

## **Sunset West Homeowner's Association Meeting Minutes**

Date: July 26, 2012

Meeting Time: 7:00 pm – 8:45 pm

Attendance: Executive Board members Curt Behm, Nick Young, Hillery Venturini, Carol Baxter,  
Anita Gauthier  
ARC Committee members Vicki Tooley, Lyn Young, Eloy Gonzales  
Resident Denise Powell

### **1. Carol Baxter noted a cut tree found in North drainage area on east end**

- a. Unclear where the tree came from, however cut has clearly been cut
- b. Nick volunteered to remove and cut up tree

### **2. Discussion of Sunset West HOA Policies additions (Per State Bill 100)**

- a. Covenant (fine) enforcement was the most important issue to address per HOA meeting held on July 11, 2012.
- b. Prior to HOA meeting Curt emailed board members examples of covenant enforcement policies from the following communities
  - i. Wildcat Reserve (Highlands Ranch)
  - ii. Settler's Village (Highlands Ranch)
  - iii. Grant Ranch (Littleton)
  - iv. Ridgepoint (Lakewood)
    - 1. All examples appear to have similar structure and details
      - a. Grant Ranch provides the easiest format to read and meets the particular needs of Sunset West regarding an appropriate fine schedule.
- c. The fine schedule structure for Sunset West should be developed in similar fashion to the examples presented, particularly Grant Ranch
  - i. 1) Written notification present to homeowner based on identified issue
    - 1. Complaint can either come from HOA board and/or ARC committee member or neighborhood resident.
      - a. If the complaint is received by a resident, complaint must be in writing
    - 2. Information presented in official letter (for documentation purposes) and may be delivered either by mail or visit to alleged violator's residence.
    - 3. Resident can provide HOA board with progress updates if work is being completed
  - 2) 14 days after first written notification, if satisfactory action has not been taken to address the violation, resident will receive a fine notification (fine notice)
    - 1. Residents have the right to be heard
      - a. Reply must be received within 14 days to request hearing
      - b. Hearing can be schedule with the board to discuss the issue at hand and attempt to find an appropriate resolution

- c. Leniencies can be provided if work is in progress and will be addressed on a case-by-case basis and reasonability.
  - 3) 30 days after first written notification and 14 days after fine notification, fine may be issued
    - a. Fine amount should be suitable to provide incentive to address property issue(s)
  - 4) After so many notices, lien can be placed on home and a secondary party can be hired by HOA board to do the work.
- ii. Board discussed if the transition from current practices to a more strict and structured fine schedule would be viewed as too harsh by residents
  - 1. Covenant rules were made because some boards are/were run poorly
  - 2. Some HOA boards refuse to share records and be transparent to residents
    - a. This is not the intention of the Sunset West HOA board.
  - 3. Information can be relayed to residents via email/phone (if provided) or by mail.
    - a. Notifications are currently being sent, however fines cannot be imposed without a fine schedule
      - i. Fine schedule is being added to comply with state law
      - ii. Draft copy of policy and introduction letter will be sent to residents with comments request within 14 days
        - 1. Follow up board meeting will be scheduled to review resident comments/concerns
        - 2. Edits will be applied and final version will be sent to residents and presented during an intermediate board meeting in Oct. 2012 (date TDB)
- iii. Potential legislation in 2013 to fine HOAs that don't have policies in place
- iv. Nick motioned to have new policy adopted
  - 1. Anita – second the motion
- v. Draft policies will go out to residents on around August 1.

### **3. Providing More Frequent Information to Residents**

- a. Monthly newsletter
  - i. Monthly newsletters have been put together in past years
  - ii. Includes frequent updates to residents to ensure accurate information is being conveyed
- iii. Potential for generating additional revenue for development for use in improvements and/or other needs (proposed by Anita)
  - 1. Advertisers would pay to have ads in newsletter
  - 2. Would Sunset West have to file as a 501C3 (charitable contribution organization)?
    - a. Sunset West is currently a semi-government organization
    - b. Anita will follow up regarding rules

#### **4. Current ARC Committee Issues**

- a. Boats and RV issues have been taken care of. Remaining issues pertain to lawns and exterior home maintenance.
- b. 9121 W. Lake Dr.
  - i. Tammy Bunn (Planning and Zoning Dept. contact)
  - ii. 4 citations have been issued by Jefferson County Planning and Zoning department
    - a. Running a business from the home, trailer in the street (exceeding county limit of 14 days/year)
    - b. Pictures were collected by both the county representative and the ARC committee
    - c. Commercial plates must be on all vehicles.
    - d. Resident must go to court for resolution
- c. Curt would like the ARC committee to move in 1 direction in order to provide even more consistency
  - i. Provide more checks and balances in approval process
  - ii. Ridgepoint development ARC approval form requires 3 ARC committee members signatures and 2 HOA board member signatures
    - 1. Vicki suggested 2 ARC committee members and 1 HOA board member signature for Sunset West
  - iii. Paint and Roofing Material guidance
    - 1. Paint
      - a. KWAL has some exterior home colors from original construction of Sunset West on file and reference books with paint samples
      - b. Lyn has exterior paint brochure from Home Depot which provides base, trim and accept combinations
      - c. Suggested that ARC committee collect exterior paint brochures from local companies and compile into one set of colors
        - i. Present to board members for final approval
        - ii. Final colors will be put online for residents for reference or in books kept by each ARC committee member
      - d. ARC committee would provide residents painting their home to observe home colors in more expensive development to obtain ideas and/or inspiration
  - iv. Roofing
    - 1. Provide spectrum of colors that homeowners have to stay within for new roofing
      - a. Typically there are 4 primarily roof manufactures
      - b. Original roof color for development was drift wood, however in 10-12 years this color may have changed

2. Homes currently have composite material for roofing. Carol asked about the use of metal composite material that is only identifiable in samples up close.
  - a. Metal material can be hail resistant.
- v. Additions to existing ARC forms
  1. Curt will add signatures lines for 2 ARC committee members and 1 HOA board member and also for final signoff approval
  2. Curt will add disclaimer regarding obtaining permits as needed for any construction (i.e. sheds)
  3. Curt will add the “call before you dig” phone number
    - a. Free service to have critical lines marked on your property (i.e. water, electricity, cable, etc.)
- vi. All ARC approved forms will go to one location for record keeping to keep consistency even with multiple ARC Committee members (similar to the binder created by Cindy Gordon when she was the committee chairperson)

#### **5. Update on North Drainage Area Issue**

- a. Hillery has not been able to receive response from two contacts at Jefferson County Planning and Zoning Department provided by Urban Drainage.
  - i. Hillery will contact Tammy Bunn regarding ongoing issue in order to obtain possible remediation information
    1. Planning and Zoning needs to submit plans for area to Urban Drainage
      - a. Once plans are received Urban Drainage can add area to maintenance program.
  - ii. Once cat tails exist in the area, the area becomes ‘wetlands’ and is under the direction of the Army Corps of Engineers (CORPS) (*Per Nick Young*)

#### **6. Other Community Observations**

- a. Plastic lining beneath the rock in front of the Sunset West development signs at the entrance to the neighborhood is showing – looks bad.
- b. Paint on bridge crossing handrails is chipped
  - i. Bridge is owned and maintained by Jefferson County
  - ii. Painting should not be done by Sunset West in order to avoid liability issues
- c. Pothole at residential entrance has been repaired, however other potholes remain.
  - i. Nick will follow up with road work department to have work scheduled.

**\*\* Next meeting will be held approximately 3 weeks from this meeting, August 20<sup>th</sup> at 7:00 pm \*\***

#### **New Action Item:**

- 1) Nick volunteered to remove and cut up tree
- 2) Curt will draft policies and introduction letter.
  - a. Hillery will send out material to residents on **August 1**.
- 3) Anita will follow up regarding rules

- 4) ARC committee (Nick, Lyn, Vicki and Eloy) will collect exterior paint brochures from local company and compile into one set of colors. Result will be present at August 20<sup>th</sup> meeting.
- 5) Curt will make modifications to existing ARC approval form and additional sign off sheet for completed work.
- 6) Hillery will contact Tammy Burn regarding ongoing issue of North drainage area in order to obtain remediation information
- 7) Nick will follow up with road work department to have work scheduled on potholes.

**Incomplete Action Items from Last Meeting (7/11/2012):**

- 1) Nick, Lyn and Carol will follow up on opening a P.O. Box (~\$40/year)
  - a. Mail will be forwarded to Carol based on criticality of mail (i.e. bills)

**Meeting was adjourned at 8:45 pm**