1 Metro Meeting Civic
7 Design review Meeting
8 Nurse Meeting Civic
9 HOA Meeting
14 Business Meeting PD
15 FOLBR Meeting Civic
29 Out of School Party (Rained Out)
30 FENW Civic
31 Three Peaks Social PD

June Compliance Report

The open trash can from May has been removed.

Four additional trash cans have appeared. One I have not been able to contact because the owner's voice mail box is full.

The other three are in Osprey Reserve and were all removed. They also were the proximate cause of the phone call and email to Brian Morarity.

One camper trailer was removed.