

Sunset West HOA Meeting Minutes

Date: April 26, 2016

Meeting Time: 7pm

Meeting Location: Lilley Gulch Recreation Center

Attendance:

Executive Board Members: Nick Young, Sue Kafer

ARC Committee Members: Brian Ahrens, Alan Baxter, Twana Dryer

Attending Residents: Paul Schultz, Drew Parker & Elizabeth Niere, Sharlyna Moy, Mile Holyer, Stan & Doreen Zapor, Chris Betts, Eloy & Gloria Gonzales, Vicki Tooley, Hazel Birtle, Tim & Kathy Chamberlin, Ardie Taghavi, Jake & Marie Steigerwald, Jon & Karen Lest, Beth Strong, Taryn & Dave Idarola, Anthony Masucu, Chris Nelson, Carol Baxter

Introduction and Communication

Nick Young and Sue Kaffer convened the meeting. There was not an agenda as a result of the President's unplanned absence. Discussion ensued about the difficulties of meeting without having the agenda and budget to preview beforehand. It was decided that for future meetings, an agenda and any supporting documents need to be hand delivered or mailed in advance. During the meeting, everyone agreed to hand delivered communication or email in an effort to avoid unnecessary postage costs. Everyone agreed the website needs to be revamped/updated and going forward have email notifications to any updates to the website. If there is an option to subscribe to the website that would eliminate the need for email updates.

Property and Land Discussion

There was a discussion around the 71 properties versus the 69 paying homeowners. There is a man in Grand Junction who owns a piece of land that is platted to Sunset West who has not paid taxes for three years and refuses to do so. The law dictates that the property is not considered abandoned until 7 years so that's four more years of unkempt property. Urban Drainage has been notified of the overgrown property but they will not come out. There is the option to hire subcontractor who will clear land but we will be billed. Are there any volunteers to assist in clearing out the land? Nick and Brian will be going around the community counting homes and determining how many are actually here. The question of why would someone who won't pay taxes would pay HOA dues came up. The HOA used to pay \$500 a year to mow and as of last year, this is no longer the case. The question remained as to where the \$500 was now being applied in the budget which is presumed to be in other operating expenses.

In addition, the Church parking is still a problem and it appears to be building a foundation for either a building or parking. A member of the community was ticketed \$25 for their work truck being more than 5 feet from their driveway since it was not registered to them. It is possible for the neighborhood to call the police to ticket cars in the neighborhood that are not registered to vehicles in the neighborhood but everyone please be aware of the five foot rule.

The first section of mailboxes has issues with flooding. Unfortunately, the Urban Drainage will not come out unless it has sunk more than 4 inches which it has not at this time. Maybe it would be helpful to look at drainage?

In regards to utility trailers, those are not to be parked on the street for more than 24 hours as that is a Sheriff problem and if on your driveway it is a zoning problem. For all other trailers, you are not allowed to have them on your property for 72 hours (3 days) for no more than 28 days through the calendar year unless they are hidden behind a fence. If you have questions please call Jefferson County Planning & Zoning at 303-271-9725. To report a violation to the Sheriff's Office call 303-277-8725.

Can we get a taller fence that has the ability to open and close for the appropriate personnel instead of the bars to separate Kipling Villas from Sunset West?

Annual Dumpster

For future reference, any change in the annual dumpster needs to be communicated further in advance as some people are preparing for this throughout the year. It was voted and agreed at a majority (10 to 3) that a dumpster would be here this year for one day since Kipling Villas tend to bring their trash in between the hours of 8pm and 8am. Jon Lest offered to look for a cheaper alternative as currently there is a \$300 fee associated with Waste Connections annual dumpster as an option in the contract. \$500 will be budgeted for the dumpster with any unused funds reallocated to updating the front signage. The use of two signs was questioned by the homeowners but remains undecided as the dumpster actual costs will need to be determined first. Nick asked anyone with suggestions for the signs to submit to him in writing. The neighborhood is now using Governor's Ranch as a comparable so it would seem appropriate to keep at least one sign if not both and supports the beautification recommendation by the HOA.

Trash Collection

Sue mentioned that she's reached out to two other trash companies and that Waste Connections is still the most reasonable in price, \$17/mo per house. The move from Tuesday to Friday is not ideal for our community and we are hoping to change this back to Tuesday. The reason for the change is a result of additional Kipling Villa homes added to Waste Connections route. An update will be provided as further information is gathered. Again, this needs to be communicated via handheld letters rather than on the mailboxes or in addition to the mailbox.

House 100 Bill

The House 100 bill was the second item on the verbal agenda (in addition to the annual dumpster) and it is clear that more information needs to be gathered from the attorney. Nick will be circling up to better understand the language around reserves as this community has not been in compliance since 2006. The point of the reserves would be to comply with the state law that is aimed at protecting homeowners.

According to the Colorado Home Owners Association Law website states “the Colorado Common Interest Ownership Act (“CCIOA”) requires HOAs to adopt and comply with nine Responsible Governance Policies – commonly referred to SB 100 Policies. One of the nine policies addresses the issue of reserve studies:

- 1) When the association has a reserve study prepared for the portions of the community maintained, repaired, replaced, and improved by the association
- 2) Whether there is a funding plan for any work recommended by the reserve study
- 3) If there is a funding plan, the projected sources of funding for the work; and
- 4) Whether the reserve study is based on a physical analysis and financial analysis

This provision of CCIOA, also provides that “For purposes of this subparagraph (IX), an internally conducted reserve study shall be sufficient”¹

Therefore, once more clarification is provided to understanding what elements should be included in the reserve fund a vote can be held.

A question was raised about the reserves in terms of whether trash fees could be separated. We do not want these funds to be taxable but this question will be asked of the attorney or accountant and based on the information above it is believed that information would fall under “portions of the community maintained” as trash is a maintenance fee.

There was a majority vote to increase HOA \$40/annually for four years to build up reserves including the trash fees. Another meeting can be called to vote otherwise and reimbursement possible of this increase in the following year upon further clarification.

Key Take Aways

- Talk to your neighbor if you think they are not in compliance as a first option and then call the appropriate city/state/county department to handle (Sheriff, Zoning, etc).
- Annual dumpster vote was approved by majority and hand delivered notices will be given after a review of other companies is completed and communicated; the budget is set at \$500 with remaining funds to be used for signage.
- Budget was approved by majority for the increase of \$40/annually with a caveat of obtaining further information related to the state law on reserves.
- Improve website and more timely communication as well as hand delivered notices.

¹ <http://www.cohoalaw.com/ccioa-101-for-hoa-boards-ccioa-101-for-hoa-boards-reserve-study-policy.html>