

**MILLER RANCH PROPERTY OWNERS' ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
MARCH 10, 2015**

MINUTES

CALL TO ORDER

Steve Nusbaum called the meeting to order at 6:10 p.m. The meeting was held in the Valley Home Store conference room in the Miller Ranch Community Center.

ATTENDANCE

Board Members that were in attendance were as follows:

- Steve Nusbaum
- Jamie Pappas

Other owners that were in attendance were as follows:

- Tim Barany (only during the discussion regarding 24 Stillwater)
- Kelley Barany (only during the discussion regarding 24 Stillwater)
- Cindy Goodwin (only during the discussion regarding the Miller Ranch Community Garden)
- Jennifer Rose (only during the discussion regarding the Miller Ranch Community Garden)
- Derek Rose (only during the discussion regarding the Miller Ranch Community Garden)
- Leah Ott (only during the discussion regarding the Miller Ranch Community Garden)

Other persons in attendance were as follows:

- Steve Stafford, Slifer Management Company, Inc.
- Vincent Vigliotti, Slifer Management Company, Inc.

NON-QUORUM FOR MEETING

It was noted that since there were only two Board Members present, there was not a quorum. It was agreed that all decisions made at the meeting would be conditional upon subsequent approval by the other Board Members.

24 STILLWATER – DRB ISSUES

Steve Nusbaum asked Steve Stafford to give a short summary of the DRB issues at 24 Stillwater and the events that have transpired since the Board of Directors and/or Slifer Management Company first became aware of the issues, including a non-approved shed in the back yard, floor to ceiling blinds on the front porch and sheet metal in several places on the front porch. Steve Stafford presented the summary and he then asked Tim and Kelley what the purpose of the floor to ceiling blinds was, as several persons had asked him that question. Tim said that the blinds were basically to give them more living space. He said both he and Kelley were smokers, as were many of their friends, and they liked to smoke on the front porch. Tim said that he and

Kelley didn't realize that there were things that he couldn't do on his own property, but they now know that any kind of exterior modification has to be approved in advance by the Board of Directors. Tim pointed out the fact that tin (or sheet metal) is used in many locations throughout the neighborhood. He handed out pictures of other sheds in the neighborhood and he said that he just wanted to be treated like everyone else. It was noted that at one time there was a rumor that the shed was a bar. Tim said that the primary purpose of the shed is for storage for his Harley Davidson motorcycle. Tim said that his only real problem was the 5' setback and the asphalt shingles (instead of a metal roof) that the Board had previously required. Jamie Pappas said that he was concerned about glare from the metal roof bothering neighbors. Tim said that he would be willing to paint the metal roof. The Board Members then decided that a metal roof would be allowed, but if the glare became a problem for neighbors, Tim would be required to paint it. Tim agreed to this. Tim said that he wanted to build the shed in a location that placed it approximately 2' from the property lines to the roof eaves, not the actual walls of the shed. That being the case, the actual distance from the property lines to the shed walls would be more than 2'. He wants to center the shed so that it's approximately the same setback on both sides of the shed from the property lines. The Board Members agreed to this location of the shed; however they noted that the Board is not overruling the Eagle County setback requirements. Setback requirements will be considered an issue that's between owners and Eagle County.

Tim said that most of the sheet metal has been removed from the front porch and he will remove the corner metal right away. He said that he thinks that the complaints about the blinds have resulted from the fact that the blinds are old and weathered. He said that he will replace the old, weathered blinds with new blinds and he will roll them up when they are not in use.

Tim said that he will rebuild the shed as soon as the weather permits. He will use masonite siding and he will paint it to match the house. This will complement the style of homes in the community.

Tim pointed out that the governing policies require that if an owner is fined as a result of a complaint or complaints, the owner that is fined has the right to know who filed the complaints. Steve Stafford said that the complaints that he has received were from owners who wanted to remain anonymous. Steve Nusbaum said that some of the complaints that he has received were from people that he met at neighborhood parties or social gatherings and he wasn't even sure who they were. Tim asked for a refund of the \$100 fine that the Association had previously assessed and which Tim and Kelley had paid. It was agreed that once the new shed is completed and the blinds are replaced, the \$100 fine will be refunded. Tim and Kelley agreed with this.

MILLER RANCH COMMUNITY GARDEN

Cindy Goodwin, Jennifer Rose, Leah Ott and Derek Rose gave a presentation regarding the proposed Miller Ranch Community Garden. It was noted by the Board Members that they had done a very good job in preparing the documents for their proposal. It was noted that the water spigots for the garden would tie into the existing irrigation system in that part of the neighborhood and that it shouldn't affect the irrigation system. As far as water use, there will only be hand watering via spigots during the daytime hours. The area is already being watered. There might even be less water used after the garden is installed. It was noted that all owners that lived in front of the proposed garden and who responded to the survey were in support of it. The

Board Members voiced a concern about what kind of assurances there are that the area will be maintained if people lose interest. The garden representatives said that this hasn't happened with any of the other community gardens in the valley. They said that there are waiting lists for other community gardens in the valley. There was a financial discussion regarding the community garden. The representatives said that they will charge for the plots, consistent with other community gardens in the valley. A suggestion was made that the group might want to allocate plots based on the number of hours donated by individual homeowners. The representatives said that they will check with other community gardens to find out how and what amount they budget for annual maintenance of their gardens. The group will have a yearly fundraiser for special projects or annual maintenance. The Board Members pointed out that the \$12,000 amount that the group is requesting as a donation from the Association is approximately 10% of the Association's annual landscape maintenance budget. Individual donations might be a better alternative. The Board asked the representatives what timeframe they are operating under and they said that they would prefer to start the garden this year. The proposed location is in between the areas where Eagle County plows their snow. The Board Members that were present gave conceptual approval conditional upon subsequent approval by the other Board Members. The donation amount, if any, will be determined at a later date. The Board directed Steve Stafford to contact the homeowners that live in front of the proposed garden to find out if they are ok with it.

SHORT TERM RENTALS

Kim Williams addressed the Board regarding short term rentals that she has noticed on vrbo.com and airbnb.com. It's becoming more of a problem as time goes on. Short term rentals were never meant to be allowed in Miller Ranch when it was planned and developed. Recently Kim sent a joint letter, signed by her and by Steve Stafford, to the homeowners that were advertising short term rentals on vrbo.com and airbnb.com, advising those homeowners that short term rentals are not allowed in Miller Ranch. All but two of the homeowners temporarily quit advertising for short term rentals, but now the advertisements are once again increasing. There are two homeowners who have pushed back, asking Kim to show them documentation that proves that short term rentals are not allowed, specifically short term rentals of a room in a home where the owners are living in the rest of the home. One of those homes is a townhome and one is a condominium. The Board Members voiced their support of a restriction on short term rentals of any nature. Kim said that she would talk to the Eagle County attorney and/or Commissioners about adding more specific language to the Housing Guidelines, similar to what they have in Pitkin County.

RULES AND REGULATIONS

The Board asked Kim Williams to give a copy of the Miller Ranch Rules and Regulations to all buyers during the closing process.

SPOUSE AS BOARD MEMBER – LEGAL OPINION

Steve Stafford reported that he had gotten a legal opinion from the Association's attorney, Mary Isom, regarding whether a spouse who is not on the title to a property could serve as a Board Member. Mary said that her reading of the Bylaws is that only owners can be elected to the Board. The exception is if a unit is owned by an entity; then the entity can appoint a "delegate" who could then be elected to the Board (Section 2.2 and 4.1 of the Bylaws). So in the case of Unit H136, where Kelly Schrader is on the title but her husband Jason Platt is not, Jason would

either need to be on the title to the unit or if Kelly transferred the unit into an entity, and even if she were the only shareholder or member of the entity, she could appoint Jason as the entity's delegate and he could run for the Board.

RESALE MARKET

Kim mentioned that only approximately 1/3 of the original owners still own in Miller Ranch. There are 92 people on the waiting list and there are no listings at the current time. Steve Nusbaum said that he would look into the possibility of getting 120 Wildcat condemned, since the bank that currently owns the property has not made any progress towards getting it on the market and getting it sold to a new homeowner.

FINANCIAL REVIEW

Because of time constraints, the financial review was skipped. However, the Board Members said that they would review the financial statements that had been emailed to them previously. Those financial statements included the February 28, 2015 balance sheet and profit and loss statement.

PARKING ENFORCEMENT

Steve Nusbaum and Jamie Pappas had previously met with several people from Eagle County, including Bob Narracci (Planning) and Eva Wilson (Engineering). Jamie had also previously talked to Gordon Adams (Road and Bridge). The Association can ask the Eagle County Commissioners for permission to apply the Association's parking rules and regulations on County roads within the Miller Ranch neighborhood. The Association already has the right to enforce the Association's rules on Association members. Steve will put together a letter for Eva Wilson regarding a resolution from the Commissioners. The letter will include comments about parking complaints, safety issues and aesthetic issues.

RULES ENFORCEMENT NOTICE

Jamie Pappas said that he would get back to Steve Stafford with his comments related to the proposed notice that Steve had drafted and circulated to the Board Members. That notice was to go out to all members of the Association after input from the Board. Steve was directed to incorporate Jamie's comments into the notice and to then recirculate it to the Board Members for final approval before sending it to all members of the Association.

DOG DNA PROGRAM

There was a discussion about possible implementation of the dog DNA program. Steve Stafford reported that information about the company and program that is used by the Brett Ranch Homeowners' Association can be found at pawprints.com. He said that he had talked to Alex, the lady that administers that program, and that it seems to be working well. The Board directed Steve Stafford to look further into the costs of setting up that kind of program. It was noted that this kind of program could be done on an "as needed" basis when specific problem owners and/or problem areas are identified.

LED PARKING LIGHT BULB REPLACEMENTS

Vincent Vigliotti said that the LED bulbs were back-ordered but that they were supposed to be delivered on March 13th.

ADJOURNMENT

There being no additional business to transact, the meeting was adjourned.

Respectfully submitted,



Steve Stafford, Property Manager