

# MINUTES

## ASPEN VILLAGE HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS' MEETING

September 14, 2021

6:30 p.m.

31 Aspen Village Clubhouse

### Join via Zoom Meeting:

<https://us02web.zoom.us/j/81416969132?pwd=cStDaGILYjIPdGtoZ0FQN2lLZDdKZz09>

Meeting ID: 814 1696 9132

Passcode: 135936

### Board Members:

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

<b>Directors Present:</b>	Suzanne Roth James Anderson Matt Zubrod Dave Ritter	Board President Board Secretary Board Director Board Director
<b>Directors Absent:</b>	Ellen Anderson	Board Treasurer
<b>Property Manager Present:</b>	Diane Spicer Megan Rodman	ARA, President ARA, Property Manager
<b>Legal Counsel Present:</b>	Molly Foley-Healy	Winzenburg Leff Purvis & Payne LLP, Attorneys at Law
<b>Owners Present:</b>	Raul Menendez & Elisa Caballero Mary Ellen Sheridan James Spencer	Lot 60 Lot 47 Lot 110

### 1. CALL TO ORDER

Director Suzanne Roth called the meeting to order at 6:32 p.m.

### 2. APPROVAL OF SEPTEMBER 14, 2021 AGENDA

The Board Directors considered approving the agenda for this meeting, September 14, 2021.

Director Suzanne Roth moved to approve the September 14, 2021 Agenda, Director James Anderson, 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.

- The Owners of Lot #60, asked if APCHA was notified of Lot #40 Refinancing their home. The Board confirmed that they were. The Owners also asked for Pitkin County Code Compliance Office to be notified that their neighbors, Lot 61, might have a wood burning fireplace and/or stove in their storage shed. Would like Pitkin County to investigate.
  - ARA submitted a complaint with Pitkin County on 09.15.2021. Awaiting response.
- The Owner of Lot #110, asked after receiving his first violation letter, that Aspen Village pursue going through the process of re-doing the CC&Rs, Rules and Regulations to make them more current and in line with how Aspen Village operates. The Owner, James Spencer expressed interest in helping with this process.
- The Owner of Lot #47, received Rental Restrictions from APCHA for renting a room out in her house. ARA will reach out to APCHA to see if these rental restrictions being imposed are correct.

### **4. BOARD COMMENTS**

The Board opened up discussion for items not on the agenda. No comments were made at this time.

### **5. HEARINGS**

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

- Lot #106 – Parking more than three (3) motor vehicles on Lot
  - No response from owner, two of the same violation in 2021
  - The Board agreed by consensus that at this time, the violation has been cured and no fines are to be imposed. If a third violation occurs within a 12 month period, fines will be considered.

#### **Hearings requiring Board action following the August 17, 2021:**

- Lot #019 – Parking on Lawn
  - The Board will discuss what action to take regarding proposed violations to be levied against Lot #019, payment of administration fees and next steps to resolve habitual violations of parking on lawn by Owner.
  - Consulting with Legal Counsel, Molly Foley-Healy from Winzenburg Leff Purvis & Payne LLP, the Board decided to enforce the following:
    - Using the HOA Fine Schedule, fines to be levied against the Owner total \$3,473.50. Of the total fines owed, \$2,850.00 the Board will waive if same or similar violations do not occur between 09.14.2021

and 05.31.2021; \$623.50 in administrative fees must be paid by the Owner by 10.09.2021, and will not be waived. If any more same or similar violations occur before 05.31.2021, it will be an automatic fine of \$500.00 that will not be waived. The Owner will be provided with a Minor Improvement Application to pave another car spot on their Lot as a correction to the violation.

- Lot #076 – Unmaintained Carport & Inoperable Vehicle
  - The Board will discuss what action to take regarding lack of response from owner, and continued habitual violations of unmaintained carport and inoperable vehicle on Lot.
  - Consulting with Legal Counsel, Molly Foley-Healy from Winzenburg Leff Purvis & Payne LLP, the Board decided to enforce the following:
    - Fines will not be levied at this time. The Board requested Management attempt to contact the Owner one final time, saying that the Board is willing to work with the Owner to correct the violation, and requests the Owner contact Management to speak with the Board at their next meeting on October 12, 2021, either in person, via Zoom or phone. If Management does not hear back from the Board, the Board will consider next steps at their October 12, 2021 meeting to pursue compliance with the noted violation.

## **6. APPROVAL OF AUGUST 17, 2021 MEETING MINUTES**

The Board Directors reviewed the August 17, 2021 draft meeting minutes.

Director Suzanne Roth moved to approve the August 17, 2021 draft meeting minutes as presented, seconded by Director Matt Zubrod. Director Dave Ritter abstained since he was absent at the August 17, 2021 Board meeting. Motion Passed.

## **7. PROPERTY MANAGERS REPORT**

### Financials

The Board reviewed HOA Financials, as presented by Aspen Resort Accommodations.

### Violations

- Lot #019: two additional violations of Parking on Lawn (09/01/2021 & 09/06/2021)
  - This topic was discussed earlier in the Board meeting.
- Lot #110: Camper in Driveway (cure by Sept 13) - RESOLVED
- Lot #125: Camper in Driveway (cure by Sept 13) - RESOLVED

## **8. OLD BUSINESS**

- At the August 17, 2021 Board meeting, the Director Suzanne Roth asked for the status of the HOA's CDs. ARA will provide an update at the October 12, 2021 Board meeting.

### ACC Report

The scheduled ACC meeting on September 14, 2021 was cancelled.

- Lot #077 Minor Improvement Application: only received two of five sent 30-Day Waiver Notices from adjacent neighbors as of 09.12.2021.

- Lot #60 Minor Improvement Application: have not received 30-Day Waiver Notices from adjacent neighbors for project as of 09.12.2021.

## 9. NEW BUSINESS

The Board discussed the following topics:

- Certificate of Compliance with Right of First Refusal for the selling of Lot #117.
  - The Board determined that they are not interested in purchasing Lot #117 in Aspen Village. Thus, Director Suzanne Roth moved to approve signing the Certificate of Compliance with Right to First Refusal, Director Dave Ritter seconded. Motion Passed.
- The Aspen Village HOA Board is willing to meet with the Aspen Village Metro District Board. ARA will coordinate a future meeting date to discuss the 9 Lots in Aspen Village that could be sold.

## 10. ADJOURNMENT

Director Suzanne Roth moved to adjourn the Board Meeting at 8:02 p.m., Director Matt Zubrod seconded. Motion Passed.

The next Aspen Village Board Meeting will be on **Tuesday, October 12, 2021.**