

## Stagecoach Meadows HOA Annual Meeting Minutes

October 4, 2014

### 1:15 PM Meeting called to order by John Hart, President

18 Owners were present, representing 20 lots, plus 3 proxy votes, so we met the quorum requirement.

1:20 PM Accept HOA minutes from the regular 2013 annual meeting – passed with two no votes

1:20 PM Accept HOA minutes from the special 2013 meeting (historic preservation) – passed unanimously

It was agreed the next annual meeting will be scheduled for the first Saturday in October, 2015. That date is October 3, 2015.

### 1:25 PM – Proposed 2015 capital and operating budgets.

John Hart reviewed the proposed budgets.

The operating budget shows a common assessment of \$175 per lot, same as last year.

The capital budget shows a \$350 per lot assessment, same as last year.

The remaining excess funds (\$9830.62) were allocated to the barn restoration project. This left \$17,996.95 as the remaining balance due for the barn. This results in a 2015 special assessment of \$305 per lot.

Capital budget was approved with 3 votes against.

Operating budget was approved with 3 votes against.

### 1:50 PM Pond Barn & plans for the restoration of the Stage Stop Buildings

Allan Schurr reviewed the plans. The key elements are:

The pond barn work is complete. Any remaining work done on the two Stage Stop buildings will be done with private donations and public grant money.

At the special HOA meeting last year it was approved by the Stagecoach HOA to deed the property containing the Stage Stop buildings over to a yet to be formed 501(c)(3) non-profit. This organization will raise private funding and procure public funding to pay for the restoration of the two buildings. The first step is to raise \$5000 of public donations that can then be matched by \$5000 of grant money to pay for a \$10,000 historic structural assessment. Currently \$2500 has been raised towards the \$5000 goal.

Detailed information can be found at [www.savethe4bar4.org](http://www.savethe4bar4.org).

Donations are tax deductible and can be sent to:

Save the 4 Bar 4  
c/o Historic Fraser  
PO Box 205  
Fraser, CO 80442

The restoration of the Stage Stop buildings will be exterior work only. The restored buildings will be closed and entry will not be possible. There may be some signage on county road 5 near the buildings, but no large parking area is envisioned. Possibly room for one or two cars max.

### 2:15 PM New HOA Policies

Kent Wehmeyer reviewed the Colorado Common Interest Ownership Act (CCIOA) requirement that HOA's have in place 9 responsible governance policies. A new policy for Alternative Dispute Resolution was presented and discussed. There was an informal unanimous vote approving the policy as written. The plan is to post these policies as they are developed on the HOA web site.

### 2:35 PM Covenant Revisions

Chris Koerner reviewed his plans for updates to the covenants. Chris asked for input on the following:

- Make SCM HOA the declarant
- Consult with an attorney as to need to follow all CCIOA requirements if we are a small enough HOA
- Fix the number of lots so that lot combinations do not result in loss of revenue to the HOA
- Elect the DRC members rather than having the board appoint them
- Remove dated stuff like references to documents that no longer exist.
- How to handle unenforced rules like the requirement to plow snow from driveways. Plan to evaluate on a case by case basis.
- Changing the allowed height of enclosures
- Allowing renewable energy equipment with some restrictions
- Short term rentals
- Business use of properties
- Restrict use of HAO email list

There was considerable discussion of how to clarify the issue of how to handle lots that are combined. The primary issue is that when lots are combined (as occurred with lot 39 this year) the HOA has one less lot to collect dues from. This results in the remaining lots paying more since the costs to operate the HOA are not reduced. Chris suggested that since all the lots were purchased from the developer when there were 59 lots, then the number that all costs are divided by should remain 59. These 59 units could be referred to as "billable units" rather than lots, since the number of lots can change with each subsequent lot combination. Then in the case of the loss of lot 39, the two lots that absorbed lot 39 would also absorb the "billable unit" that was associated with lot 39. This would result in lots 38 and 40 paying 1.5 times the typical lot in dues and special assessments. This would also result in keeping the proportionate cost to the other lot owners unchanged.

Rough schedule for getting this work done:

Get input from members between now and end of Nov. 2014.

Contact an attorney and create a draft document by March 2015.

Present members with before and after covenants in April via email.

Get the required 67% approval at next year's annual meeting in Oct. 2015.

### 3:15 PM Lot 39 Update

John Hart gave a brief update on the status of the issue. Lot 39 is no longer shown on the recorded plat. Half of the lot was incorporated into lot 38 (Crapo) and half into lot 40 (Schoen). Neither Schoen nor Crapo have paid any of the now missing lot 39 dues for 2014.

Kent Wehmeyer stated that the board has been advised by our attorney that:

- The Crapos and Schoes violated state law regarding the allocation of interests within a common interest community such as ours.
- This violation of state law is independent of anything our covenants say or do not say about combination of lots and the resultant change of allocated interest.

After several attempts to negotiate a settlement the board decided to not spend any more money on attorney's fees because it did not seem to be getting the HOA any closer to resolving the loss of funds resulting from the loss of lot 39.

James Crapo explained that his current position is he has no plans to pay for any portion of the now missing lot 39 dues now or in the future. He further explained that he was willing to spend his money in a court of law to defend his position.

The Schoens expressed their intent to not pay until the covenants have been updated and approved. It was not clearly stated what their plans are after the covenants have been approved.

This topic received considerable heated debate.

### Approximately 4:30 PM Election of HOA board

All the members of the current board resigned their jobs. Bruce Byrd resigned from the DRC. Bruce also asked for someone to take his place as the keeper of the HOA web site. There was a great reluctance for anyone to volunteer for any board position. Finally Chris Koerner stepped forward and volunteered to be the president. He has held this position for several years in the past. Ron Wawrzynek and Lester Butt also agreed to be on the board. The 3 board members were unanimously approved.

Approximately 5:00 PM meeting was adjourned.

Kent Wehmeyer substitute secretary