

MINUTES

ASPEN VILLAGE HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS MEETING

July 9, 2024
6:30 pm

Aspen Village Clubhouse
31 Aspen Village Rd

Join Zoom Meeting

<https://zoom.us/j/99862544369?pwd=oKXw8gV08ipYGGAVaKyQSSyPr6FsC2.1>

Meeting ID: 998 6254 4369

Passcode: 314816

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	President Treasurer Vice President (via Zoom) Director
Directors Absent:	Dan Fellin	Secretary
Property Manager Present:	Megan Rodman	Property Manager
Owners Present:	Ellen Anderson Stephen Wright William Woodward Mike Han (via Zoom)	Lot 45 Lot 102 Lot 141 Lot 126

1. CALL TO ORDER

Director Kate Spencer called the Board Meeting to order at 7:03 PM MST.

2. APPROVAL OF JUNE 11, 2024 BOARD MEETING MINUTES

The Board of Directors reviewed the draft June 11, 2024 Board Meeting Minutes.

Director Miachel Masciocchi moved and Director Kate Spencer seconded to approve the draft June 11, 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 141 asked if anything is being done about the appearance of Lot 139 and the storage of a camper on the Lot.
- Lot 45 wanted to notify the Board that someone was driving around the HOA soliciting selling oranges. Ellen notified the Sheriff and they responded but by that time the solicitor was gone. Ellen also wanted to notify the Board that she is working to collect signatures regarding the expansion of the airport and that the vote should be with the people and not the Board of County Commissioners. She wants to get the vote on the ballot. Ellen also wanted to inform the Board that owners have the right to quiet enjoyment of their homes and this language should be included in the amended and restated CC&Rs.
- Lot 28 – wanted to make sure that when violations are being reported by owners that they are being enforced.

4. BOARD COMMENTS

Present Board Directors had no comments.

5. HOA FINANCIAL REPORTS

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

Director Michael Masciocchi reviewed the Balance Sheet:

- CD Interest, has not changed, Management needs to manually enter in interest earned.
- Michael is concerned with the ACC making decisions and withholding deposits from owners – Management to ask for legal counsels’ opinion
- How to write off fines for owners who will never pay them – can you write this off as bad debt, can the board require payment upon the sale of the home, what is best practice to collect? Management to ask legal counsel.
- Accounts Payable – ask CPA how to write off accounts payable from 2021 how to correctly recognize this expense that has been rolling forward from 2021 to write off as possible mis income in 2024 or a reduction. We assume these bills are no longer owed, so how do we reflect that in budget?

Changes need to be made before these can be approved. Management to address and resend corrected Financials to the Board via email to review and approve.

6. ACC COMMITTEE UPDATE

Director Tyler Schube informed the Board that owners were present that reported violations of two units that were out of compliance and have been for years and so the ACC would like to ask legal's opinion on if Management should report these violations to the County or if a homeowner wants to act they should do so and it not come from Management/ the Association.

Management did inform the Board of the 1 year statute of limitations that the Association has no legal obligation to enforce building code violations that are past a year and such violations should be reported by a homeowner if they want to do so. Management will confirm this with Legal.

The owner of Lot 80 is working to determine property lines to make sure that the carport and shed are within setback requirements.

7. 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.

8. CHARGING ASSESSMENTS IN 2025

The Board continued discussion on beginning to charge an Assessment to all owners in 2025.

The Board needs Legal to find out who owns the Assets in AVHOA – clubhouse, roads, pool, playground. Where is the assignment of assets between the Metro District and the HOA?

The Board is considering charging an assessment starting January 1, 2025. Management will consult with Legal on the process the Association/ Board will be required to follow in order to be able to charge assessments starting January 1, 2025.

The Board asked Management find out if owners can pay assessments online via ACH with Timberline Bank.

Director Kate Spencer will work on figuring out what assets the Association owns versus Metro District.

Ask Molly the process for starting to charge assessments January 1, 2025.

Management to have a tentative budget that would include an assessment of \$400 per household for the August 13, 2024 meeting.

Director Tyler Schube will do research on programs that owners could utilize if they cannot pay the assessment.

9. APCHA DISCUSSION – 9 LOTS

Director Tyler Schube will provide the Board with an update on his conversation with APCHA regarding the 9 Lots.

Tyler Schube had discussions with Diane Foster, the City Manager, regarding the sale of the 9 Lots.

Tyler will be meeting with Diane Foster again and will get more information on what would need to happen with APCHA in order for them to allow the change in category of the 9 lots from Category 3 to RO so that they could be purchased at a higher value.

10. APSEN FIRE DEPARTMENT DISCUSSION

Director Kate Spencer will provide the Board with an update on the possibility of Aspen Fire purchasing the 9 Lots.

Aspen Fire is currently looking for land to develop for employee housing. Kate spoke with Jake Anderson. The fire department would do all of the development. The Board is curious to know how to get the most value out of selling those Lots. There are a lot of questions the board would need answered before the purchase of the 9 Lots occurred. This was a general discussion.

11. CHIPPER DAY

Kate reported that it went. Aspen Fire and AVHOA will repeat this event next year.

12. SUMMER BBQ

The Board of Directors will be hosting the annual Summer BBQ on July 27th, 2024. Flyers and emails will be sent to advertise. All Aspen Village owners are welcome to attend. Matt Zubrod will be donating food. Kate will provide flyers to Management.

13. AED

Director Dan Fellin will provide the Board with an update on AED. Dan was not present and the meeting so this item was not discussed.

14. EXECUTIVE SESSION

The Board of Directors ended the open session portion of the Board meeting and moved into executive session to:

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

Director Michael Masciocchi moved and Director Kate Spencer seconded to move into Executive Session at 9:26pm. No homeowner comment. Motion passed.

Director Michael Masciocchi moved and Director Kate Spencer seconded move into Open Session at 9:49pm. Motion passed.

15. ADJOURNMENT

Director Miachel Masciocchi moved and Director Kate Spencer seconded to adjourn the Board Meeting at 9:50 PM MST. Motion Passed.

The next Aspen Village Board Meeting will be on August 13, 2024.

HOA Board Meeting Dates for 2024:

- August 13, 2024

- September 10, 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