

MINUTES

ASPEN VILLAGE HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS MEETING

August 13, 2024
6:30 pm

Aspen Village Clubhouse
31 Aspen Village Rd

Join Zoom Meeting

<https://zoom.us/j/96249807673?pwd=gItxazXWdzoB9Ch8aiY7ROWmGjBLqo.1>

Meeting ID: 962 4980 7673

Passcode: 245335

Dial by your location: +1 719 359 4580 US

Board Members:

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

Directors Present:	Kate Spencer Michael Masciocchi James Anderson Tyler Schube Dan Fellin	President Treasurer Vice President (via Zoom) Director Secretary
Directors Absent:	None	
Property Manager Present:	Megan Rodman	Property Manager
Romero Group:	Hank Hayes Val Loughman Jerome Simecek	
Owners Present:	Suzanne Roth Kim Baillargeon Roger Baillargeon Betsy Burns Sima JMuller Ellen Anderson Aileen Diaz Danny Pierce Valerie Carlin	Lot 28 Lot 02 Lot 02 Lot 74 Lot 129 Lot 45 Lot 08 Lot 108 Lot 124

Kristine Tracz	Lot 01
Beth Albert	Lot 145
Gail Bartik	Lot 26
Alex Brough	Lot 06

1. **CALL TO ORDER**

Director Kate Spencer called the Board Meeting to order at 7:32 PM MST.

2. **APPROVAL OF JULY 9, 2024 BOARD MEETING MINUTES**

The Board of Directors reviewed the draft July 9, 2024 Board Meeting Minutes.

Director Dan Fellin moved and Director Miachel Masciocchi seconded to approve the draft July 9, 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 45 – Ellen Anderson asked if the people selling mangos have been informed that they are not allow to sell mangos in the community. Management commented that if these people return, Management needs to be called so that the local police form can be informed and ask for these people to leave Aspen Village.

4. **BOARD COMMENTS**

Present Board Directors had no comments.

- Director Kate Spencer asked for Agenda item discussing Food Truck at the Gas Station be moved up in the Agenda and be discussed first.

5. **FOOD TRUCK AT GAS STATION**

The owners of the Woody Creek Gas Station are interested in operating a food truck. The Board of Directors discussed whether they would write a letter of support for the food truck at the gas station and listened to comments from the owners.

Jerome Simecek, from the Romero Group, informed the HOA Board that the Metro District had been contacted by Ryan and Wendelin, the owners of the gas station, who requested support from the Metro District to allow the food truck. The food truck will use its own water and sewer systems, which will not require Metro District approval. The Metro District is not being asked to amend its agreement with the gas station regarding this application.

Owner Ellen expressed several concerns: (1) increased traffic, (2) traffic backups onto Aspen Village Road, (3) the lack of an overall traffic plan, (4) the incompatibility of larger vehicles fueling up with pedestrian traffic, (5) odors emitted by the food truck, (6) the potential for more traffic, (7) skepticism that the food truck will not use Metro District water or sewer, and (8) the absence of air quality studies.

Owner Kim Baillargeon thanked the Board for their service but shared concerns that the limited space at the Woody Creek store would be insufficient, and that the food truck, if approved, could increase traffic.

Owner Beth Albert inquired if the HOA or Metro District could seek any recourse from Pitkin County to address the current traffic issues at the gas station. Jerome Simecek responded that a letter expressing Aspen Village's concerns about the gas station's traffic had been written in the past and could be written again.

Wendelin and Ryan, the gas station owners, were present at the meeting. They emphasized their reliance on the Latino community for help and workforce, and their commitment to offering lower gas prices to locals. They would like to extend the same benefit by offering affordable food to locals and workers through the food truck. Wendelin believes the food truck would primarily serve people already visiting the gas station and would not lead to increased traffic.

Director Kate Spencer summarized previous concerns raised by owners, particularly about the potential increase in traffic due to the food truck. Other concerns included the use of bathrooms, which are connected to Aspen Village's sewer system, as well as odors and water usage from the food truck.

Director Michael Masciocchi inquired about the food truck's location and hours of operation.

Ryan responded that the food truck would be situated on the left side of the gas station, closer to the restrooms, to allow for better parking. The proposed hours of operation are from 6:30 a.m. to 3:00 p.m. He reminded the attendees that a kitchen had operated at the gas station for over a decade but was closed because the owners were not restaurant operators. He believes the food truck will not increase traffic. Ryan and Wendelin plan to employ Sebastian Amparan to operate the food truck.

Director Kate Spencer asked if the owners could improve the upkeep of the traffic lines.

Ryan agreed they could do a better job of maintaining the traffic lines.

Owner Ellen Anderson requested a comprehensive report to address the current traffic concerns.

Director Kate Spencer also asked if the parking spaces and traffic direction lines could be marked more clearly.

Technically, the owners of the gas station do not need permission from the HOA or Metro District to proceed with seeking approval for the food truck.

Director Michael Masciocchi requested that Ryan and Wendelin provide the Board with a business plan that could be circulated among the Board and owners for review.

Jerome Simecek asked Ryan and Wendelin to explain the approval process for the food truck.

Ryan informed everyone that a permit application had been submitted to Pitkin County for approval. Aspen Village owners can submit their comments online to Pitkin County regarding the food truck. At this time, the permit is not expected to go before the Board of County Commissioners for approval. Ryan offered his personal phone number, 720-280-1103, for anyone to contact him with further questions.

The Board of Directors agreed to send out a survey to get further input from owners on their thoughts of the gas station having a Food Truck. The results will be discussed at the next Board meeting in October.

6. HOA FINANCIAL REPORTS

The Board of Directors were presented with the 2024 July Financial Reports – Balance Sheet, Budget v. Actuals, Profit & Loss and Check Detail report.

Director Michael Masciocchi reviewed the June and July financials and had some follow-up questions regarding interest earned on the Edward Jones account. Michael will follow up with Management on what questions he has and Management will work to correct the financials to have them ready for approval at the September HOA Board meeting.

The Board of Directors reviewed the first draft of the 2025 Budget, which was based on 2024 year-to-date actuals.

The following changes should be made to the 2025 budget:

- Since the HOA has no fixed assets, all funds collected from the \$400 assessment should be allocated to the operating fund.
- Add a line item for Trash Day at \$6,000
- Add a line item for Community Events at \$1,000.

Management will revise the budget accordingly and send it to the Board for further review.

The Board has also requested that a letter be sent to all homeowners, notifying them of the upcoming assessment. Homeowners should be given the option to pay the assessment in two ways either via ACH or by mailing a check. The assessment will be due in full by July 1, 2025.

Management is tasked with drafting the letter, which should explain the reasons for the assessment, what it will cover, how payments will be collected, and the available payment options. Additionally, management is to confirm with Timberline whether homeowners will be able to pay online via ACH and what the cost to the HOA will be for allowing this function.

7. **ACC COMMITTEE UPDATE**

Director Tyler Schube updated the Board on topics discussed during the ACC meeting.

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

The Board of Directors has been provided with the first draft of the Amended CC&Rs for review by legal counsel.

The Board will review over the next month and have questions/comments to Molly by August 31, 2024. Director Tyler Schube will put the doc into a google doc for everyone to view/comment on.

Next steps will include:

- July 31st – The Board will review the first draft of the amended CC&Rs by the 31st and send comments/questions to Legal.
- August 5th – Management will forward all comments/questions to Legal in preparation of the August 8th meeting.
- August 8th the Board will meet with Legal over Zoom to go over the first draft.
- September 10th – Legal will aim to have a revised second draft with redline edits back to the Board. If there are no further changes, later in September Legal will provide the Board with a clean second draft of the amended CC&Rs
- Later September –
 - Legal will provide the Board with a clean second draft of the amended CC&Rs – to send to owners
 - Legal will provide to the Board with new Rules & Regulations and ACC Guidelines documents for AVHOA – to send to owners
- October – schedule a Townhall via Zoom with Board Directors, Legal and invite all owners. Legal advised that owners be provided with the second draft for review 30 days before a Townhall is scheduled. So, when the Board receives the second draft of the amended CC&Rs and are comfortable with sending it to owners, the Board will schedule a Townhall 30 days out sometime in October.

Director Miachel Masciocchi asked if under the new HB-1137 legislature if the Association can still charge owners who are building new homes in Aspen Village a \$5,000.00 deposit. Management will consult with Legal and follow up.

Mike Han asked if there is a subcommittee for amending the CC&Rs or a chance for the ACC to review the document. The Board informed Mike not at this time, this project is being handled by the Board.

9. HOA MANAGEMENT COMPANY

The Board of Directors discussed timing on sending items to Management and what response expectations should be to both the Board and to owners.

Management typically responds to emails within 2-3 business days. While this is not exact timing this is what Management strives to provide. Owners are asked to contact Management via email at hoa@aspenvillage.info and by phone (970)924-0493.

10. HOA COMMUNICATION

The Board would like Management to communicate to owners that emails are responded to typically within 2-3 business days.

11. TRASH CANS

Director Dan Fellin informed Board that the Pitkin County Sheriff's Office applied for and got the HOA 100 new trash cans for the HOA/Metro District. The Sheriff's Office will need volunteers to help assemble the trash cans, coffee and donuts will be provided. Date to be determined. Distribution of the trash cans would come from the Metro District and Waste Management is on board with using the new cans. Valerie Carlin, Board President of the Metro District, would like to know what should be done with the old trash cans. Director Dan Fellin will provide Valerie with information on what to do with the old cans.

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 Dan Fellin moved and Director Michael Masciocchi seconded to move into Executive Session. No homeowner comments. Motion Passed.

Director Kate Spencer moved and Director Michael Masciocchi seconded end Executive Session and move back into Open Session. Motion Passed.

13. ADJOURNMENT

Director Dan moved and Director Tyler seconded to adjourn the Board Meeting at 9:07 PM MST. Motion Passed.

The next Aspen Village Board Meeting will be on September 17, 2024.

HOA Board Meeting Dates for 2024:

- September 17, 2024
- October 8, 2024
- November 12, 2024

FUTURE AGENDA MEETING TOPICS

- Charging HOA Assessments
- Amending the CC&R's update
- Managing the FaceBook page update