

MINUTES

ASPEN VILLAGE HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS' MEETING

August 17, 2021

6:30 p.m.

31 Aspen Village Clubhouse

Join via Zoom Meeting:

<https://us02web.zoom.us/j/81975850477?pwd=b2hyOGc2Ry9nejZra01GRzRYRUtNdz09>

Meeting ID: 833 2003 3190

Passcode: 293022

Board Members:

Suzanne Roth | Ellen Anderson | James Anderson | Matt Zubrod | Dave Ritter

Directors Present:	Suzanne Roth Ellen Anderson James Anderson Matt Zubrod	Board President Board Treasurer Board Secretary Board Director
Directors Absent:	Dave Ritter	Board Director
Property Manager Present:	Megan Rodman	ARA, Property Manager
Owners Present:	Denise Walters Zubrod Kate Spencer Steve Wright Nelly Caballero Jeff Hembury	Lot 046 Lot 110 Lot 102 Lot 060 Lot 078

1. CALL TO ORDER

Director Suzanne Roth called the meeting to order at 6:45 p.m.

2. APPROVAL OF JULY 20, 2021 AGENDA

The Board Directors considered approving the agenda for this meeting, August 17, 2021.

Directors Ellen Anderson and Suzanne Roth wanted to add under New Business the following discussion items:

- hosting future Board meetings on the third Tuesday of the month
- removal of dead trees in Aspen Village
- parking in Aspen Village

Director Ellen Anderson moved to approve the amended August 17, 2021 Agenda, Director Suzanne Roth seconded. Motion Passed.

3. HOMEOWNER COMMENTS

The Board opened up discussion for items not on the Agenda, brought forth by present homeowners. Homeowners had three (3) minutes maximum per item.

- Kate Spencer, Lot #110 – reported that she started a new Facebook page for Homeowners to use – called *Aspen Village Metro District*

4. BOARD COMMENTS

The Board opened up discussion for items not on the agenda.

- Director Ellen Anderson reported that the feeding of wildlife in Aspen Village has stopped.

5. HEARINGS

The following Lots have been called to a Hearing, regarding continued and/or unresolved violations:

- Lot #19 – Parking on Lawn
 - Letter from Legal Counsel sent, the Board would like to know the process for collecting proposed fines, and administration fees.
 - Director Ellen Anderson moved to ask that ARA speak with Legal Counsel regarding the process for the collection of fines for violations in the amount of \$2,173.50, and that any future fines will be an automatic \$500.00, Director Suzanne Roth seconded. Motion Failed.
 - The Board agreed to discuss this topic at the next Board meeting in September, when all Directors will be present.
- Lot #54 – Unmaintained Carport
 - Owner has been taking steps to resolve the violation, the Board agreed that at this time, the violation has been resolved.
- Lot #76 – Unmaintained Carport & Inoperable Vehicle
 - No resolution has been made, no response from owner following the 2nd Violation Letter and Notice of Hearing.
 - The Board discussed options for assisting the owner with removal of the inoperable vehicle and clean-up of the unmaintained carport. No action was taken at this time.
- Lot #77 – Parking on Lawn
 - Robert Baillargeon, owner of Lot #002, was present on behalf of Mr. Fitzharris, owner of Lot #077, and provided the Board with a Minor Improvement Application in which Mr. Fitzharris plans to pave his driveway as a resolution to his violation.

- The Board approved the Minor Improvement Application, following ACC approval, for Lot #077 to pave his driveway, pending 30-day notification to all adjacent neighbors. Motion Passed.
- Lot #83 – Unmaintained Carport
 - The Board agreed that at this time, the violation has been resolved.
- Lot #104 – Living in Garage
 - Chad Abraham/Brian Pawl of Pitkin County, have been notified of owner continuing to live in garage, despite prior warnings. Robert Nininger, Pitkin County’s Inspector/Plans Examiner, responded that he has spoken to the owner, and the owner informed him he is renting a nearby home and is not living in his garage and that the project should be completed end of October.
 - Owner still owes a home deposit in the amount of \$2,500.00. ARA will follow up.
- Lot #111 – Unmaintained Carport
 - The Board agreed that at this time, the violation has been resolved.

6. APPROVAL OF JULY 20, 2021 MEETING MINUTES

The Board Directors reviewed the July 20, 2021 draft meeting minutes.

Director Suzanne Roth moved to approve the July 20, 2021 draft meeting minutes as presented, seconded by Director Ellen Anderson. Motion Passed.

7. PROPERTY MANAGERS REPORT

The Board reviewed the Aspen Village HOA Financial Reports, presented by Aspen Resort Accommodations.

Director Suzanne Roth asked ARA to report at the next meeting, the status of the HOA’s CDs.

8. OLD BUSINESS

- **Homeowner Comments** – from July 20, 2021 Board meeting
 - Lot #107 – Process for allowing more than 3 cars to park on Lots with the space for it
 - Legal Counsel Response:

Q: Instead of amending the entire CC&R’s can the Board elect to amend just one section of the CC&R’s to allow for four cars to park on a property that has the space for it, versus sticking to the limit of 3 cars, which is what the rule currently is?

A: Yes. Article VI, Section 8 of the Declaration currently provides that no Owner shall keep or park more than 3 vehicles on their Lot. We would need to amend this provision of the Declaration. In order for this amendment to be effective, at least 51% of all owners would have to consent to the amendment.
- **Board Comments** – from July 20, 2021 Board meeting
 - Lot #37 Removal of dead trees –
 - Legal Counsel Response:

Q: Can the Board make an enforceable rule to require homeowners to remove dead trees on their lot?

A: Yes. Under Colorado law, the Board has broad rulemaking authority. Since Article VI, Section 16 of the Declaration addresses the landscaping on Lots and provides in part that “All Spaces shall be attractively landscaped, maintained and mowed at all times,” the Board can adopt a rule interpreting this provision of the Declaration which would require owners to remove dead trees from their Lots.

- Dogs relieving themselves on other homeowners’ property
 - Reminder sent to owners
- **ACC Follow-up from August 17, 2021 meeting:**
 - Lot #104 – update on house installation and deposit
 - Lot #60 – construction of stairs, ARA has received copy of building permit, Owner was present at the meeting (via Zoom) and expressed excitement on progress being made to start this project.
 - Lot #001 – Minor Improvement Application, ACC gave their approval, following the 30-Day Waiver Notification received by adjacent owner, Lot #002.
- **Other Business:**
 - APCHA 9 Lots Update; Aspen Village HOA v. Metro District/Romero Group
 - ARA will contact APCHA in regards to the process of selling the Lots
 - Change HOA First Bank Account to Timberline bank account
 - Aspen Village First Bank account has been closed, and the remaining balance was transferred to pre-existing Aspen Village account with Timberline Bank.

9. NEW BUSINESS

The Board discussed the following topics:

- The Board kindly asks homeowners to first use all of their parking spaces and carport space on their Lots, before using overflow parking spaces.
- Lot #88 – discussion of Minor Improvement Application Notice from 2019. No action was taken at this time.
- The Board discussed changing future board meeting dates to the third Tuesday of every month. Following discussion, the Board agreed that it will keep board meetings on the second Tuesday of every month.
- The Board discussed possibly collecting bids from tree removal companies to do one large project of removing all dead trees from Aspen Village. No action was taken at this time.

10. ADJOURNMENT

Director Suzanne Roth moved to adjourn the Board Meeting at 8:22 p.m., Director Ellen Anderson seconded. Motion Passed.

The next Aspen Village Board Meeting will be on **Tuesday, September 14, 2021.**