



Property Owners Association

Official Meeting Notes Annual Meeting August 2, 2008

The Annual Meeting of the Sage Creek Canyon Property Owners Association was held on Saturday, August 2, 2008 at the Briggs family home on Saddle Circle in the Sage Creek Canyon community. The meeting was called to order at 9:21 AM by Board of Directors president Ward Jackson. A "Meeting Packet" containing pertinent materials for the meeting, including the proposed meeting agenda and the proposed FY 2009 financial budget, was distributed to all in attendance. All persons in attendance signed an attendance sheet. The proxies which had been provided before the meeting (5) were recognized. There were twenty-two family units represented in person at the meeting. Including the tallied proxies, there was a quorum established with a total of 27 voting units present.

Ward introduced the present Board of Directors: Mike Magliocchetti, Jeff Steele, Tom Massaro, and himself. Ward expressed thanks to Mr. And Mrs. Briggs for hosting the meeting – especially on such short notice. Proof that the official meeting notice had been mailed on May 24, 2008 was accepted by the body. (A copy of that notice was included in the meeting packet.) The official meeting minutes of the 2007 Annual Meeting had previously been mailed to property owners, were posted on the community web site, and were included in the meeting packet. Additions and/or corrections were solicited, and none were forthcoming. On a motion from Gerry Middel, and seconded by Jerry Miller, the 2007 meeting minutes were accepted as originally prepared.

As has become custom, the Board president provided the report on the "State of the Community". Ward noted that there are a great many places one can choose to live. Each resident of this community has their unique set of reasons why they have come to reside in Sage Creek Canyon. However, Ward noted that one of the most compelling reasons to live here was to be part of a community – a place where folks have chosen to belong – not just an address where UPS or FedEx can deliver packages. Living as community is a wonderful thing, Ward noted. There are responsibilities attached to being a member of a community. Those responsibilities relate to living in relationship to those around us.

However, he continued, things are gradually changing in the Sage Creek Canyon community. More often now – as opposed to just a few years ago – there are some in the community who are choosing NOT to think of their neighbors before acting. Some are choosing to ignore the community Covenants which have been crafted and accepted by all who live here. Some are choosing to ignore the intent of the Covenants which were

enacted as a framework to encourage harmonious residential living. Specifically, we have some who choose to ignore the Architectural Covenants, others who are endangering neighbors by feeding the wild animals, and still others who insist that speeding is perfectly fine – even though our roadways are greatly used by walkers and bike riders. Ward spoke about being intentional about thinking about one’s neighbor - being intentional about living in community once again. He encouraged the Association members to, once again, consider embracing the “old fashioned” core values that enrich living in community, rather than just any “ordinary” sub-division.

Ward addressed the question posed by Jerry Middel at the 2007 Annual Meeting concerning ownership of the curb stops. [Jerry had wanted the Board to seek professional assistance and advice in an attempt to see if the established Sage Creek Canyon fresh water system ownership policies ought to be adjusted so that the community/association would own homeowner service lines up to the point of, and including, the curb stop. Established policy currently states that the Association owns the well system, the pump house, and all equipment therein, and the system of water mains. Individual homeowners/residents own the water service lines to their homes from the point of demark at the junction with the community water main.]

Ward explained that the Board had brought the question to a local attorney-at-law, and that he advised there did not seem to be a need to change the point of ownership. It is appropriate for the property owners to own the water service lines providing local service to their homes. It is appropriate for residents to be responsible for having an operational curb stop, and that that valve is legally part of the water service line they own. Sage Creek Canyon By-laws and Covenants contain appropriate authority for the Board of Directors, acting as the operators of a fresh water delivery system, to enter private property, to operate curb stops and to otherwise operate private service lines and valves as extensions from the community owned infrastructure for the purpose of appropriately maintaining a safe and functional overall system.

After considering the advice of counsel, the Board has unanimously voted to maintain the ownership of water service lines and curb stops as currently exists. Ward asked for a motion to re-affirm the water system ownership policies, as had just been described. Lucky Steig moved the policy, and Stephen Craig seconded the motion. The vote to maintain ownership status quo was unanimous.

The issue of universal curb stops was next on the agenda. Ward reminded the group that by policy adopted by the 2007 Annual Meeting, all homes in the community are required to have an operation curb stop on their private water service line by August 2009. Background information was provided. Ward introduced Tom McClelland, the state certified system operator for our fresh water supply system, and noted that he would be at a side table all during the meeting, and after the meeting, with a large community map, to discuss with individual property owners where their curb stop is located – if they have one. Ward indicated the first task in this project is to identify those residences NOT having a shut-off valve. He indicated that RKR Excavation was interested in doing all homes as a single project, and at the same time. That method would provide the lowest cost, and the most efficiency for the installation of many curb stops. Ward emphasized that all property owners were free to choose their own contractor, and to handle all

arrangements on their own. The only requirement regarding the curb stop installation is that a member of the Board photographically document the safe location of and connections related to the new curb stop. When all the installations are complete, the Board will use GPS to accurately document the location of all curb stops. Ward will draw up a list of those needing new curb stops, contact RKR, and then call a meeting of those involved – all within the next few weeks.

Ward further provided those in attendance with average water usage levels for the winter, early spring, and late spring, and normal summer seasons. Average winter use is approximately 4,000 to 6,000 gallons per day (with the exception of holiday periods). The usage moves up to nearly 30,000 gallons per day in heavy summertime use. At the time of the meeting, Tom and the Board are watching a continued increase in the water use rate, and are beginning to wonder if there is a need to begin initial efforts at leak determination. Ward spoke of some extreme and inconsiderate past water use, and indicated to prevent future similar occurrences, there is now a fine schedule that can be implemented by the Board in the most egregious cases. [That policy was duly adopted, has been sent to the Association members by mail, and is also posted on the Association website.]

At the request of some residents, Ward, once again, clarified that the access to river fishing is over the easements at the north and south ends of the community. Please do not trespass on private property to get to the river. It was suggested that perhaps signs be posted to remind those already on the path where the private property is.

In the absence of Clark Griffith, Jeff Steele provided the report of the Roads Committee. The report focused heavily on the very extreme winter conditions, and the affect that had on plowing operations. Most in the gathering were very complimentary of the work done. There was note of some difficulties, but the group signified an understanding of the difficulty of the task for the plowing company. The cost for plowing vastly exceeded the budgeted amount because of the severe winter. Ward noted that the Board had spent many hours considering how to handle this anomaly in the financial process. He said it was the recommendation of the Board that the plowing costs be paid from the reserve fund, and at there be no adjustment to the existing plowing policy, or assessment fees, at this time. While the Board has been given the authority to use the reserve funds as necessary, Ward asked for a motion to affirm the decision of the Board in this Matter. That motion was made by Rich Mayfield, and seconded by Jerry Miller. The affirmative vote was unanimous.

Jeff further reported that our major yearly road work had been completed, and that we were able to get a great price on the materials, so most of our roadways have new top coating on them. The group thanked the Road Committee (Clark, Jeff, and Rich). Ward stated he would send a note of thanks to Clark for his continuing efforts.

Tom Massaro gave the Architectural Review Committee report. The report was short. Work continues on the Tippins residence; the Briggs residence is complete; and, the Magliocchetti residence has a new dormer. There are no other new projects before the committee or the Board at this time.

Treasurer Mike Magliocchetti provided the financial report for the 2008 fiscal year. Copies of pertinent information were provided in the meeting packet. The group had some questions for Mike, but in short order a motion to accept the financial report for 2008 was made by Rich Mayfield, and seconded by Cindy Massaro. The vote was unanimously in favor of the motion.

Ward recounted the apparent success of our “Beetle Kill Mitigation” program. It appears that most of the dead trees are being removed promptly. Thank you to the Association members. The preventative tree spraying appears to be about 95% effective. On behalf of the Board, Ward solicited any available information on “the packet”, which may be more effective and less expensive than traditional tree spraying. The Board will be evaluating this possible new approach. He noted that South Forty has no “Beetle” program at all, and you can see many of their trees dying. Concern was voiced about nearby trees that are dead – along the west side of the river, in South Forty, etc. It appears there is little that can be done about it, although consideration will be given to contacting the Town of Silverthorne and the State in regard to the trees by the river (which are probably in the highway right-of-way). When asked if the community desired to continue the program in its present form, it was suggested that trees with trunk sizes down to four (4) inches be sprayed. Joan Bailey moved that the program be continued; Lucky Steig seconded the motion, and it was unanimously adopted.

Ward indicated that getting the Association reimbursed for the costs of trees sprayed on private property was proving problematic. The amount currently outstanding is in the neighborhood of \$ 7,000. He stated that the Board invites all who have outstanding balances to provide payment within the next thirty days. After that time a 1.5% per month interest charge will be added to bills which will be sent each month. [Many at the meeting provided payment at that time, or later on the same day of the meeting.]

Note was made about the possible pond reclamation. Robert Briggs was asked to continue his efforts to determine if there might be an economical way to reclaim and beautify the pond. Much of this year was spent attempting to locate pertinent documents from the US Corp of Engineers regarding our most recent request to upgrade conditions at the pond. Those discussions were, apparently, all verbal, and no written record exists. Robert accepted the invitation of the Association of continue to try to find a way to improve the pond.

Ward noted that he had heard nothing from the county about the renaming of Spur Court. The names suggested by the 2007 Annual Meeting had been forwarded to Summit County GIS, but nothing seemed to come of it. Ward will make contact with the folks at GIS.

Mike Magliocchetti presented the proposed fiscal year 2009 budget for the community. He provided an explanation regarding how the Board came to the figures before the attendees. Mike indicated that the budget reflected no increase in assessments. There were a few questions which Mike addressed. Bill Bailey moved that the budget be approved; Jerry Miller seconded that motion. The 2009 Association budget was unanimously approved.

When the agenda item related to the election of members of the Board arrived, Ward asked Rich Mayfield to facilitate the meeting, and stepped aside. Rich asked the current members of the Board if they were inclined to continue. Each indicated they would, but there were additional comments. Ward noted that Jeff was receiving another promotion, and his valuable time would be more limited. Ward also noted that all members of the Board would continue – if – the community would, once again, become more considerate of one another. He said no member of the current Board is interested in having to *constantly* “enforce” policy, or act as community “policemen”. Those in attendance indicated a strong opinion that the Board ought not be put in such a position. After asking if there were any other nominees for election to the Board (there were none) the community endorsed Rich’s suggestion that the current Board be re-elected to another term. The community thanked the members of the Board for their service.

Re-assuming the “podium”, Ward shared with the group that Joyce Middel had, once again, invited the group to her home for the 2009 Annual Meeting. The Briggs family said they would enjoy hosting the meeting again, should plans change for the Middels. Again, the group thanked the Briggs’ for hosting the meeting (the room where the meeting was held *comfortably* seated all attendees!)

There being no other business on the agenda, or presented from the floor, Ward asked for a motion to adjourn. That motion was made by Jeff Steele, and seconded by Dianne Jackson. The vote was unanimous. The 2008 Annual Meeting of the Sage Creek Canyon Property Owners Association was adjourned at 11:11 am.

Respectfully Submitted,

Ward Jackson