

Eagles Nest Property Homeowners Association

P O Box 23420
Silverthorne, CO 80498

Board Meeting for Thursday, December 10, 2009

Meeting Minutes

Directors

Vince Lanuza, President

Dave Anderson, VP and Facilities

George Resseguie, Treasurer

Pink Faux, Design Review

Al Sanborn, Environmental

Jim Ernst, Environmental

Mollie Brunetti, Secretary

In attendance: All directors; John Ahlquist, Jack Hickey, Rich Waterman, Rhonda Boutelle, Caleb Kehrwald, Ann Marie Sandquist, Len Shipman

Call to Order: Vince Lanuza called the meeting to order at 3:59 pm.

Approval of Minutes: Jim Ernst moved, Dave Anderson seconded, all approved the minutes of the Board's November 12, 2009 meeting.

Business:

Acquisition of forest/open space land in The Ranch and The Hideaways:

Len Shipman reported that he had extended offers on behalf of the ENPHA to acquire forest/open space land in The Ranch and The Hideaways. One member of the Ranch board abstained and all others approved the offer. Two-thirds of the Ranch homeowners must elect to approve this move, and Ranch board members want the ENPHA to extend the offer until the Ranch homeowners vote. For various reasons, The Hideaways cannot make a decision at this time. The Board will leave the matter open as suggested by George Resseguie and Len Shipman and will expect an answer by The Hideaways after the first of the year.

One homeowner in The Ranch built a dog run that encroaches in the open space. The homeowner, John Kellogg, claims he didn't know that the dog run went into open space. Decs/Covs give us the power to issue an easement to the owner, but Board agrees that the best way to handle it would be for Mr. Kellogg to modify the dog run to within the confines of his lot. It was stated that dog runs are not prohibited if not visible from the golf course. John Ahlquist will check legality of this in Decs/Covs.

Board changes:

Len Shipman moved, George Resseguie seconded, all approved welcoming Pinki Faux as a new board member who will replace Len Shipman. Len Shipman accepted our thanks for his service on the board and exited the meeting.

Water issue in Eagles Nest and Three Peaks:

Rhonda Boutelle and Caleb Kehrwald, from the Raven Golf Course, presented a description of the water problem first brought to the attention of the Board by Jim Ernst. The problem is evidenced by running water in (and overflowing) some of the ditches, with some ice formations deemed dangerous. There is a double head gate above the neighborhood that The Raven opens

and closes once a year. There is a third, abandoned, head gate nearby, (constructed by IntraWest some years ago) which, at one time, diverted water from above the double head gate. Ditches around the double gate are dry. From the abandoned gate there is a lot of running water that comes into our ditches. Also we have a natural spring north of us. Water in the ditches is endangering homes, properties, trails, and there is insufficient snow to blanket these areas, causing water to divert and pool dangerously.

The Raven attempted to contact state water commissioner Scott Hummer to review the problem, but he is out of town. Caleb contacted Bill Linfield (Town of Silverthorne) and together they visited the area, though TOS has no jurisdiction. Caleb will contact Scott Hummer when he returns next Wednesday.

It was determined that, in an attempt to mitigate the problem, the abandoned head gate will be opened in the hope that water will be sent into open space. There is a private drive that goes off of Two Cabins and shows evidence of the water problem because water is streaming across it, and there is ice build-up in places. Raven personnel indicated that there should have been a culvert under the road, but it was never built. There is no in-place mechanism that will get water across the road. Walking down from the abandoned head gate it appears that the water coming from above was originally intended to go all the way to the wetlands by the number six hole on the golf course. The Board discussed a temporary solution to place sandbags along the private drive to divert the water to wetlands. It was decided that Rhonda would contact Dallas Byers, whose home is on the private drive, to discuss this temporary remedy. Jack Hickey volunteered to meet with Caleb on Friday 12/11, to walk the properties that may be affected on Bull Lake Court.

On the north side of Three Peaks there is ice in ditches because there is insufficient grade to direct the water. There will be an issue in the spring also. Beetle kill may have impacted the entire situation. John Taylor met with Caleb today took photos, walking the Maryland Creek ditch all the way down, discovering water below, as much as three feet in some areas.

Some discussion took place about who will pay for any long-term remedy.

Advertising on the ENPHA website (revenue source):

Dave Anderson reported that the cost of a small ad on our website might be in the \$250-\$400 range (for a period of one year). This figure was suggested by Maggie Butler of the Summit Daily News. Rich Waterman says putting ads on a separate page or integrated throughout the website would have to be decided. George Resseguie moved and Jim Ernst seconded a motion to pursue this advertising idea further. Motion carried despite one opposition vote by Mollie Brunetti. Rich Waterman, Dave Anderson, and Jim Ernst will be a subcommittee to work on this issue.

Sub association grants:

Dave Anderson described the three grant applications which the Board reviewed and discussed. He then moved, Vince Lanuza seconded, and all approved a motion to grant \$500 to The Hideaways to plant trees, \$500 to The Ranch for spruce trees and re-seeding, and \$2000 to The Ponds for playground equipment (slide and see-saw). Dave Anderson will send letters to these sub-associations describing the grants. No other sub-association applied for grant funds.

Managers' reports:

John Ahlquist reported that the old roofing tiles have been removed from the Miro property and that he is dealing with an improper realtor's sign on the Rogers property. (Please see Stuart Richardson's manager's report, attached to these minutes.)

Treasurer's report:

George Resseguie distributed copies of the financial statement to date, the five-year plan, and the 2010 budget draft. Current issues include our \$17,648 cost overrun and how to cover it. Discussion took place about covering this with the \$13,000 we have in our reserves. Another option is to get a bridge loan for \$7000 to get us through December and into January. A third option is to take \$7000 from the DRC balance and use it in regular operating expenses to cover what we need in December and for our insurance which comes due in January. A resolution was made to do the latter and once we close out the year we'll see how much of a deficit we ran. Mollie Brunetti moved, Jim Ernst seconded, and all approved.

Homeowner dues for 2010:

After much discussion Jim Ernst moved, George Resseguie seconded, and all approved a dues increase to \$170 for 2010. At this level we do not expect to have to raise our dues again soon, will be able to replenish our reserves, and should be able to avoid any special assessments. This is based on figures from our five-year plan.

Environmental reports:

Al Sanborn reported that three owners have not paid for 2009 tree-spraying and measures are being taken to collect from them. The spray program for next year will be a continuation of the 2009 program to spray 4"-or-greater lodge pole pines. George Resseguie moved, Dave Anderson seconded, and all approved. The Board will use Preventive Tree Service to do the work for 2010. This company uses the chemical Carbaryl. Al Sanborn moved, George Resseguie seconded, and all approved hiring this company for 2010.

Design Review:

Pinki Faux reported that much construction is finishing up. Four homes are under construction, one project is in preliminary design.

Executive Session: Vince Lanuza moved, Mollie Brunetti seconded, all approved a motion to begin an executive session.

Meeting adjourned at 6:10

Submitted by Mollie Brunetti

November 2009 Manager's Report

Stuart Richardson

Community Center Operations

With the fall center operations and utilization have decreased. During November 4 general meetings took place, 4 ENPHA meetings, and one social function. A leaking toilet was repaired and a general building review was made for next years painting maintenance. Next Year the upper trim will be repainted and some touch up on the main body paint. All plumbing was inspected and no leaks were observed

Open Space Environmental Activities

With the results from the Town's Tree Survey becoming available the review of the Twig Beetles infestation on HOA and several private lots was conducted. Due to the heavy infestation in the Ranch and Hideaway hillside open space areas it appears that a major cutting and thinning operation will have to be conducted to control the Twig Beetle infestation and to accomplish better timberstand management. All of the trees infected are small diameter which would require thinning at some time in the future. The areas that had previously been thinned indicated smaller beetle infestation.

In conjunction with Raven personnel their property lines surrounding the Community Center were walked and their downed and dead timber removal project was reviewed. They are making a concerted effort to clean up the hillside and come into compliance with the Town and ENPHA programs. Their ditch water control of the 4th and 5th holes was also reviewed. Their responsibility to maintain the water flow to this large wetland complex was discussed and the water volumes and release locations were pointed out. Previous to this they had released water from the wrong location and brought flooding complaints from downslope lot owners.

The Christmas Tree lights were checked out and illumination started on November 20.

Emails were again placed to the Blue River Land Company to get the quit claim deeds of three open spaced properties which were to be transferred to ENPHA.

For the upcoming December Pine Beetle Bid a potential contractor was shown the private lots and open spaces to be included in next years spraying contract. Eventually this contractor did present a bid for the December bid evaluation.

Submitted By

Stuart Richardson