

# MINUTES

## ASPEN VILLAGE HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS MEETING

October 8, 2024  
6:30 pm

### Join Zoom Meeting

<https://zoom.us/j/95109953495?pwd=0ldwaqvixs7md38AX9Vk0A3AbjofuH.1>

Meeting ID: 951 0995 3495

Passcode: 970882

Dial by your location: +1 719 359 4580 US

### Board Members:

James Anderson | Dan Fellin | Michael Masciocchi | Tyler Schube | Kate Spencer

<b>Directors Present:</b>	Kate Spencer	President
	James Anderson	Vice President
	Michael Masciocchi	Treasurer
	Dan Fellin	Secretary
	Tyler Schube	Director
<b>Directors Absent:</b>	None.	
<b>Property Manager Present:</b>	Megan Rodman	Property Manager
<b>Owners Present:</b>	Lot 28	Suzanne Roth
	Lot 126	Mike Hahn
	Lot 139	Laura Post
	Lot 82	Scott

### 1. CALL TO ORDER

Director Kate Spencer called the Board Meeting to order at 6:45 PM MST.

### 2. APPROVAL OF SEPTEMBER 17, 2024 BOARD MEETING MINUTES

The Board of Directors reviewed the draft September 17, 2024 Board Meeting Minutes.

Director Dan Fellin moved and Director Kate Spencer seconded to approve the draft September 17, 2024 Board Meeting Minutes as presented. No homeowner comments. Motion Passed.

### **3. HOMEOWNER COMMENTS**

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

- Lot 28 – Owner Suzanne Roth reported that Lot 15 has livestock (rooster and chickens), which is a violation of the HOA Declaration. She requested that a Notice of Violation be sent. She also noted that Lot 22 has been parking cars on the grass, which is also prohibited by the Declaration, and requested a Notice of Violation for that as well.
- Lot 139 – Owner Laura Post inquired about the process for sending Notices of Violation and enforcing rules related to leash laws and barking dogs. Management explained the procedure for enforcing these rules.
- Lot 126 – Mike Hahn asked for clarification on the status of Lot 143, which appears abandoned. Management confirmed that no recent applications have been received for Lot 143, only for Lots 140 and 149. Mike will verify the lot in question and report back to Management.

### **4. BOARD COMMENTS**

The following Board Comments were made:

- Director Kate Spencer notified the rest of the Board that Hank Hayes is no longer working with Romero Group and all communications for Romero Group regarding Aspen Village HOA should be directed to Val Loughman.

### **5. HOA FINANCIAL REPORTS, 2025 BUDGET & CHARGING ASSESSMENTS IN 2025**

The Board of Directors reviewed a final draft of a letter to be sent to owners informing them of the planned assessment for 2025. This letter has been reviewed and approved by legal counsel.

Director Dan Fellin moved and Director Michael Masciocchi seconded to approve of the Letter to Owners notifying them of the planned 2025 assessment being sent out via email by October 9, 2024 and then via hard copy by the end of next week. No homeowner comments. Motion Passed.

Management will also ask Val Loughman with Romero Group if a copy of the letter can be posted on the cork board in the mail room.

The Board of Directors reviewed the financial reports for September – Balance Sheet, Profit & Loss, Budget vs. Actuals YTD.

Following October 15, 2024 Director Michael Masciocchi will meet with Management to go through final adjustments of the Edward Jones account and creating credit memos to write off Accounts Payable for 2021.

With the adjustments Management has made, Director Michael Masciocchi moved and Director Dan Fellin seconded to approve the September financials. No homeowner comments. Motion Passed.

## **6. ACC COMMITTEE UPDATE**

Director Tyler Schube provided the Board with an update from the ACC Committee meeting.

- There were a lot of applications that were reviewed. Two new home builds for Lot 140 and Lot 82 were given conditional approval once final modifications were made to the plans and 30-day waivers are received. Other Minor Improvement applications were received and approved as well.

As of October 8, 2024 there is a vacancy on the Architectural Control Committee. Management will include in the email calling for Director Nominations that there is a vacancy and the Board is looking for new ACC member.

## **7. MEETING OF THE MEMBERS AND BOARD ELECTION**

The Board of Directors discussed preparing for the upcoming Board Election. Management provided the Board with a Call for Nominations notice to be sent to all Owners informing them that as of October 11, 2024 the Board is accepting bios from owners who are interested in joining the HOA Board of Directors for a three year term. There is one seat open in this year's election.

Director Kate Spencer also noted that she would like certain documents available at the Annual Meeting of the Members for Owners to review. She will discuss this further at the November 12, 2024 Board meeting.

## **8. AMENDING ASPEN VILLAGE'S CC&Rs**

The Board of Directors reviewed the second draft of the Amended CC&Rs provided by legal counsel, as well as the first drafts of the new Architectural Guidelines and Rules and Regulations for Aspen Village HOA.

Director Dan Fellin inquired whether the BOCC (Board of County Commissioners) needs to approve the revised Declaration and the Board's intention to modify the Architectural Guidelines. Management will confirm with legal, if this will be required.

Director Kate Spencer proposed holding a dedicated work session where the Board would focus solely on discussing the second draft of the Amended CC&Rs, Architectural Guidelines, and Rules and Regulations. During this session, the Board

plans to update the first draft of the Architectural Guidelines before submitting it to the Pitkin County Building Office for their feedback.

Director Michael Masciocchi expressed concern that too many rules remain embedded in the second draft of the Amended CC&Rs and suggested they be moved to the Rules and Regulations document.

The Board also requested clarification from legal regarding its authority to establish Rules and Regulations for the HOA, specifically asking for guidance on the scope of rules the Board can create and any limitations on rule-making.

The Board expressed a desire to remove additional rules from the CC&Rs and agreed that all comments on the documents should be submitted by October 21, 2024 via Google Doc. These comments will then be forwarded to legal for review, and the Board will discuss all documents in a meeting with legal and owners in November.

Rather than holding a work session, the Board agreed to provide their feedback via a shared Google document.

Mike Hahn, present owner, voiced a concern that foregoing a work session and relying on a Google document for feedback might compromise transparency.

The Board of Directors clarified that the intent is not to limit owner input but rather to ensure that more well-constructed documents are prepared. These drafts will then be presented for owner feedback at a meeting with legal counsel in November.

## **9. 9 LOTS DISCUSSION**

Director Tyler Schube informed the Board that he has been actively working to rebuild relationships with APCHA. Currently, APCHA's goal is to bring Aspen Village under the updated deed restrictions. Tyler proposed that he and another Board Director meet with APCHA representatives to discuss mutual goals, particularly regarding updates to the Declaration and the reclassification of the 9 Lots. He noted that these changes would not affect current owners but would apply as Lots are sold and new owners join the community.

Director James Anderson volunteered to join Tyler in these discussions with APCHA, and both agreed to coordinate a meeting. Director Michael Masciocchi expressed interest in participating as well.

Director Masciocchi, however, questioned the necessity of reclassifying the 9 Lots at this time. He suggested that the HOA might consider selling the development rights of the Lots as they are currently categorized to a developer, allowing the developer to handle their build-out.

Tyler also clarified that while APCHA does not have direct control over changes to the Declaration, as approval ultimately rests with the BOCC, it is important for APCHA to be aligned with the HOA's objectives before approaching the BOCC.

Additionally, it was noted that while the Metro District holds the title to the 9 Lots, the HOA retains the rights to develop them.

The Board requested legal input on the following:

- What would the process be for selling the development rights to the Lots?
- What are the tax implications for the HOA if the development rights are sold?

#### **10. HOA NEWSLETTER**

The Newsletter Management provided earlier in the meeting for the Board Director Call for Nominations will suffice. No other comments or additions at this time.

#### **11. WINTER BONFIRE**

The Board is planning to hold this event in January 2025. Director Kate Spencer will reach out to the Fire Department to see who would be available to put out the fire. In addition, the 2025 Budget has a line item for the Board to spend money on community events and the Board plans to have light drinks and snacks available.

#### **12. EXECUTIVE SESSION**

The Board of Directors will end the open session portion of the Board meeting and move into executive session to:

- Review of or discussion relating to any written or oral communication from legal counsel

Director Kate Spencer moved and Director Dan Fellin seconded to move into Executive Session at 8:32pm. No homeowner comments. Motion Passed.

Director Kate Spencer moved and Director Dan Fellin seconded to approve ending Executive Session at 8:51pm and move back into Open Session. Motion Passed.

#### **13. ADJOURNMENT**

Director Dan Fellin moved and Director Michael Masciocchi seconded to adjourn the Board meeting at 8:51pm. Motion Passed.

The next Aspen Village Board Meeting will be on November 12, 2024 in person at the Aspen Village Clubhouse.

#### **Annual Meeting of the Members**

- December 10<sup>th</sup>, 2024 – in-person meeting @ Aspen Village Clubhouse

## **FUTURE AGENDA MEETING TOPICS**

- Charging HOA Assessments
- Amending the CC&R's update
- Review of Architectural Guidelines and Rules and Regulations
- 2025 Board Election
- Winter Bonfire planning