

**MILLER RANCH PROPERTY OWNERS' ASSOCIATION  
ANNUAL HOMEOWNERS MEETING  
JANUARY 22, 2019**

**MINUTES**

**CALL TO ORDER**

The meeting was called to order by Kelly Malin, President of the Board of Directors of the Association, at 6:30 p.m. The meeting was held in the Event Room on the second floor of the Miller Ranch Community Center.

**ATTENDANCE**

The following Board Members were present:

- Kelly Malin, 9 Stillwater
- Kori Beckman, 65 Tames Creek
- Camille Thurston, Unit H239, Mill Lofts
- Ashley Perrigaud, Unit I144, Mill Lofts
- Ty Ryan, 23 Silver

Other owners in attendance were as follows:

- Kris Larson, 112 Marble
- Mark Hoblitzell, Unit E222, Mill Lofts
- Dave and Stacy Thibedeau, 11 Tames Creek
- Steve Nusbaum, 15 Red Barn
- Donald Hallowell, 42 Wildcat
- Erik Garcia, 96 Wildcat
- Ellen Miller, Unit F230, Mill Lofts
- Luz Marina Castro, Unit E226, Mill Lofts
- Monica Lightfoot, Unit H137, Mill Lofts
- Michaela Christie, 28 Round Up
- Michael Beach, Unit F129, Mill Lofts
- Robert Matthews, 53 Red Barn
- Thomas Wessel, 25 Tames Creek
- Dave Gifford, Unit E121, Mill Lofts
- Jen Wanner, 75 Stillwater
- Elizabeth Koontz, 35 Silver
- Walt Bujaryn, 59 Silver
- Bill Lansdowne, 12 Flat Top

Owners in attendance by proxy were as follows:

- Lavonne Montoya and Monica Diaz, 23 Mica, by proxy to Kelly Malin
- Euginnia Seyferth, Unit D118, Mill Lofts, by proxy to Kelly Malin
- Cathy Heller, Unit A201, Mill Lofts, by proxy to Kelly Malin

- Jen Schrader, 69 Tames Creek, by proxy to Kelly Malin

Others in attendance were as follows:

- Patti Liermann, Valley Home Store
- Jessica Foulis, Eagle Valley Land Trust
- Steve Stafford, Slifer Management Company
- Heidi Hanson, Slifer Management Company
- Vincent Vigliotti, Slifer Management Company

#### ROLL CALL

Kelly Malin asked everyone in attendance to introduce themselves so that everyone would know each other.

#### VALLEY HOME STORE UPDATE

Patti Liermann introduced herself and then introduced Nicholle Jackson, who recently started working for the Valley Home Store. There were 25 selling transactions in the Miller Ranch neighborhood in 2018. Patti went through the procedure for documenting capital improvements with the Valley Home Store. Owners should submit copies of their invoices and keep the originals, since at some point the copies get shredded. When you're preparing to sell, you can get a seller's to-do list. Make sure you get your capital improvement documentation in as soon as possible because it takes the Valley Home Store up to two weeks to complete that process. There's a pre-listing inspection that has to be completed before putting the property on the market. They need to take photos and get marketing material ready also. If an owner thinks that they might want to sell their current property and purchase a different one, they should contact the Valley Home Store about that sooner rather than later. Nicholle said that they would be sending out the 2019 residency / employment affidavits the following week. This document verifies that you still reside in your Miller Ranch home, that it is your primary residence, that you do not own any other real estate and that you still work in Eagle County. You can fill it out on the Valley Home Store's website if you're up to date on all of your affidavits so far. You will need to be up to date on your capital improvements form also. They will send out three reminders before penalizing anyone for non-compliance on returning the affidavit. She then talked about leaves of absence. If for some reason you cannot occupy your Miller Ranch residence for some period of time, please contact the Valley Home Store about it. Leaves of absence must be approved in advance by the Valley Home Store. One owner asked what happens when an owner retires. Patti and Nicholle said that an owner must work for at least five years in Eagle County prior to retirement in order to continue to qualify for residence in Miller Ranch. During retirement, the owner must reside in Miller Ranch at least nine out of twelve months during each year.

#### EAGLE VALLEY LAND TRUST

Jessica Foulis gave a presentation about the work being done by the Eagle Valley Land Trust. They are the local open space organization. They do much of their work via conservation easements. There are 36 conservation easements. They account for approximately 11,000 acres of open space, which is about twice the size of Vail Ski Resort. They are important as wildlife habitat, open space and public recreation. This is usually done with a legal document called a conservation easement. The Miller Ranch Open Space is a local conservation easement. Jessica

passed out her business cards and some stickers. The Miller Ranch Open Space is about 32 acres. The conservation easement was signed in 2012 and it's owned by Eagle County. They also own the adjacent parcel between the railroad and I-70 and they will be expanding onto that parcel. That will add about 17 additional acres to the Miller Ranch Open Space. The additional parcel will be preserved for wildlife habitat. Eagle County is in the final days of finalizing that additional conservation easement. There was a restoration project last summer in partnership with Eagle County Open Space and the Watershed Council. It was so successful that they had to cancel the second day of the project. They had a huge turn-out with lots of excited volunteers. They did riparian restoration, wetlands protection and installed appropriate access to the river.

#### APPROVAL OF MINUTES

Steve Stafford had previously emailed, mailed or hand delivered copies of the Minutes from last year's Annual Meeting to all members of the Association. Kelly Malin asked those present if anyone had any questions or comments regarding the Minutes. She said that the Board of Directors had already reviewed them and approved them. No one had any questions or comments. The Minutes were then approved.

#### FINANCIAL REPORT

Steve Stafford had previously emailed, mailed or hand delivered copies of the December 31, 2018 balance sheet and profit and loss budget comparison to all members of the Association. Heidi Hanson went over the financial statements. She said that the Association had done very well in 2018. The Association was able to keep the landscape maintenance costs right at the budgeted amount. Most other expense items ended up under budget. That resulted in net income of approximately \$15,500. Of that amount, the Association needs to cover a loss from 2017 of approximately \$12,800. That leaves about \$2,700 of net income that can be rolled into the Association's replacement reserve fund, if approved by those present. The Association collected approximately \$15,000 in replacement reserve dues and that amount will be transferred into the replacement reserve fund. There were four items that were addressed out of the replacement reserve fund in 2018. They were (1) addition of new sand for the play area in the main entry park, (2) repair of the large water main break that occurred on Stillwater Street, (3) replacement of a bench and trash can and (4) concrete grinding of many areas that were trip hazards. She then reviewed the balance sheet. There is approximately \$72,000 in the operating account and approximately \$70,000 in the replacement reserve fund. Insurance has been pre-paid for 2019. That will be expensed over the course of the year. The replacement reserve fund, after the 2018 contributions are added and the replacement reserve expenses are deducted, will have a balance of approximately \$77,000 as of January 1, 2019. She asked if anyone had any questions or comments and there were none.

#### 2019 PROPOSED BUDGET

Heidi Hanson went over the 2019 proposed budget, which had previously been emailed, mailed or hand delivered to all members of the Association. The operating dues pursuant to the proposed budget would increase by approximately 4.3%. The replacement reserve dues would increase by approximately 20% from \$15,000 to \$18,000. Individual expense line items were adjusted upward or downward based on historical data. The biggest expense in the budget is landscape maintenance. Electricity costs for the street lights are expected to increase in about the same amount as the consumer price index (CPI). The cost for irrigation water, which is purchased from Eagle County and comes from Freedom Pond, is expected to increase by about 5%, partially due to the drought in 2018. Heidi asked if anyone had any questions or comments about

the proposed 2019 budget. One owner asked who handles the sidewalk shoveling. Steve Stafford said that's handled by Simon Property Services. The owner asked if that was the guy who drives around on a 4-wheeler and Steve said that was correct. Vincent Vigliotti said that they have a crew of about four persons who handles the sidewalk snow removal. One owner said that the street lights were on 24 hours a day. Steve Stafford said that's not supposed to be the case and any time an owner notices them on during the daytime hours, they should let him or Vincent know. If they are on during the day, either a photocell or timer has failed. The owner mentioned the lights near 42 Wildcat in particular. Vincent said that the street lights aren't metered. The Association pays a certain rated amount for the street lights, but we still don't want to waste electricity, so this needs to be investigated and fixed. One owner asked about irrigation water. Steve Stafford said that all the Association's irrigation water comes from Freedom Pond, so it comes to the Association via Eagle County. He said that the Association expects their water rate to creep upwards, as most utilities do over time. He said that last year was a drought year, so the Association will probably use more irrigation water in 2019. One owner said that they moved in the end of July, 2018. They noticed that some areas in the main entry park were very wet and muddy, so those areas might be getting over-watered. Steve said that there are a couple places in the neighborhood that seem to always be too wet and muddy and the landscape maintenance company will need to try to solve the problems that are causing this. Kelly Malin asked if there were any additional questions or comments and there were none. The proposed 2019 budget was then approved.

#### BOARD MEMBER ELECTION

Kelly Malin said that there was one Board Member position that was up for election. That position is currently held by Camille Thurston. She lives in the condominiums, but this position is an At Large position, so this position can be held by any homeowner (condominium, townhome, duplex or single family). So far, no one has indicated an interest in running for this Board Member position. The Board placed Camille's name on the ballot automatically, since she currently holds that position. Kelly asked if there was anyone at the meeting who was interested in being on the ballot, as there is a write-in space for that. She said that the Board usually meets once a month in the evening. The Board does a good amount of business via email. There is a commitment to being on the Board. It's a volunteer job and it does take time. It's always good to be involved in the neighborhood. Camille said that she doesn't mind being a Board Member, but she's been on the Board for a long time. She's also on the Condominium Association Board. She said it's really not that hard to be a Board Member and she would love to see some other owners step up. She said that if no one else is interested, she will be happy to continue. Jenn Wanner said that she would be interested in being a Board Member. She served on another Board for seven years in the past. Camille then said that she would remove herself from consideration. Those present then voted to approve Jenn Wanner as an At Large Board Member with a three year term that will expire at the annual owners meeting immediately following the end of 2021.

#### ADDITIONAL PAINT SCHEMES

Kelly Malin reminded everyone that the Board had previously approved a policy requiring exterior repainting of all duplex and single family homes on a regular basis. There had been some uproar over that proposed policy and the Board had listened to all comments that had been submitted. The whole reason for the initial five year repainting proposal was because the Board recognized that there are some colors in the neighborhood and some sun-facing locations where some people are significantly affected. Unless you get a really good painter and use really good paint, five years might not even be enough. The only reason for the initial five year repainting

requirement was try to make the rule work for all homes, including those who might have a red color scheme or face the ballfields, where the sun beats directly on their paint, and where the paint most likely won't last as long as other color schemes and/or locations. The Board went to a seven year repainting requirement after further consideration. If your house still looks good, regardless of when it was last repainted, the Board is not going to be knocking on your door and requiring you to repaint. The Association does have some challenges though, with some of the current paint schemes. The red paint scheme does weather pretty drastically. Some owners even have significant problems with the brown and blue colors if they have certain sun exposures. The Board is going to implement a couple of new, additional paint schemes so that when it comes time to repaint, you'll have more choices for paint colors. The new, additional color schemes have not yet been picked but they will be soon. If you want to change the colors of your house, you will need to submit a Design Review Board (DRB) application and petition the Board. The Board will still not allow the same color scheme on adjacent houses. They want to continue the diversity in color schemes in the neighborhood. The colors around your house will dictate what color schemes are available to you. The Board will be working with Sherwin Williams on the new, additional color schemes. All of the current color schemes will also still be allowed. The Board does want to make sure that all owners are keeping up on exterior painting for the sake of their neighbors and to help protect property values.

#### LANDSCAPE MAINTENANCE

Kelly Malin led a discussion about landscape maintenance. She said that the Board recognized that there were some frustrations about landscape maintenance in 2018. The Board and Slifer Management addressed these frustrations and feel that they have a good solution for 2019. The Board is trying to balance dues, without drastic increases, with still having a nice looking neighborhood. Some of the complaints that the Board gets about landscaping are on par with people who would expect services that would double the landscape maintenance budget. The Board is not going to do that. All property owners have some obligation to help take care of their own properties. The Board has a somewhat limited pool to draw from as to landscape maintenance contractors who will even consider bidding on Miller Ranch. Vincent worked really hard and went through a lot of proposals. After considering all the proposals that were submitted, the Board decided to stay with Pristine Landscapes in 2019. Vincent said that the biggest change for 2019 will be the way that Pristine will work within the neighborhood. In the past, the neighborhood was split up into four quadrants and every home got their flower gardens maintained about once per month. Their employees were in the neighborhood, but they would usually only work on one quadrant each week. A lot can change in a flower garden in four weeks. This year, Pristine will have two full-time designated employees who will be in the neighborhood Monday through Friday. Miller Ranch will be their only property. This should mean that the flower gardens will get maintenance every other week instead of once every four weeks. Steve Stafford said that will also make it much easier to pull those employees from one part of the neighborhood to another, when needed. Pristine will still have their entire company available for spring cleaning and other bigger projects. With two full-time designated employees, they will get to know the individual flower gardens and owners much better. Kelly said that management will post landscape specifications and schedules on the Association website. Announcements for weed spraying and similar projects will still be emailed to all owners. This should help with questions about what's getting done and when. Some projects are weather dependent, so schedules do sometimes change. One owner asked how much more the landscape maintenance would cost the Association. Kelly said that there are three line items in the budget that relate to landscape maintenance. There's irrigation maintenance, landscaping maintenance

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and grounds cleaning. Steve said that grounds cleaning is for picking up dog waste, emptying dog waste bags, emptying common area trash cans and similar tasks. Kelly said that landscaping maintenance went up a little but not a lot. Vincent prepared bid specifications that were included in a Request For Proposal (RFP). The Board tried to keep the bids "apples to apples" as much as they could. The Board tried to increase the services as much as possible without increasing dues very much. Kelly said that there's been some owner confusion as far as what the landscape maintenance company is supposed to do and what individual owners are supposed to do. The Association could certainly have the landscape maintenance company do literally everything, but that would increase dues. The Board is trying to come up with a win-win situation where the neighborhood looks great and owners aren't frustrated but also with some clarity on what individual owners need to do. Camille Thurston encouraged owners to let the Board and management know if they have input about landscape maintenance. Kelly reminded everyone that most Associations pay substantially more for landscape maintenance services than Miller Ranch does. Steve Stafford said that the Board had management prepare a very extensive RFP. Vincent then went out to quite a few landscape maintenance companies in the valley. There are quite a few small companies who are simply too small to handle a property the size of Miller Ranch. None of the companies who have bid in the past were willing to bid again this year. The Association got four bids for the Board to consider. One of the companies, Pristine Landscapes, submitted two bids. One of those bids was using two full-time, designated employees and the other one was more of a standard proposal, similar to what they have done in the past. The Board then took those bids and gave a lot of consideration to them. That's how the Board decided to stay with Pristine. They then asked Pristine to prepare a very detailed landscape specification list. Pristine has now prepared that list. It was not a quick and easy decision for the Board to stay with Pristine. They put a lot of thought, consideration and comparison with other bids into the process before they decided to stay with Pristine. All of the other bids were higher in cost and part of the decision was based on cost and an effort to keep the budget at a reasonable level. One owner asked if the landscape maintenance company replants every year. Vincent said the plants that they plant are perennials, so they normally come back every year. If plants die, the Association will usually replace them. An owner asked about replacement of plants that they don't like with something else. Vincent said that if the plant is healthy, the Association normally won't replace it with something else. Kelly said that the owner could do that if they wanted to though at their own expense and the Association would then maintain it, if it is in the front flower beds. Vincent said that if an owner replaces existing vegetation, they should let management know because all the irrigation in the flower beds is drip irrigation. If a new plant isn't installed with proper drip lines, it will die. Steve said that many times owners will think that the irrigation is not working in their front flower beds, but it really is. Since it's drip irrigation, the water is delivered underneath the surface, leaving the surface looking dry. One owner asked if the Board needs to approve all new plants. Kelly said that unless it's something very different, it doesn't need to be approved. The addition of any new trees should be approved by the Board because some trees have very destructive root systems. Steve said that sometimes certain owners will put lots of time and money into improving their own flower beds and they prefer to maintain their own flower beds after that. If that's the case, the owner should contact management for an "Owner Maintained" sign to be placed in the flower bed. That alerts the landscape maintenance company to leave that flower bed alone. One owner asked if the Association was going to replace the trees that were damaged or destroyed by a storm last year. Steve said yes, they will be replaced in 2019. A contract has already been signed for this. Pristine Landscapes recommended not replacing them in 2018 because of the drought. There was talk last summer about irrigation water being cut off, which would have meant that the new trees wouldn't have been watered and would have

probably died. One owner thanked management for getting the trees and bushes pruned and trimmed.

#### REPAIRS AND MAINTENANCE

Vincent Vigliotti said that the Association would continue grinding down trip hazards. This costs the Association about \$5,000 per year. This year the Association will be focusing on Marble and Red Barn with the concrete grinding. The broken trees that were removed after a previous storm will be replaced in 2019. It's been about five years since the Association's parking spaces have been resealed, so it's probably about time to do that again. Those spaces are the diagonal spaces along some of the public streets and the horizontal spaces at the end of the north-south streets. An owner asked if those projects would be paid for out of the replacement reserve. Vincent said that the answer is yes. The Association is saving a lot of money for the replacement reserve fund by grinding the trip hazards down instead of replacing entire sections of sidewalks. One owner said that she has a pigeon problem at her house. A short discussion followed.

#### PARKING

One owner said that at least 50% of the owners on the Red Barn alley don't park their vehicles inside their garages. He said that right now there are probably about 7 or 8 vehicles parked in the alley. The guy who plows the alleys cannot do a good job of plowing with vehicles parked in the alley. The owner said that the other day he couldn't get out of his garage because of someone parked on the other side of the alley. He knows that there is a rule that requires garage owners to use their garages for the parking of vehicles instead of being used for storage of personal items. There was a discussion about the difficulty involved in proving that an owner is not parking a vehicle in his or her garage. Part of the problem in the alleys is the fact that all the streets and alleys are public roads owned and maintained by Eagle County. One owner suggested that the Board communicate with and encourage owners not to park in alleys. Kelly Malin agreed but also suggested that neighbor to neighbor communication would also help the situation. One owner asked how the number of vehicles is enforced. Steve Stafford said that when the original parking plan was devised, it was with the belief that if management found any car, anywhere in the neighborhood, that didn't have a Miller Ranch parking permit in it, management could ticket, tow or boot that vehicle. Shortly after the parking plan was implemented, Eagle County informed the Association that they could not ticket, tow or boot any vehicles on public streets and alleys for not having a Miller Ranch parking permit. That basically took away management's most effective tool for parking enforcement. For example, if an owner has four vehicles, all they have to do is park one of their vehicles on a public street and there's nothing management can do about it. Management relies more than anything else on owner input regarding owners or vehicles that are in violation of the Association's parking rules. Steve said that most of the parking problems occur at night and management is not onsite at night except in the case of an emergency. The Association does not have the funds to hire someone to do nightly parking patrols. Kelly Malin said that at Riverwalk, the amount that the Riverwalk Master Association pays for a nighttime security person, who does very little actual parking patrol work, is very high. The Miller Ranch neighborhood has many blessings but parking problems are one of the curses and it will most likely always be that way. She said that the Board of Directors will do the best they can with the parking problems, but it will most likely always be a battle. One owner complained about the parking of commercial vehicles in the neighborhood. He said that he can't think of a single property in the valley where commercial vehicles are allowed to park. Kelly reminded him that once again, the Association doesn't have the right to ticket, tow or boot vehicles, including commercial vehicles, parked on public streets or alleys. The owner said that


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Colorado has a law that allows any vehicle that is parked on a public right-of-way (streets and alleys) for more than 48 hours to be considered an abandoned vehicle and to then be ticketed and towed. That should take precedence over Eagle County regulations. Kelly said that the Association could not tow any such vehicle. They would need to call the Sheriff's Department to try and get it towed. Kelly said that the biggest problems that the Board has had to deal with over the past year are landscape maintenance and exterior painting, so the Board would try to work on parking issues over the next year. Steve said that if an owner notices a vehicle parked for an extended period of time without being moved to call him up and he or his staff will call the Sheriff's Department about it. Steve said that the Board of Directors, a long time ago, made the decision that as long as a commercial vehicle is used for commuting back and forth between home and work, it will be allowed to park in the neighborhood. Ty Ryan asked for owner input when they notice a vehicle or unit that is in violation of the parking rules. There was a brief discussion about people who warm their vehicles up for extended periods of time. One owner said that there is a law against letting your vehicle run in order to warm it up and if anyone notices someone doing that, they should call the Sheriff's Department. Kelly said that sometimes it's best for an owner to try to solve a problem themselves by discussing it with their neighbor or calling the Sheriff's Department themselves, rather than calling management about it. One owner said that parking on Halloween was a problem and there was lots of trash from visitors. Kelly said that the Association could put out extra trash cans on Halloween to try to get Halloween visitors to put their trash in them.

#### ADJOURNMENT

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

Respectfully Submitted,



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Steve Stafford, Community Association Manager