

**STONEHAVEN AT BRECKENRIDGEASSOCIATION
BOARD OF DIRECTORS MEETING
MAY 7, 2013**

I. CALL MEETING TO ORDER

The Stonehaven at Breckenridge Association Board of Directors Meeting was called to order at 6:06 p.m. via teleconference.

Board Members Present Were:

Dean Volk

Mark Miller

Paige Belville

Stuart Walsworth

Tim Glasgow of Neils Lunceford was a guest at the meeting.

Representing Basic Property Management were Gary Nicholds, Eric Nicholds and Giovanna Voge. Erika Krainz of Summit Management Resources transcribed the Mminutes from recording.

II. APPROVE PREVIOUS MEETING MINUTES

Paige Belville made a motion to approve the November 12, 2012 Board Meeting Mminutes as presented. Mark Miller seconded and the motion carried.

III. REAL ESTATE UPDATE

There was one unit sale since the last meeting. The new owner is Susan Anderson.

IV. BOARD ORGANIZATION

Paige Belville noted that ~~the~~ Jim Contino, the former President of the Board, had resigned due to the sale of his home. Stuart Walsworth is now serving as President of the Board.

Paige Belville made a motion to retain the current four member Board, to have Stuart Walsworth serve as Board President and to elect a new Board member at the August Annual Meeting. Dean Volk seconded and the motion carried.

V. FINANCIAL REPORT

A. Year-to-Date Financial Report

Giovanna Voge reviewed the Balance Sheet as of April 30, 2013.

1. Total Checking/Savings - \$72,109
2. Total Accounts Receivable – \$150
3. Total Accounts Payable - \$1
4. Retained Earnings - \$64,213
5. Net Income - \$9,344

Giovanna reviewed the Profit and Loss as of April 2013.

1. Total Income - \$6,000 under budget due to the credit to the owners in the first quarter.

2. Total Expenses - \$4,146 under budget. Snow Removal, Electric and Maintenance and Repair were all under budget.
3. Net Income - \$9,344.

Paige Belville questioned the extra charges for snow removal, given the low snowfall early in the season. Gary Nicholds explained that the contractor had to move some snow due to the reduced area for snow storage. She asked Gary to arrange for a property tour with the contractor and ~~interested-a~~ Board members at the end of the summer to get an understanding of the snow storage challenges.

Giovanna will research the \$14 overage in the Management Fee expense on a previous financial report. The fee should be \$800.

Paige Belville made a motion to approve the Financial Report. Mark Miller seconded and the motion carried.

VI. OLD BUSINESS

A. Landscaping

Tim Glasgow said he was asked last season to provide two proposals, one for basic landscape maintenance and the second for all inclusive landscape maintenance including both maintenance within HOA common Areas and residential lots. The first proposal was for \$11,500 and the second was for \$21,000. In addition, he was asked to provide a separate proposal for the entryway landscaping. This proposal was about \$5,000 for rock work and flower planting. Paige Belville explained that the all inclusive proposal was requested when the Board was contemplating taking over the landscaping for all the residences in addition to the common areas. Ultimately the Board decided not to take over the responsibility for the individual properties and to maintain the common areas only.

Paige said the basic proposal provided to the Board was for \$10,990. Tim explained that there were two variations of the basic proposal, one with chemical weed control and one with organic weed control. Paige recommended chemical weed control; based on her research, organic weed control is not as effective. There is one owner who objects to chemical spraying. Her property can be omitted from the treatments.

Paige noted that there was no fall cleanup included in the \$10,990 proposal. Tim said the only bed cleanup for the Association would be done at the sign, which was assumed to be included in the 10 hours budgeted for weeding. Cleaning out all the beds in the common areas would be a separate item that could be done upon request at a rate of \$38/hour.

Paige said the Board had previously agreed to move forward with the \$10,990 proposal. Irrigation maintenance is budgeted separately. The broad leaf weed spraying should be done for \$750. Tim noted that there should be two applications per season so the cost would actually be \$1,500.

Paige Belville made a motion to revise the 2013 Basic Maintenance Proposal as discussed to include two applications of non-organic broad leaf weed control. Dean Volk seconded and the motion carried. Tim will revise the proposal and forward it to Gary Nicholds. Gary was authorized to sign it on behalf of the Board.

The front entryway landscaping was discussed at the last Annual Meeting and was put to a vote of the owners. The owners elected to refund some of the excess funds and put some of the money aside for the front entryway landscaping. There was also a question about the cost for maintaining the flower beds long term. Tim estimated it would cost an additional \$400/yr. for 10 – 12 hours of weeding of the new beds.

Paige Belville made a motion to approve the front entryway landscaping proposal as discussed and to authorize Gary Nicholds to sign it on behalf of the Association. Stuart Walsworth seconded and the motion carried. The project will be started sometime in June and should be completed within about one week.

B. Heated Pavement

Gary Nicholds was previously asked to contact All Electric about the heating system under the pavement. Gary will follow up on this issue. Paige Belville noted that it needed to be included in the Reserve Study.

VII. SET NEXT MEETING DATE

The next Board Meeting date was not set. The Annual Meeting was set for Friday, July 19, 2013 at 2:00 p.m. Gary Nicholds will book the same venue as last year.

VIII. ADJOURNMENT

Paige Belville made a motion to adjourn at 7:10 p.m. The motion was seconded and carried.

Field C

Approved By: _____ Date: _____
Board Member Signature

**STONEHAVEN AT BRECKENRIDGE ASSOCIATION
ANNUAL HOMEOWNER MEETING
JULY 19, 2013**

I. CALL MEETING TO ORDER

The Stonehaven at Breckenridge Association Annual Homeowner Meeting was called to order at 2:21 p.m.

Board Members Present Were:

Stuart Walsworth, Lot 15
Mark Miller, Lot 22

Paige Beville, Lot 4

Homeowners Present Were:

Peter Marcelli, Lot 1
Richard Granaghan, Lot 8
Patricia & Marcus Smith, Lot 14
Suzy & J.D. Shulec, Lot 18

Mike & Deborah Hruza, Lot 7
Garth Stroble, Lot 10
Janet Walsworth, Lot 15
Rae Anderson, Lot 21

Representing Basic Property Management were Gary Nicholds, Eric Nicholds and Giovanna Voge. Erika Krainz of Summit Management Resources was recording secretary.

II. DETERMINATION OF QUORUM

With lots represented in person and proxies received a quorum was confirmed.

III. APPROVE PREVIOUS MEETING MINUTES

Paige Beville made a motion to approve the August 3, 2012 Annual Meeting Minutes as presented. Peter Marcelli seconded and the motion carried.

IV. FINANCIAL REPORT

Paige Beville reported that the Association was operating \$400 favorable to budget for 2013, but cautioned that most of the unpredictable expenses occur between June and September. She anticipated that the Association would end the year on or under budget. There will not be any dues increase or Special Assessment.

The Association is required to have a Reserve Study and to set funds aside for capital asset replacement. This Association has been contributing to a Replacement Fund since its inception. A Reserve Study was completed this past year and Association is close to 100% funded. The annual contribution is \$3,200. The assets include the road, dumpster shed, irrigation system and the heating system under the road by Lots 1 and 2. There was a flaw in the design of the road that causes ice to build up in that area.

Gary Nicholds recommended crack sealing the road this year in the fall and seal coating next year.

Stuart Walsworth thanked Paige Beville for her attention to the financials.

V. PRESIDENT'S REPORT

Stuart Walsworth said there were no properties for sale at the moment. Weed control is an ongoing issue. There are some tree stakes in the common areas that need to be removed and the contractor is working on this today. Gary Nicholds said he could assist with pulling stakes in the owners' yards.

The first phase of the entrance improvement project has been completed at a cost of \$4,924.

There have been some issues with renters. Owners were asked to be good stewards of the neighborhood and to be sure that their guests and renters are aware of the rules.

Owners were reminded to present all proposed exterior projects, including landscaping improvements, to the Architectural Review Committee (ARC) for approval. The ARC will develop a list of changes that will only require a *pro forma* application without a formal review, such as restraining using one of the four approved colors and replacing dead shrubs or trees. The ARC members are George Gray, Sherry Devereux, Peter Marcelli and Paige Beville.

VI. OPEN DISCUSSION

A. *Recycling*

Rae Anderson felt there should be recycling at the property. Paige Beville said the Board had discussed this in the past and concluded that most owners use the recycling centers. The main issue is the lack of space in the dumpster shed. Rae suggested expanding the dumpster shed. Paige said the Board would continue to try to identify a feasible location for recycling bins.

B. *Irrigation*

Deborah Hruza said she would like the irrigated areas to be expanded, [particularly along with fence between the golf course and Stonehaven](#). Paige Beville said the Association had decided about four years ago to remove the irrigation along the fence and to let the area return to a natural state.

C. *Landscaping Improvements to Entry*

J.D. Shulec provided a summary of the Phase 1 improvements. The remaining funds will be used for improvements to the two corners across from Clubhouse Drive.

The Landscaping Committee will start working on Phase 2, which will address the garden areas around the corner homes. The [Granaghan's, owners of the north corner lot and the Walsworth's, owners of the south corner lot](#)~~affected owners~~ have agreed to contribute \$1,000 each. The Phase 2 proposal will be submitted to the Board for approval and it is hoped that work can be started this summer. Wildflower seeds will

also be spread in the fall. When all the entrance work is completed, it will send a message that Stonehaven is truly an upscale community.

Paige Beville expressed some concerns about the work completed by Neils Lunceford. She was disappointed with the initial appearance of the finished product. J.D. Shulec responded that there may have been a lack of communication on the part of the contractor and their landscaping staff, but once he spoke with them they came back and made improvements.

D. Rental Occupancy

J.D. Shulec said at one point during the winter four families were occupying the rental homes on 19 and at 21 The South Road for about 10 days. During that time there were as many as six cars parked in the courtyard and along The South Road, the road was occasionally blocked. He said this home as well as the home at 19 The South Road are largely rentals and are managed by Seasons Dreams Vacation Homes. He did not think the owner was aware of the situation and recommended that the Association create and enforce a policy to address this type of situation.

J.D. Shulec made a motion to adopt a policy to limit the number of families in a rental home to a maximum of two. The policy should

- include a requirement for a \$2,000 refundable deposit made to Stonehaven from all renters. If the policy is violated, part or all of the deposit will be forfeited. Stonehaven HOA Management will be responsible for enforcing the policy.
- A letter should be sent to all owners requesting the name and phone number of their rental management companyies so they can be informed of the policy and the deposit requirement.

J. D. also suggested that There should be consideration given to adding a requirement to the Bylaws that owners must live a minimum of three months per year in the home. He said Nancy Gray seconded the motion on the back of her proxy.

In discussion, Garth Stroble said there were a number of legal issues in the motion about which the attorney would need to be consulted. Garth noted that there is a Town license required for short-term rentals. There are also rules that address noise and parking with a system of warnings and fines.

Paige Beville said she had spoken with the HOA attorney in the past about limiting rentals and that he strongly advised against trying to establish limitations on rental units. She said she would have another more specific discussion with him about amending the HOA Rules and Regulations to establish rental requirements, such as proof of a Vacation Rental By Owner (VRBO) license, raising penalties for rental property violations, limiting the number of people occupying a residence, and about limiting rentals altogether.

~~Mark Miller said that it was his opinion that about this type of issue and was told that the some of the proposed restrictions in the motion were not legal. He stated that The courts balance the rights of the property owner against the right of an Association to impose rules and regulations, and most states favor the owner rights.~~

Paige noted that the property owner is ultimately responsible for ensuring compliance with the HOA Rules, Regulations and Covenants whether by them, their guests or their renters and the Association's relationship is with the owner. She said she did not think it was appropriate for the HOA to engage with the renters or the rental management companies. She said the best recourse a homeowner had against renters who were violating the HOA rules was to contact the HOA management company. encouraged owners to report parking violations to management immediately.

~~There was no vote on the motion due to the legal concerns.~~

Patricia Smith questioned the definition of residential use. Paige said renting is permitted under the definition.

Gary Nicholds said the first steps should be to work with the rental management company and to contact the owner if there are nuisance issues. He said owners should call the police if there is a disturbance at the property.

He distributed a copy of the Association Rules and Regulations which includes: There is a policy for violations that includes warnings and fines for violations. He said he could issue a warning to the property owner for the parking violations. All owners should be required to provide a copy of their rental license. There was discussion about increasing the penalty fines and requiring homeowners to provide a copy of their VRBO licence. In summary, owners should call Gary Nicholds regarding violations and he will contact the management company and owner.

~~There was no vote on the motion due to the legal concerns.~~

Peter Marcelli felt the overnight parking prohibition should be more stringently enforced. Each home is allowed to park two cars in the garage and two on the driveway. Overflow parking is available at the golf course. He suggested installing No Parking signs and towing illegally parked cars. Stuart Walsworth was not in favor of adding signage. Gary said a private towing company could be called to tow from the private roads. The owners presented ed indicated their support for towing, but only after the homeowners had been warned. Gary said he would always make an attempt to contact the occupants and ask them to move the illegally parked cars before towing.

VII. MANAGEMENT COMPANY REPORT

Gary Nicholds said there was a new Colorado law prohibiting the distribution of owner email addresses and phone numbers. He believes this can be circumvented by sending a letter to owners to obtain their authorization to opt in to an owner directory.

VIII. BOARD OF DIRECTORS ELECTION

Gary Nicholds said he did not receive any nominations by mail. There was one vacancy on the Board and Garth Stroble volunteered to run. There were no other nominations from the floor.

Peter Marcelli made a motion to elect Garth Stroble by acclamation for a three-year term. J.D. Shulec seconded and the motion carried.

IX. ADJOURNMENT

Stuart Walsworth made a motion to adjourn at 4:13 p.m.

Approved By: _____ Date: _____
Board Member Signature

**STONEHAVEN AT BRECKENRIDGEASSOCIATION
BOARD OF DIRECTORS MEETING
AUGUST 26, 2013**

I. CALL MEETING TO ORDER

The Stonehaven at Breckenridge Association Board of Directors Meeting was called to order at 7:39 p.m. via teleconference.

Board Members Present Were:

Stuart Walsworth

Dean Volk

Mark Miller

Paige Beville

Garth Stroble

Representing Basic Property Management were Gary Nicholds, Eric Nicholds and Kerry Hartmett. Erika Krainz of Summit Management Resources was recording secretary.

II. APPROVE PREVIOUS MEETING MINUTES

Paige Beville made a motion to approve the May 7, 2013 Board Meeting Mminutes as presented. Mark Miller seconded and the motion carried.

III. ELECTION OF OFFICERS

Garth Stroble made motion to elect Stuart Walsworth as President. Paige Beville seconded and the motion carried.

Garth Stroble made a motion to elect Paige Beville as Secretary/Treasurer. Dean Volk seconded and the motion carried.

Paige Beville made a motion to elect Garth Stroble as Vice President. Dean Volk seconded and the motion carried.

IV. OLD BUSINESS

A. Architectural Review Committee

Mark Miller made a motion to retain the same ARC members as served on the Committee last year. Those members are: Paige Beville, Chair; Pete Marcelli, Sheri Devereaux and George Grey as Committee members. Dean Volk seconded and the motion carried.

V. NEW BUSINESS

A. Front Entrance Phase II

Paige Beville thanked Gary Nichols for obtaining ~~said she had received~~ a second bid for the proposed Phase II projectlandseaping from Summit Landscaping. She noted that; it was much higher than the bid from Neils Lunceford. She stated that if the Board were to approve moving forward with the proposal that she was in favor of the

proposal from Neils Lunceford. She did note that sShe felt very strongly that discretionary projects should be put to a vote of the owners. Dean Volk and Mark Miller agreed.

Before approving any such project, she stated that the Board would have to determine how it would be paid for, e.g. from retained earnings from 2013 or from a Special Assessment. She projected that the Association would end the year with a surplus of approximately \$5,000, including \$3,200 Reserve contribution. She noted that the biggest contributions to the estimated surplus was from less than expected irrigation system repairs and parts replacement and less than expected water utilization. ~~There is~~ There was \$5,000 budgeted ~~in Reserves~~ for irrigation repairs and parts replacement. ~~and Expenses~~ Expenses to date have been around \$1,500. ~~so that account should be at least \$3,000 under budget at year end.~~ The Board discussed a previous decision to move ~~any~~ the unspent funds ~~funding~~ for irrigation repairs in the budget to a special Reserve Fund for irrigation system upgrades, repairs and replacement parts. ~~from Reserves to the Operating budget.~~ There were differences in opinion regarding the final decision on this issue. Dean Volk will review the previous Mminutes for clarification of the Board's previous decision regarding the irrigation funding.

Dean Volk made a motion to retain any unspent funds for irrigation repairs in a separate Irrigation Reserve for future repairs. Paige Beville seconded and the motion carried with Garth Stroble opposed. He explained that he did not think a separate account was necessary. Paige Beville also explained that the Reserve Study prepared by Basic Property Management already included annual spending of \$5000 for irrigation system repairs, upgrades and parts replacement so a separate Reserve Fund may not be necessary. Members of the Board were not clear about the Reserve Fund or the components of the Reserve Study, so Paige suggested that Gary update the Reserve Study to include replacement costs for the ice dam heating system at the North End and to discuss the logic behind the Reserve Study and funding at the next Board Meeting.

There was general agreement that the decision regarding the second phase of landscaping should be put to an owner vote, and that the project would not be initiated this year since the source of funding for the project has not yet been identified. Stuart Walsworth noted that there were some good reasons to present the proposal to the owners this year, including the agreement from some owners to provide \$1,000 each for the work. He would like to reevaluate the potential funding after the end of the month after the remaining landscaping invoices from Neils Lunceford have been received and put the project out to an owner vote at that time if possible.

Dean Volk responded that the preparations for sending out an owner vote would take some time, and that there would be a risk to starting this project in the fall due to the weather. He would be concerned about doing any landscaping after mid-September, which is probably the earliest anything could be done. He was in favor of waiting until next spring.

Stuart Walsworth proposed the following action items:

1. Review the financial status between now and the end of the year.
2. Stuart and Garth Stroble will meet with Neils Lunceford to firm up the bid.
3. Look at alternative landscaping options.
4. Discuss the project at the year-end Board Meeting.
5. Schedule another meeting at the beginning of next year if necessary to approve the landscaping project.
6. Review the Operating budget and Reserve Study to clear up the funding confusion.
7. Gary Nicholds was asked to provide an explanation of how he put together the Reserve Study for the next meeting.
8. Revise the spreadsheet to include the \$3,200 annual Reserve contribution.
9. Add the snowmelt system to the Reserve Study.

B. Fall Clean Up

Paige Beville said she reviewed the original 2013 landscape maintenance proposal from Neils Lunceford and found that there was nothing included for fall cleanup. She requested a bid for a full fall clean up, including a one-time raking of the aspen leaves. Neils Lunceford provided an estimate of \$900. A Board member commented that he would prefer to see the money used for a more thorough spring clean up. The on site Board members will monitor the situation this fall and advise the Board as to whether a fall clean up is necessary.

C. Recycling

1. Timberline – \$25/tote/month for one pickup weekly of three 96 gallon totes. Garbage removal would be \$350/month for twice weekly service and \$80 for each additional pick up.
2. Waste Management - \$117/month for one pickup weekly of four 96 gallon totes. Garbage removal would be \$330/month for twice weekly service and \$100 for each additional pick up, but they would also charge a \$41/month service fee.

Both options would be single-stream recycling. A suggestion was made to establish recycling on a trial basis. Gary Nicholds added that the contract with Timberline could be terminated if the Board determines the recycling is not working well. He would have to check on the termination options with Waste Management.

Garth Stroble made a motion to institute a trial for recycling for one year with two 96-gallon totes. Mark Miller seconded and the motion carried. Gary Nicholds will confirm the costs.

D. Rental Properties

Paige Beville said simply monitoring the activities of renters at Stonehaven rental properties was not working. There have been numerous complaints by homeowners of violations. A list of commonly violated rules has been sent out numerous times to homeowners with a request that the rules be shared with guests and renters. Still violations are common and homeowners are frustrated. She felt the Board should take a stronger stand and meet with the rental property owners to discuss the expectations and to start utilizing the HOA rule violation enforcement policy. She also said that tThe Board can request a copy of the rental license, ~~and~~ review the rental agreements and require that rental agreements include our list of rules and regulations.

Gary Nicholds said he had spoken to the owner of one of the properties where there were problems in the past. They were very sympathetic and concerned. He believes they will be looking into the situation and trying to institute better controls for the future.

Paige recommended revision of the enforcement policy. She reminded the Board that instituting a fair enforcement policy is not easy since it has to be clearly stated how the policy will be utilized, e.g. will fines be assessed for each separate violation; a pattern of violations, a number of violations within a certain period of time, etc. In the past ten years only one owner has been fined.

The main issues are not cleaning up after pets, unleashed pets, overnight parking, trash left around the dumpster, noise and kids playing in the cul de sacs and on the golf course. Garth Stroble suggested copying the Town on all violation notices because if there are more than three violations reported the owner could lose their town rental license. Paige suggested that the Board consider including the idea that three violations in a year would warrant a fine.

Gary Nicholds was asked to determine if the Town would revoke a rental license based on a set number of complaints submitted by an HOA. He was also asked to review the violation programs from other Associations to help Stonehaven rewrite their Violation Enforcement Policy.

VI. OTHER BUSINESS

A. Stonehaven Property Walk-Around

Paige Beville suggested that Board Members walk the property to identify any needed repairs to the roads and dumpster building. This could be in conjunction with a meeting with Jersey Puc, owner of PGMC, who does the snowplowing for Stonehaven.

BA. 2013/2014 Snow Plowing

Paige Beville, Garth Stroble and Gary Nicholds will meet with Jersey Puck ~~to~~ discuss the impact of the new landscaping around the entrance on the snow removal and storage. They would like to try to schedule the meeting for Friday, September 13 or 20 at 5:00 p.m. Gary Nicholds will check with the contractor about his availability.

Paige Beville made a motion to renew the snowplowing contract with Jersey Puck for 2013/2014 season. Garth Stroble seconded and the motion carried.

B.C. 2014 Budget

The owners must ratify the budget at least 30 days prior to implementation. The Board will plan to approve a budget by November 1st so it can be sent to the owners by December 1st. Paige Beville will work on the budget with Giovanna Voge.

VII. SET NEXT MEETING DATE

The next Board Meeting was set for Monday, October 21, 2013 at 6:00 p.m.

VIII. ADJOURNMENT

Mark Miller made a motion to adjourn at 10:00 p.m. Garth Stroble seconded and the motion and carried.

Approved By: _____ Date: _____
Board Member Signature