

**HIDEAWAY TOWNHOUSES SUBDIVISION ASSOCIATION  
ANNUAL MEETING  
November 16, 2019**

**I. CALL TO ORDER**

The Hideaway Townhouses Subdivision Association Annual Homeowner Meeting was called to order by Dave Diehl at 2:02 p.m. in the Silverthorne Town Hall.

Board Members Present Were:

Dave Diehl, Unit 330  
Paul Warbington, Unit 328

Homeowners Present Were:

Kristin Howland, Unit 199	Ted Maestas, Annette Schandl, Unit 233
Marsha Wilson, Unit 237	Clyde Burson, Unit 239
David Sears, Unit 247 (via teleconf.)	Melissa Siderfin, Unit 251
Justin & April Martisius, Unit 255	Phillip Sparn, Unit 259
Paula Miller, Unit 261	Rick Garcia & Gretchen Norton, Unit 263
John Wilson, Unit 271	Margaret Hillman, Unit 283
David Dvorak, Unit 287	Nina Carran, Unit 299
Jeff Duchin, Unit 314 (via teleconf.)	Barb Petersen, Unit 320
Rebecca Duarte, Unit 324	Debra Warbington, Unit 328
Judy Diehl, Unit 330	Matthew Miklovic, Unit 340

Representing Summit Resort Group were Kevin Lovett, Shane Carr and Kevin Carson.

**II. PROOF OF NOTICE AND ESTABLISHMENT OF QUORUM**

Notice of the meeting was sent October 16, 2019. With 20 units represented in person and 26 by proxy, a quorum was confirmed.

**III. REVIEW MINUTES OF 2018 ANNUAL MEETING**

**Motion:** Paul Warbington motioned to approve the minutes of the November 17, 2018 Homeowner Meeting as presented. Annette Schandl seconded, and the motion carried.

**IV. TREASURER'S/FINANCIAL REPORT**

The following financial report was reviewed:

*A. Year-End Financials*

As of December 31, 2018, the Operating balance was \$81,827, the Alpine Bank Reserve balance was \$226,962 and the Firstbank Reserve balance was \$51,739.

*B. Year-to-Date Financials*

As of September 30, 2019, the Operating balance was \$53,966, the Alpine Bank Reserve balance was \$281,452 and the Firstbank Reserve balance was \$51,983. The P&L reflected a \$40,850 positive variance in Operating expenses. The Reserve contribution is planned to be \$45,703 for 2019.

*C. Early Loan Repayment Initiative Report*

The early loan payment initiative was reviewed. Owners were thanked for their participation in the early loan payment initiative. The final loan payment was made on October 31, 2019. The First Bank reserve account, which was required to remain open while the loan was in place, was closed and funds transferred to the Alpine Bank Reserve Account. The loan was repaid in full 5 years and 11 months earlier than originally scheduled. The early loan payment initiative resulted in a savings of \$86,241! Final assessment payments totalling \$32,975 are expected from 31 homeowners by April 1, 2020; upon receipt, these funds will be desposited into the Alpine Bank Reserve Account. Al Grabenstein was thanked for his incredible efforts on this project – the Owners were very appreciative of the initiative and the savings.

*D. 2020 Budget*

The 2020 Budget as written included no change to the dues. Additionally, it was noted that \$100,000 will be contributed to the reerve account through the regular monthly dues payments in 2020. The Capital Reserve plan was also presented. It was noted that the objective is to conitnue to grow the Reserve Fund to offset expenses associated with future capital projects. With no objection, the 2020 Budget was ratified.

**V. MANAGING AGENTS REPORT**

Kevin Lovett thanked the Board for their hard work this past year and site manager Shane Carr received a round of applause for his efforts. The following Managing Agents Report was presented:

*A. Projects*

In addition to the “routine” day to day items, the following items have been completed:

- Insurance policy review and renewal; Owners were reminded to ensure that they have an “HO6” policy in place.
- Low temp alarm inspection and battery change.
- Water backflow annual tests and inspections.
- Minor siding, deck railing and gutter repairs
- Concrete repairs
- Parking lot striping
- Exterior touch up painting
- Entry sign solar light additions; Paul Warbington was thanked for his efforts on completing the planning and installation of the new solar sign lights.
- Landscape items completed include:
  - Preventative tree treatments
  - Participating in the ENPHA noxious weed treatment program
  - Participation in the ENPHA “landscape improvement grant project”
  - Dead tree removal
  - Irrigation repairs

Future projects under consideration were discussed to include:

2020:

- Unit deck surface (parking lot side of bldgs.) sealing
- Siding shake replacements on buildings; all buildings showing a need for repair will be considered and those showing the most urgent need will be addressed first.

2021:

- Asphalt crack seal and seal coat
- Exterior painting; the possibility of completing a paint color change was discussed. It was noted that any color change must be approved by ENPHA Master Association. It was also noted that there is an additional approximate \$30,000 expense associated with changing the paint color.

*B. Owner Reminders*

- Owners should review the House Rules with renters and guests.
- Rentals of less than 30 days are prohibited. Owners who rent long than 30 days must provide the Association with a copy of their lease.
- Pets must be kept on a leash and owners must pick up after their pets.
- Parking is allowed in designated areas only. Owners and tenants are not allowed to park in the guest parking spots.
- Thermostats should be kept at a minimum of 55 degrees to prevent frozen pipes.

*C. Owner Education*

SRG presented an Owner Education piece about “Rights and Responsibilities of Owners within an HOA”.

**VI. OLD BUSINESS**

The following Old Business item were presented:

*A. Grounds Committee Report*

Since inception, there have been two basic responsibilities that the Grounds Committee undertook; (1), management of the summer Owner Work Day Program and (2), creating a framework from which the community would be able to improve its overall landscape appearance.

- Summer Owner Work Day Program; There were four Owner work days in 2019. Roughly ½ of the Owners at the Hideaway participated! The Owner Work Days accomplished both building community amongst Owners and accomplished many tasks that save the HOA money.

- Landscape Improvements; In 2019, the Grounds Committee worked with Greenscapes Landscaping to complete improvements to three landscape berms and two entrance gardens.

The future of grounds and landscaping was discussed. It was noted that there are no improvements planned for 2020 and the new improvements will be monitored to see how they fare over the upcoming summer. It was noted that due to personal member

commitments, the Grounds Committee has disbanded, and the Board will resume responsibilities for the Grounds Committee efforts. The Grounds Committee was thanked for their work.

## **VII. NEW BUSINESS**

The following New Business items were discussed:

### **A. *House Rule Amendments, Consideration for Adoption:***

-House Rule 9., Pets – The Board determined that a modification to the House Rules, section 9. Pets should be adopted. The rule amendment was sent to Owners for comment. It was reported that an increasing number of undesirable pet events to include not picking up after pets, noise (barking) and off leash issues have occurred, and this caused the Board to revisit the community regulations with regard to pets. The large majority of pet issues have stemmed from renters' dogs. The Board studied other HOA's and how they address pets. It was noted that the large majority of HOA's in Summit and Clear Creek counties prohibit renters from having pets. Some HOA's also limit the number and size of pets permitted. The Board discussed implementing size restrictions but rejected size limitations in drafting the rule amendment. The rule changes are a result of pets creating more and more frequent issues at the Hideaway. The following Owner comments were received (these include both comments received at the meeting as well as submitted via email prior to the meeting):

-An Owner stated that she has 3 pets (2 cats and 1 dog). The Owner stated that a 2-mammal limit is very restrictive and suggested revising to state "a maximum of 2 "per kind"".

-An Owner stated that she purchased her unit with the sole purpose of renting it out. She feels strongly about making rentals available for local workers. She stated objection to the rule and recommends having policies put in place that accomplish the goal of compliance with pet rules. She suggested having owners signing a document stating that if their renter has a pet(s), that the Owner acknowledges that they as the Owner are responsible for their renter and the actions of their renter and renters' pet and that the Owner is responsible for damages, penalties and fines. The Owner suggested putting in place a very high fine structure.

-An Owner questioned if the rule amendment would hinder rentals.

-An Owner asked the question, "how do you define Owner"? It was noted that "Owner" is defined as the individual listed on the Deed. An Owner commented, how do you view LLC's?

-An Owner asked if the HOA can assess fines for violations. It was noted that yes, the HOA can assess fines to the Owner of the unit (not the renter).

-The Board noted that many Owners come to the Board with complaints and problems with their neighbors and neighbor pets. The Owner does not want to

approach the neighbor to discuss as they do not wish to create an adversarial relationship. The Owners request assistance from the Board.

-The Board noted that pet violations are very difficult to enforce as the alleged violator denies the violation and then it becomes a “he said/ she said” battle.

-An Owner asked, “what is the Town of Silverthorne policy on the number of pets permitted” and suggested that the Hideaway regulations align. It was noted that this will be investigated.

-An Owner stated that he has an existing lease with a tenant that has a dog. The Owner asked if existing tenants with leases in place will be “Grandfathered” in?

-The Board noted that there would be no grandfathering. It was further noted that the Board will exercise discretion on enforcement of the rule up until the time that the existing lease expires/ renews.

-An Owner stated that his parents have a dog. He asked that with the proposed new rule, will his parents no longer be able to bring the dog to the unit? What about other family members?

-The difficulty the Board has in mediating complaints between owners and enforcing reports of incidents with the lack of hard evidence was discussed.

-An Owner recommended that pet complaints (and noise, other neighbor nuisance issues) not be handled by the Board, but instead, instruct complainant to contact the police.

-An Owner commented on the proposed new rule re “renters are not permitted to have pets” in conjunction with the second proposed rule, “any occupancy by a non-owner in excess of thirty days (including family members and guests) requires a lease...” The Owner stated that she travels for extended periods of time and her adult son resides in the unit and takes care of her dogs. Now, with the new rules, her son would become a “renter”, and would he be permitted to keep and watch over her pets?

-An Owner commented that he believed that the HOA already has the powers to deal with pet issues and that there is no need for additional rules. He believes that the newly proposed rules interfere with the right for an Owner to enjoy usage of their unit and also interferes with an Owners right to establish rental terms.

-A suggestion was made to put sound detecting devices in units to determine if neighbor dog barking issues are legitimate. It was noted that devices are expensive.

-An Owner stated that these rules penalize the existing “rule following” Owners, and that the Owners that do not follow the rules will still find a way to not follow the new rules.

-An Owner stated that they like the dog friendly community and recommend having the Town of Silverthorne Police handle issues.

-An Owner stated that renters with pets should verify that their pet is on record with the County that the pet has been spayed/ neutered and had proper vaccines.

-After the discussion, comment period, the Board thanked the Owners for their comments and stated that the Board would revisit at the next Board meeting with the underlying goal to get renter pet issues under control.

-House Rule 13., Owner Responsibility for Leasing Unit – The Board determined that a modification to the House Rules, section 13. “Leasing” should be adopted. The

rule amendment was sent to Owners for comment. The following Owner comments were received (these include both comments received at the meeting as well as submitted via email prior to the meeting):

- An Owner asked “why” the rule change with regard to leasing.
- The Board stated that the reasoning behind the rule change was in order to abide by the HOA Governing Documents which require Owners who are leasing their units to provide lease to the HOA, and to know who is in the unit for emergency purposes.
- An Owner expressed concern of the language and requested that the Board revisit.
- An Owner suggested that instead of the proposed rule amendment, requiring Owners to submit to the HOA “notification of tenancy”; this would require an Owner to provide name and contact info for the occupants of their unit.
- After the discussion, comment period, the Board again thanked the Owners for their comments and stated that the Board would revisit this rule amendment at the next Board meeting.

## **VIII. OWNER FORUM**

### **A. Owner Comments**

The following general Owner Comments were made:

- An Owner asked if Fractional Ownership was permitted at the Hideaway. The Governing Documents will be reviewed.
- A leak at a unit was discussed. An Owner recommended that Owners should turn off their main water unit supply during periods of extended unit vacancy. Additionally, there are leak detection equipment options available that signal Owners in the event of a water leak in units.
- An Owner asked if they could remove the satellite dish that is on the side of their unit. Removal of a satellite dish is a modification to the outside of a building. A modification request form should be submitted and removal done either by SRG or under their supervision.
- Owners were reminded that they must receive HOA approval prior to completing any modification to the unit exterior / grounds.
- An Owner reported that one of the lights on a street light pole was staying on during the day; this is likely a failed photocell and will be investigated.

## **IX. BOARD OF DIRECTORS ELECTION**

The terms of Al Grabenstein, Paul Warbington and Michael Pickell expire this year, and all were willing to run again. There were no other nominations from the floor.

Gretchen Norton motioned to reelect the three incumbents. Melissa Siderfin seconded, and the motion carried.

## **X. NEXT MEETING DATE**

The 2020 Annual Meeting is tentatively scheduled for a Saturday in mid-November 2020, at 2:00 p.m.

## **XI. ADJOURNMENT**

The meeting was adjourned at 3:58 p.m.

Approved: \_\_\_\_\_11-14-20\_\_\_\_\_