

**Powderview at the Greens Condominium Association  
Annual Meeting Minutes  
July 20, 2018 10:00 A.M.  
Skyland Lodge Meeting Room**

**1. Meeting called to order** by Nick Rivera (#10), President at 10:03 a.m.

**2. In attendance:** #5 (Kim Herman); #6 via conference call (Russ Webber); #10 (Nick Rivera/Julie Manchester); #1 (Ruth Collins) at 10:12 A.M.

**Proxy Votes:**

#8 (Troy & Emily Pickett) to Kim Herman

#9 (Bill Grein/Jill Young to Nick Rivera)

- Meeting opened with president stating the ground rules for the meeting regarding members holding the floor.
- Opened with Manager's Report as no quorum until #1 arrived (Ruth Collins) at 10:12 a.m. Meeting was notified that Ruth was running late.

**3. Proof of Notice** mailed/emailed June 22. 2018

**5. Manager's Report**

- Maintenance mainly being handled by Nick at a discount labor rate. Billing is approved by Greg at PR property Management.
- a) PR did not review the roof tile situation this year. Not spending money on replacement tile as they are generally cosmetic and new roof is still being actively pursued.  
PR recommends we do not spend the money to replace cosmetic tiles if roof replacement is happening 2018/19.  
Nick noted that non-cosmetic tiles should be replaced before the winter if the roof is not redone in fall 2018 (although it may be too late for vendor to replace before winter).
- b) Carpet cleaned in the spring. Will be cleaned again fall 2018.  
Vacuuming is every other week, which everyone seems OK with.
- Ruth Collins (#1) arrived
- Grass cut weekly unless we are in a drought situation and it is left longer for protection.  
Nick asked about weed & feed in the fall. Greg said more effective to spray for dandelions in the spring, so they will continue to do so.
- Kim noted there is a large brown spot between unit 5 & 6. Ground crew will check.
- c) PR cleaned all exterior windows. Inside windows in common areas cleaned.
- Dumpster enclosure will need work down the road.
- Oiling is continuing on the steps.

Kim brought a cigar box in remembrance of Jim who is missed.

Contact info for units #3 & 4 has been changed to Jim Allen's daughter, Julie Cude, temporarily.

#### 4. Approve Last Meeting Minutes dated July 12, 2017

- Ruth noted door for unit #2 has not been replaced as noted in last year's minutes. There are also other windows in the building that have not yet been replaced.
- Ruth & Kim requested that minutes should have more information for approvals, motions and seconds moving forward.
- With the change acknowledged re Unit 2 door, Kim (#5) moved to approve and Russ (#6) seconded. 2017 amended to read:

5. Manager and/or Officer report.

a) #2 window and door replacement was completed fall 2016.

##### **Amendment:**

**2018 – Ruth (Unit 1) stated that the door on unit 2 has not been replaced. The Board will look into this and other windows and doors that have not yet been replaced as of July 2018.**

#### 6. Election of Directors

- Russ Webber noted he was happy to continue on the Board.
- Ruth Collins nominated Kim Herman (#5).  
It was noted that Russ has in-depth knowledge of the building remodel and issues.
- Greg suggested establishing a Building Committee to make building recommendations to the board and making Russ Webber a part of that if Kim Herman (#5) is elected to the board.
- Ruth Collins (#1) motioned to have Kim Herman (#5) be a board member. Nick Rivera (#10) seconded.
- Russ Webber (#6) now part of the Building Committee (HOA Board and Russ Webber) which will act as a steering committee regarding the building remodel.

#### 7. Old Business

**Basement** vents opened and closed annually.

- a) **Crawl space:** no-one has been in the crawl space this year as water retention seems to have been resolved with the sheeting added in 2016.
- b) **New roof/siding status.** Ruth contacted 12 contractors. Nick also contacted numerous contractors. Many did not respond, or responded and did not follow up. Extremely difficult in the current construction boom market to find a contractor and a reasonable bid.  
3 firm bids received: Pinnacle \$320,000, Journey's End \$385,000 and Equity at \$320,000. 2015 roof bid from Top Tier was used as a guide for pricing. \$130,000 cap from 2017 is now seen as too low and 2017/18 completion too soon given the current construction climate.  
Russ suggested removing cap and this was agreed upon. Kim thanked everyone for their time and effort.  
Phasing is now being discussed with roof to be completed first.  
Board is waiting to hear from Top Tier, Sandoval, Ram and Benchmark.
- c) **Windows** were replaced based on an independent assessment of the state of the windows in 2013.

Window issue is a little confusing and also overlaps with new business; however, it was noted that some windows /doors in the building have not yet been replaced with Eagle Windows, Harvest Gold. The Board determined that a list of these windows and doors will be compiled and a date established for all old windows to be replaced before or during the building face-lift.

- **Board re-established that after the building face-lift is complete, and after all old windows have been replaced, all exterior window and door projects will revert to the responsibility of the HOA.**

## 8. New Business

a) Corner at Brush Creek Planning Commission vote is today 97/20/18). Main point is to continue to voice opposition in the form of letters and attending meetings and supporting FOB (Friends of Brush Creek).

b-d)VRBO rentals. Discussion arose from concern with the amount of people in and out of the building and issues with noise, trash, and parking. Many owners bought here because it was quiet and there was not the constant turnover that is seen on the mountain.

Discussion:

- Potentially 4 additional units coming up for sale that could turn to short-term rentals.
  - Note in 2008 minutes gave an OK for short term rentals of 1-2 weeks – enforceable?
  - The Links have changed their covenants and do not permit rentals of less than 30 days. Coyote Circle and The Lodge are also considering outlawing VRBO rentals.
  - 7 units would have to vote to restrict short-term rentals to effect the change. A change in covenants will cost between \$8-12,000, but could be rolled into the separation of the PV Duplexes.
  - First step is to ensure tenants are following the HOA rules.  
Enforcement is the issue with no management company to contact. This puts undue responsibility on the resident neighbors. NOTE: it is not the responsibility of PR Property, the building the management company to police guests of short term rentals.
  - Suggestions: contact an attorney regarding regulations that can be put in place, no local agent/ manager to contact, no permission to short-term rent. Ruth suggested the Board send a letter to all owners for input on the rules/guidelines.
  - Russ noted that could get pushback with capital expenditures that will be coming up.
  - Agreed that:
    - Discussion needs to involve all owners.
    - No outright ban at this point.
    - Legal advice will be sought by the Board.
    - Courtesy rules will be reworked and adapted for renters.
    - Clarify complaint issues order (i.e. who to go to with any issues).
    - PR will not police owner's short-term rental guests. The management company responsibilities are: hallways, outside grounds, parking complaints, snow ploughing, and emergencies.
- e) Basement

- a. Items in the hallways and items in under stairs storage areas need to be moved.
  - b. Items belonging to owners selling need to be moved out.
  - c. Board will explore the option of fining owners for non-compliance (in this and other matters).
    - i. It was noted that there is a fee schedule for non-compliance at the Lodge & Skyland which was written up by an attorney and is enforced.
  - d. Noted that the basement area is a common area with no legal right to ownership.
  - e. Also noted that the Association has agreed in the past to allow Beth to use the lockable storage space under the stairs on the north side of the building across from the utility closet. This is not a transferable space and will revert back to being a common area if/when Beth leaves the building. For the time being, the Board agreed that Beth can continue using this common area storage.
- f) **Smoking**
- i. Pot smoke is infiltrating the hallway.
  - ii. If there is a ban it will need to encompass all smoking in the building and potentially identify areas where smoking is permitted, e.g. "Not within 20 feet of the building"
  - iii. Suggested to put smoking ban in the rules, potentially put to an all owner vote, and seek legal counsel.
- g) **Dumpster.**
- It was decided to keep the combo locks for the dumpster. A note will go out to all owners to make sure the combo is posted in the unit for guests/renters.
- h) **Key/Secure entry for main doors.** It was decided to hold off at this point with potential expenses coming up.
- i) **Notice Board** was approved. This will give a specific area for building notes/regulations to be posted.
- j) **Other Business**
- HOA dues:** it was agreed to continue at \$1500 per quarter in order to increase reserves for upcoming roof/siding project.
- Russ stated he would prefer to assess for improvements. Greg noted 2 options: assess or assess/loan combination.
- Parking Lot:**
- i. Ruth (Unit 1) stated she never wanted to change assigned parking spaces with Beth (unit 2) as per her letter of 2012.
  - ii. Nick stated board/owners reviewed the situation in 2012. The most obvious/sensible action was to change the assigned parking spaces for units 1 & 2 to allow Beth the larger space with direct access to her sidewalk.
  - iii. PR noted that assigned parking spaces are random and a part of the common area and are not transferred upon sale of a unit.
  - iv. Ruth (Unit 1) stated she has no space when Beth (Unit 2) takes up more than the assigned Unit 2 space.
- She also feels that snow storage can cause issues in this area by not allowing Beth sufficient room in her assigned space to maneuver.

- v. Options offered:
  - i. Re-work the parking lot so unit 1-4 assigned spaces are slanted for easier access
  - ii. Create larger ADA compliant space in current space assigned to Unit #1
  - iii. Move unit 4 space over to west side of the lot along with 5-10
  - iv. Remove all assigned parking and allow people to park wherever they wish
- vi. Concern was expressed that none of the options will solve the base issue. Bottom line is that vehicles need to be parked in the allocated space for the unit.
- vii. Kim stated that any changes should benefit all owners.
- viii. Greg will talk to Unit 2 owner and Beth re moving her vehicle into her assigned space.
- ix. Board will have more leverage regarding enforcing parking compliance once rules and fine system are established and distributed.
- x. Repainting numbers and spraying "RESERVED" will hopefully help solve parking issues with short term renters.
- xi. Board to re-convene re parking issues later in July.

### 9. Duplex Information

No current info. Last year the duplexes considered legally separating from the condos and establishing separate covenants; this has not happened.

### 10. Budgets and Tax Return

- a) 2019 budget can be approved with unknowns; approval delayed until later in the year.
- b) Tax return signed by Nick as President
- c) All accounts up to date.
- Nick requested that monthly management statements be forwarded to a member of the Board as the bank statements are.
- **Board Appointments:** should have official roles for Board members per the covenants:
  - i. Nick to continue as President
  - ii. Ruth appointed as VP
  - iii. Kim agreed to be Secretary/Treasurer

### 11. Meeting Adjourned

Next full meeting set for July 18<sup>th</sup> 2019 at 3pm.

Nick motioned to adjourn the meeting. Julie seconded.

Meeting adjourned at 1:25 p.m.