

Eagles Nest Property Homeowners Association (ENPHA)
P. O. Box 24419, Silverthorne, CO 80497
August 12, 2021 - Board Meeting Minutes

Board Members Present: George Resseguie (GR), President; Mike McAntee (MM), Vice President; Paul Camillo (PC), Building and Grounds and DRC Co-Chair; Kathleen Branch (KB), Environmental; Sandy Mesinger (SM), Treasurer (via Zoom), Julie Chichlowski (JC), Secretary.

Summit Resort Group (SRG): Kelly Schneweis (KS)

ENPHA Resident: Margaret Johnson, Osprey Reserves

Call to Order

GR called the meeting to order at 3:00 PM

Agenda Review: No changes

Proxy: Ty Drake (TD), Environmental to KB

Osprey Reserve Concerns - Margaret Johnson

Margaret presented several concerns for the Board to consider including the addition of a speed bump at the bottom of Golden Eagle Rd. near Osprey Lane, the TOS maintenance and storage site beautification, the Raven entrance beautification, and a DRC matter. The Board thanked Margaret for bringing these items to their attention, and will consider how to address these concerns.

Compliance - KS

Monthly Report

This month's compliance issues included campers, trailers, sprinter vans, a catamaran, dead trees, and a metal frame stored under a deck. KS will remind the sprinter van owners of the 48 hour rule if the vans are being used as RV's. All owners have been notified of compliance items.

Unpaid Fines - MM

MM proposed a process to ensure consistency of compliance fines and to improve owner awareness of compliance issues. Suggestions included communicating common compliance infractions via the annual dues letter, a re-write of the "Green brochure," and the monthly newsletters. New owners will be required to provide an email address. The Board agreed that KS would inform non-compliant owners that a fine will be recommended to the Board for approval, and that they need to inform her if they wish to state their case at the next meeting. Fines will be retroactive to the date of the infraction. Late fees on fines will not exceed 50% of the fine, not to exceed \$100.

Treasurer's Report - SM

2021 July YTD Results

Gross Noxious Weed Spraying fees net of the discount totaled \$14,005. Corresponding expenses are not reflected in the July Income Statement.

Recovery of Unpaid Dues representing late fees, legal fees, and handling fees increased to \$5,128. \$600 was received for Community Center rentals.

Collections

As of July 31st, Accounts Receivable for 2021 Annual Dues totaled \$2,811 representing 3 properties who are delinquent in paying their 2021 dues. The August 1st statements to these owners total \$3,234.

The Accounts Receivable Prior Years is the receivable due from the William Hunt Living Trust and totals \$3,249 which includes dues, late fees, and interest since 2020.

The Accounts Receivable Non-Compliance represents a \$100 fine for an infraction. The property was sold and the fine was collected at closing.

Dues Collection Cost totaled \$6,167 which includes current year as well as prior year's costs for legal and handling fees.

Process to collect HOA dues

A process for charging late fees, interest, and handling fees on Regular Assessments is being developed. The term "Regular Assessment" refers to the periodic payments due from each Owner to the Association for dues. The process will be presented at a future meeting.

Expenses

The expenses incurred for the Middle Entrance total \$2,088. The 2021 budget does not include an amount allocated to this project but ENPHA has \$30,000 allocated to the Middle Entrance in the Reserves. On August 10th \$3,000 was sent to The Ranch for water tap and irrigation repair. This will be posted to Sub Association Grants.

2022 Proposed Budget Process

October - Account owners are asked bring forward any items for the 2022 Budget that may require discussion with the Board.

November - Review 1st draft of ENPHA and DRC budgets including capital expenditures and reserves.

December - Approve ENPHA and DRC budgets including capital expenditures and reserves.

Liens - MM

MM reviewed the Colorado Common Interest Ownership Act regarding an HOA's right to a statutory lien for an assessment including fines, fees, late charges, interest, and attorney fees. The following criteria were proposed for filing liens: an owner is non-responsive, a large dollar amount is involved, or there's a need to put other parties on notice of an issue.

PO Box Project Update - GR

Discussions are continuing regarding the feasibility of installing cluster PO box units in Eagles Nest. Two sub-associations - Waters at Silver Trout and Fish Hawk Landing - intend to install the units, as both are new developments and there was an opportunity to designate property for them. With a couple of exceptions, no other sub-associations or neighborhoods in Eagles Nest has any property that could be used. The majority of the vacant land in Eagles Nest is ENPHA Open Space and is intended for use by

all owners. A restricted use to install PO boxes for a select group of owners would not be a viable solution.

Next step is to determine whether to proceed any further with this project. There are significant costs associated with installing cluster boxes for all ENPHA properties (\$100K+) and there is no room at the Silverthorne post office to sort mail for delivery to Eagles Nest. The USPS has no funding available.

An update will be provided at the September Board meeting.

Town of Silverthorne (TOS) Update - GR

No update

Update By-Laws - MM

Board members are asked to provide any changes/edits by September 1 on the latest version dated August 10. Approval of the revised By-laws will be sought at the October Board meeting.

Environmental Weeds - KB - see email from KB

The noxious weed spraying first round was completed July 31. Once total costs are reconciled with the contractor, a second spraying of HOA open space will be considered.

Environmental Trees and Trails - TD

Trails

No update.

County Fire Mitigation Grant:

Bids were received from 3 suppliers to accomplish the fire mitigation work in 2021. Scope of effort includes ~1,000 trees to be removed/chipped over ~7 acres.

Motion by MM to authorize TD to enter into a contract on behalf of ENPHA with Emory Tree Service to accomplish the Tree Removal and Fire Mitigation project. Seconded by TD. Motion approved via email 7/29/21.

Raven Entrance Project - TD

The structural evaluation report was sent to The Raven to in turn send to Escalante. Work continues with the HOA attorney on a landscaping license agreement.

Building and Grounds - PC

South Entrance

Entrance maintenance and mowing operations have kept the site looking good. Many positive comments have been received which have been passed on to the contractor Neils Lunceford, who has for many years maintained the entrance and taken pride in their work. Meetings with the contractor have begun to discuss next year's budget and improvements. The fabricated cover for the ground irrigation backflow and meter was ordered in July with installation planned by the end of August.

Community Center (CC)

A new light pole for the parking lot will be ordered this month and installed in September. All flower beds, pots, and hanging baskets are looking good. Two refrigerators that were no longer working were replaced this past month.

A total of 12 events/meetings were held at CC last month: HOA - 2, Sub Associations - 3, Non Profit - 2, Mahjongg - 4, Paid events - 1

The Board decided that going forward, political groups' requests to use the CC will not be approved.

DRC - PC

August Projects Report

The Committee did not meet August 3rd as there were no applications. Fish Hawk is expected in September. There are also a number of projects with concept or preliminary approval that should be completing applications soon. The committee expects a busy fall and winter, but hopefully not as busy as last year.

This month there were 2 introductory meetings and 2 new home starts. The Hideaway new paint colors and deck rail replacement were approved. 23 requests were approved including roof replacements, deck extensions, hot tub replacements, radon systems, tree removal, and a driveway addition. Numerous questions were answered concerning the architectural guidelines.

Sub-associations - GR

No update.

Website Updates - JC

No updates.

September Newsletter/Email blast - TD

Next newsletter will be October 1.

Other – MM

Regarding comments from owners concerned about increased traffic on Game Trail Rd., the traffic is passenger vehicles and not construction trucks. This is outside the scope of the agreement between EN-PHA and Summit Sky Ranch to route trucks off of Game Trail Rd.

Executive Session

Motion by MM to enter into Executive Session to discuss recent correspondence between the owners and the HOA attorney regarding the tree cutting violation. Seconded by GR; motion approved unanimously.

MM moved to reconvene the Board meeting at the conclusion of the Executive Session. Seconded by GR; motion approved unanimously.

Board Meeting Reconvened – GR

There were no actionable decisions arising from the Executive Session.

Adjourn

GR adjourned the meeting at 5:11 PM.

Respectfully submitted,

Julie Chichlowski, Secretary