

Eaton Pagosa Estates Home Owners' Association

MEETING MINUTES

Board Meeting: 2:00 PM, Thursday, May 17, 2018

President Scahill's Residence

Pagosa Springs CO, 81147

Joyce Scahill - President, Present

Dave Chadsey - Vice President, Not Present

John Vander Horck - Secretary, Present

Glenn Woodruff - Treasurer, Present

Desi Dundics - Member at Large, Not Present

Susan Hampton - Alternate Member, Not Present

Call to Order:

The meeting was called to order by President Scahill at 2:00 p.m. A quorum was achieved.

Visitors/Observers– The following resident visitor observers were present: Robert Taylor, Susan Bates, Dee Abbott & John Scahill

New Business:

Go over the bids submitted for road shoulder maintenance and award the job.

President Scahill, in concurrence with our Treasurer Woodruff, advised the Board of the status of our two EPEPOA spending accounts. This will constitute the Treasurer's Report.

1. The Road Fund account has a current balance of \$176,639
2. The Checking Account has a current balance of \$11,600

President Scahill informed the Board of the significant problems with our road shoulders including high shoulders, low shoulders, no shoulders and landscaped shoulders. Each condition represents a different impact on our roadways from water pooling to edges breaking and sloughing off. It is anticipated that repairing our road shoulders will provide longevity to our roadways and reduce our road repair expenses in the future.

Furthermore, a proper roadway shoulder serves several functions which include:

1. Support the roadway
2. Protection from water intrusion
3. Storage area for snow removal
4. Limited and temporary parking
5. Walking area for pedestrians

Three road shoulder repair bids were obtained by President Scahill. They are generally described as follows:

1. U-Can Afford Landscaping, Don Ford – \$10,890

The price includes extending culverts at the McCools' and Lussi's property (a service not requested) and six inch wide shoulders.

2. PAP, Ryan Farmer – \$17,040

The price includes an 18" wide shoulder where applicable and 430 tons of $\frac{3}{4}$ minus gravel.

3. Alpine Excavation & Services, Jonathan Daulton – \$36,000

The price includes a six foot wide shoulder where applicable and 750 tons of $\frac{3}{4}$ minus gravel.

A thorough discussion of the three bids received by President Scahill occurred. It included the scope of work to be performed, the recommendations of both Mr. Larry Lynch, Manager of Property Development, PLPOA and Mr. Tim Hatch, County Engineer, Archuleta County Road and Bridge Department, the cost, equipment available to the bidders to perform the scope of work, knowledge of prior work performed by the bidders and business reputations of the bidders.

Upon conclusion of the discussion and weighing the pros and cons of each bid, Secretary Vander Horck made a motion to accept the bid from Alpine Excavation and Services. The motion was seconded by Treasurer Woodruff. President Scahill voted to accept the bid and the motion carried.

President Scahill advised that while Vice President Chadsey and Board Member Dundics were not present during the voting they had both been mailed a package containing the three bids that were submitted as well as President Scahill's notes, research and phone conversations with the bidders and their references. After receipt of the information Vice President Chadsey and Board Member Dundics had a phone conversation with President Scahill. They agreed with the choice of contractor. The job will be awarded to Alpine Excavation & Services.

Following the voting, a discussion ensued over how the bid will be paid. It was agreed that the entire amount will not be offered in advance of the work. A deposit in the approximate amount of 20% of the total, or an amount for the total cost of materials required will constitute the deposit. The remainder will be tendered upon successful and acceptable conclusion of the work. President Scahill will discuss and negotiate the financial payment arrangement with the contractor.

Old Business:

Road Maintenance/Crack Mitigation

The question was again raised, when is J Asphalt returning to repair the cracks in our roadway pursuant to the terms of our two-year contract ending December 2018, which he has failed to fulfill? The expectation of the Board was that J Asphalt would return near the end of August 2017, to fill cracks that have opened up or were not sufficiently filled since the original crack seal by J Asphalt in December 2016. That did not occur.

On January 18, 2018, President Scahill sent written correspondence to Mr. John Ortutay, J Asphalt, inquiring when he intended to return and fulfill the terms of the contract. Mr. Ortutay has not responded.

Alternate Board Member Susan Hampton spoke with Mr. John Ortutay and he indicated that he will return during the month of June, 2018, to complete the work.

If the work is not completed by the end of June 2018, the Board will draft and send a letter to Mr. Ortutay advising him that he has violated the terms of the contract and that the EPEPOA Board will seek other remedies for satisfaction in this matter.

Comments, Announcements, Homeowners' Concerns and Agenda Items for the Upcoming Annual Meeting in July 2018

The following potential agenda items for the July 2018 Annual Meeting were suggested:

1. What can be done about the obnoxious odor coming from the Pagosa Area Water & Sanitation District (PAWSD) sewage/water treatment plant on Lake Forest Drive?
2. Road Shoulder and Road Maintenance Report
3. County detour management during the North Pagosa Bridge repair
4. EPEPOA's Lakeside Drive Bridge Status
5. Vacant Board member position

Resignation from the Board

Secretary Vander Horck submitted his written resignation from the Board to President Scahill, effective July 1, 2018, after five years of continuous service to the EPEPOA as the Board secretary. President Scahill regrettably accepted his resignation and thanked him for his five years of exemplary and dedicated service.

E-Mail received from an EPEPOA Property Owner to President Scahill concerning the Board

On May 15, 2018, Ms. Ericka Vincent, an EPEPOA lot owner, sent an e-mail to President Scahill. President Scahill advised Ms. Vincent that she would read it to the Board members at the May 17, 2018 Board meeting, which she did.

A copy of Ms. Vincent's e-mail follows:

On May 15, 2018, at 12:58 PM, Ericka Vincent <erickawvincent@gmail.com> wrote:

Joyce,

James and I would like copies of the meeting minutes for this coming May meeting and all future meetings be emailed to us at this account. Thank you and sorry we cannot make the meeting.

Additionally, is there any concern from other residents about the micro-managing/overwhelming policy enforcement's this subdivision has or is it just a concern that James and I have? The main reason we decided to list our lot is because the HOA is just too controlling (grouchy even) and we want to enjoy where we live, not be constantly watched. We have small children who will grow into teenagers and it appears the HOA wants the subdivision to be populated with over 60 silent folks who don't make noise. We also work at a title company and are aware of the HOA dues and policies of all other HOA's and our fees seem excessively high when compared to similar areas (Capstone is only \$500/year and they seem pretty comparable to living spaces). Please let me know if this is a valid concern and feel free to share these concerns at your upcoming meeting.

Your tude is everything

Ericka Vincent

President Scahill's e-mail response to Ms. Vincent follows:

On May 16, 2018, at 11:21 AM, John Scahill <jjscahill@gmail.com> wrote:

Hi Ericka,

I'm happy to email copies of all the Board meeting minutes to you so you can be aware of what's going on in the neighborhood.

I am so sorry that you have concerns about building here. I will definitely pass your concerns about the micro-managing and the overwhelming policy enforcement on to the other Board members and I thank you for voicing your opinion. I realize that the covenants are intended to protect our property values by preserving the natural beauty of our neighborhood,

promoting a sense of harmony between neighbors and maintaining an aesthetically pleasing appearance overall. I also know that when John and I signed the title to our lot in this subdivision that we had agreed to abide by these covenants. I do, however, agree that this subdivision is made up of an over 50 group of people but that doesn't mean that we shouldn't strive to be accepting of all our neighbors. We're all unique and have a lot to offer as a collective community. I'm not aware of the dues at all the other subdivisions but I do know that Capstone just recently raised their dues to from \$700/year to \$1000/year. They too are finding that the cost to maintain the quality of the roads, the snow removal, the common area, the utilities, the insurance, Attorney fees (when needed), the public dock, the website, the bridge and the accounting fee is expensive. As you know Capstone can only collect from 20 or 22 property owners which may make a difference too but their big expense is their gate. We don't have any plans to put two gates in our community! The other reason for the cost of our dues is to stave-off an assessment which no one is ever prepared for. Getting hit with an unexpected additional amount for working people and people on fixed incomes can be unsettling.

Again, many thanks for voicing your valued opinion. I will read your email at the upcoming May meeting.

Joyce Scahill

Note from the Board: The Board encourages residents and property owners to contact the Board with suggestions, ideas, concerns, complaints and criticisms, suggestions for Board or Annual Meeting agenda items or even compliments and thanks to our volunteer Board members.

Next EPEPOA Annual Board Meeting:

The date of the next Annual Meeting of the Eaton Pagosa Estates Property Owners' Association is tentatively scheduled for Saturday, July 7, 2018. President Scahill will distribute notices regarding the time and location to the members.

Adjournment:

There being no further business before the Board, the meeting was adjourned at 3:16 p.m.