



## **Property Owners Association**

### **Official Meeting Notes Annual Meeting August 1, 2009**

The Annual Meeting of the Sage Creek Canyon Property Owners Association was held on Saturday, August 1, 2009 at the Middel home on Saddle Circle in the Sage Creek Canyon community. The meeting was called to order at 9:12 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 2010 financial budget, was distributed to all in attendance. All persons in attendance signed an attendance sheet. The total of proxies and family units in attendance totaled 22, representing a quorum.

Ward introduced the present Board of Directors: Mike Magliocchetti, Jeff Steele, Tom Massaro, and himself. Ward expressed thanks to Mr. And Mrs. Middel for hosting the meeting. Proof that the official meeting notice had been mailed on May 28, 2009 was accepted by the body. (A copy of that notice was included in the meeting packet.) The official meeting minutes of the 2008 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. By consensus, the 2008 meeting minutes were accepted as originally prepared.

As has become custom, the Board president provided the report on the "State of the Community". The first part of that report dealt with the apparent "state" of the proposed XCEL power sub-station. One of the proposed sites is behind the McIntyre and Ward homes in the community. An additional proposed site is in the middle of the pasture on the TYL Ranch. XCEL has declined to remove any site from their list of potential sites. XCEL is months behind their own proposed time schedule. Recently they held another "Open House" in Silverthorne. That meeting, like the first, provided only minimal information. They have added a potential new site near their existing high tension lines near the Angler Mountain Ranch.

Ward noted that the State of Colorado has been active in revising the laws under which homeowners/property owners associations function. The latest revision of those laws was earlier in 2009. All community documents for Sage Creek Canyon have been updated to conform to all existing state laws. The community documents are: The Bylaws, The Declarations and Covenants, The Rules and Policies, and The Construction Regulations. All of these documents are available on the web site, along with the notes from all Annual Meetings and all meetings of the Board of Directors.

Ward referenced his comments from the 2008 Annual Meeting about Sage Creek Canyon being a community, not just a group of houses. He indicated that this year has been particularly awkward for the Board of Directors. A few members of the community have chosen to disregard the community documents, and that has led to some tension within the community. Ward expressed that no one who is a member of the Board has a desire to act as an “enforcer” within the community setting. However, virtually all of the complaints received this year by the Board (a significant number) could have been prevented if neighbors would consider one another, and follow the direction provided by the community documents. The attorney for the community, while assisting with the adjustments to the community documents, provided clear guidance which indicates the Board of Directors MUST uphold the governing documents for the community. The Board will follow this directive as necessary.

Ward indicated that the State of Colorado is also imposing new mandatory regulations that relate to the water system. The community will now have to comply with “4 Log” requirements. While the community has an excellent water system, the community will have to employ a civil engineer to advise how to meet the new requirements. Once the report from the engineer is available, it is likely to cost the community approximately \$12,000.00 to comply with the new requirements.

The curb stop project has gone reasonably well, but is not yet complete. Most folks who thought they needed a new curb stop really did not. RKR Excavation assisted many in the community to find their existing curb stops. They also installed at least two new ones. Members of the Board have to mark the curb stops with a stake and with blue paint. There is still a question of the system/curb stops in the vicinity of the Magliocchetti home. It is hoped that the project can be completed this fall.

Ward provided an update on the beetle-kill project. The project seems to be going well. Community and property owner actions are saving a high percentage of the evergreen trees in the community. He did note that the Association seems to be picking up very large amount of the cost for preventative tree spraying. The Board suggests that the program be continued. Steve Goodman moved that the program be continued; Joan Bailey seconded. The vote was unanimously in favor.

In what seems to be a yearly reminder, the group was urged to access the river for fishing only at the designated access points near the Siegel and Middel homes. Caution should be used not to trespass on any properties when accessing the river. Some in the meeting stated they did not have fishing passes. The community will, once again, make passes for those not currently having them.

Ward reported that the Board is attempting to remove the “backup” pump house from the Russell property. The first task is to get the community “stuff” out of the structure. Second step is to get some kind of protective cover for the existing well head – which is still active as the community’s “backup” well. Ward noted that Tom McClelland had found a source for a “fake rock” that may well serve the purpose. The meeting seemed to approve of that possibility rather than building a new structure. The Board will follow through on this activity.

Clark Griffith provided the report for the Roads Committee. Clark's report was complimentary of the plowing contractor. He did clarify that the plows are called in only when there is 6" or more of new fallen snow. The budget holds 70 hours for plowing, and that means that the contractor cannot spend a great deal of time on each driveway. Clark reminded the group that it is the Property Owner's responsibility to handle anything more than basic driveway plowing. He also stated that all driveways should be clearly marked.

Clark continued by saying that ¾ of the yearly road work is completed. That work is a bit later than usual because Bob Wheeler was hoping prices for recycled asphalt would come down. They have not. Clark indicated that Bob Wheeler would entertain improving private driveways before removing the heavy equipment from the community. Property owners can call Bob directly, or let Clark know.

Peggy Kappy noted that there are a large number of vehicles using the bridge, and it is getting more difficult to safely access the busy highway.

Tom Massaro gave the Architectural Review Committee report. Since the completion of the Tippins home, there was nothing to report. Tom's report was received with applause.

Treasurer Mike Magliocchetti provided the financial report for the 2009 fiscal year. Copies of pertinent information were provided in the meeting packet. Mike commented that there was an approximate 14% deficit in the budget. This was attributed to the large number of hours required from the community attorney to deal with Colorado State law, the proposed XCEL substation, and with internal community matters. The group had some questions for Mike, but in short order a motion to accept the financial report for 2009 was made by Steve Goodman, and seconded by Gerry Miller. The vote was unanimously in favor of the motion.

A question was brought from the floor about having funds set aside to handle future possible financial emergencies of large scope. Ward noted that, if it would be acceptable to the presenter, we would take up that issue under "homework". That suggestion was accepted.

Ward noted that the possible reclamation of the pond has been an agenda item at the Annual Meeting for a number of years. It is the suggestion of the Board that this issue be handled, or not put on future agendas. The Board suggests that the pond may return to vitality if it was given some additional depth. If acceptable to the group, the Board suggests getting opinions from one or two trusted local excavators to see if it might be possible to dig a few feet of additional depth for approximately \$10,000.00. It is suggested that this be crafted as a winter project that may be attractive to an excavator in the slow season. Peggy Kappy added that she would like to see this funded from the general fund, and not a special assessment. Scott Carver motioned that the suggestion of the Board be accepted, but that the budget be \$ 10,000 to \$ 12,000. Rich Mayfield seconded the motion. The vote was unanimous in the affirmative.

There were additional comments from the floor indicating that the Board has done a fine job of keeping the yearly dues in check. One comment indicated that the water bill alone for a suburban Denver home was more than our yearly dues, and we include snow plowing in that amount!

Ward indicated that we are only waiting for the new signs before Spur Court officially becomes Maverick Way.

Mike Magliocchetti presented the proposed fiscal year 2010 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. Jerry Middel moved that the budget be approved; Bill Simon seconded that motion. The 2010 Association budget was unanimously approved.

At the point in the agenda for the election of Board members, Ward introduced Rich Mayfield to preside over the meeting. Ward indicated that, counting on the cooperation of all members of the association, the current Board members had consented to serving another term should that be the desire of the body. Rich solicited additional nominations from the floor. None were forthcoming. Rich made a motion that the current Board members be asked to continue in service. This motion was seconded by a number of attendees. The motion was carried unanimously, with the applause of the group.

Bill Pollack asked to be recognized and addressed the issue of vehicles speeding on the community roadways. He suggested additional signage. Many comments came from the group about the problem. The strong consensus was that we still have a significant problem, even though it seems some association members have apparently slowed. There was concern expressed for the safety of persons using the roadways on foot or bicycle – especially our younger persons. There was a request for the Board to go ahead and install the speed bumps approved at a previous Annual Meeting. There appeared to be strong support for this idea. Ward repeated the apparent conclusion of the discussion: more signs, and installation of the speed bumps. That was affirmed by the meeting. The Board will investigate further, and take appropriate action.

Ward returned to the issue of “homework”. In a recent discussion of administrative issues related to the budget of the association, the subject of “reserves” came up. The association has repeatedly given the Board to keep and utilize as necessary some “reserve” funds. These are kept in a separate account, which is audited each year, and the results are reported to each Annual Meeting. The State of Colorado requires that each association have a policy on how to perform a “reserve study” – and, Sage Creek Canyon complies with that policy. The more pertinent issue, however, in the minds of the Board relates to the issue of catastrophic failure of a portion or all of our infrastructure. The reserves stand at approximately \$100,000.00 – an amount that would fall significantly short if major upgrades, repairs, or replacement of the water system were required. There would be a number of ways such a problem would be addressed. At least two seem pertinent at this time: Should the community be asking for larger yearly assessments to be more deliberate about building the reserves; or, should we

simply wait for a need, and then ask for a special assessment? Ward opined that there are very good points that can speak to both sides of this issue. Ward asked the body to ponder this issue, so that when an opportunity to discuss the topic arises, we may have more productive exchange. (This is the issue Steven Goodman raised earlier in the Annual Meeting.)

Ward invited the group to contemplate who might host the 2010 Annual Meeting. Buck Tippins offered their home for the occasion.

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 Rich Mayfield, and seconded by Cameron Pollock. The vote was unanimous. The 2009 Annual Meeting of the Sage Creek Canyon Property Owners Association was adjourned at 11:11 am. (Which, coincidentally, was the exact time the 2008 meeting was adjourned!)

Respectfully Submitted,

Ward Jackson