

**MILLER RANCH PROPERTY OWNERS' ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
MARCH 27, 2018**

MINUTES

ATTENDANCE

Board Members in attendance were as follows:

- Kori Beckman
- Kelly Malin
- Taylor Ryan
- Ashley Perrigaud

Other owners in attendance were as follows:

- Liz Qualman
- Jen Ehrlich
- Bill Lansdowne
- Jim Edwards
- Mark Hoblitzell

Other persons in attendance were as follows:

- David Probst, Pristine Landscapes
- Eric Pierson, Pristine Landscapes
- Steve Stafford, Slifer Management Company
- Heidi Hanson, Slifer Management Company
- Vincent Vigliotti, Slifer Management Company

CALL TO ORDER

Steve Stafford called the meeting to order at 6:00 p.m. The meeting was held in the Valley Home Store conference room.

HEARING REGARDING DOG BARKING COMPLAINTS ABOUT 39 CROSS TIMBER

Steve Stafford explained that he had received several complaints from homeowners about the dogs that live at 39 Cross Timber. The complaints were that the dogs barked frequently during the daytime and nighttime hours. He had given the owner, Liz Qualman, an email warning last fall. Liz had quickly responded that she was going to try using a bark collar to teach the new dog, a puppy, not to bark. Steve had not heard anything else about the problem since then, until a couple weeks ago. Steve then contacted Liz again because he had received several complaints once again. Because this was a second warning, the Association had fined Liz \$100. Per the governing policies of the Association, Liz had the right to a hearing before the Board of Directors. Liz had then requested a hearing, which was being held at this Board Meeting. Steve invited Liz to address the Board Members. Liz said that she had gotten a puppy that was now

about 10 months old. She had gotten bark collars for both of her dogs. A friend had also suggested a "sonic egg", which emits sounds that only a dog can hear, and she had also tried that. Liz felt that although her dogs aren't perfect, they have improved. She said there are some other dogs that live in close proximity to her that also bark. That barking triggers her dogs to bark. She said that at the current time, she's working three jobs, but when summer gets here, she plans on taking the puppy to dog training school. She's asked her kids to bring the dogs inside whenever they start barking. She said that she's open to suggestions. Jim Edwards said that he could hear the dogs barking all day and all night. Bill Lansdowne asked Liz how often the dogs wear the bark collars and she said that they wear them when they're outside. Liz said that the bark collars work better on the older dog and somewhat on the younger dog. Liz said that since the young dog was now almost a year old, he was getting better about not barking. Kelly Malin asked if they have a dog door and if Liz knows when they're outside and Liz said that she doesn't have a dog door, so she does know when they're outside. When she hears them barking, she immediately brings them inside. However, when she's not at home and her kids are taking care of the dogs, they might not be as quick to respond. Kori Beckman asked if she has tried doggy day care when she's not at home and/or if she's tried using a dog trainer. Liz said that she planned to take the younger dog to a dog trainer. She said that doggy day care is very expensive, therefore she can't afford that right now. Liz said that she would contact a dog trainer and get a date when she could start having the younger dog work with him. Jim Edwards said that the neighborhood needed some peace and quiet and that he hears the dogs barking all day and all night. Liz said that they're in the house by 8 pm and they don't bark all night. Jen Ehrlich said that she lives nearby and she doesn't hear them barking at night. The Board then decided to make a decision in executive session after the Board Meeting. Mark Hoblitzell said that this should be decided in a regular Board Meeting, rather than in an executive session. The Board told Liz Qualman that they would discuss it later in the meeting and Liz said that was fine and she left the meeting.

LANDSCAPE MAINTENANCE

Steve Stafford invited David Probst and Eric Pierson to address the Board Members. There was a discussion about mulch for the neighborhood. Steve had emailed a proposal to the Board Members prior to the meeting. In the past, Pristine Landscapes has put down new mulch every year, although they did not do it last year due to the need for cost savings. The year before that, Pristine thinned the mulch out, because they have been adding new mulch every year. This year Pristine is proposing to add a new layer of mulch in all flower beds because it's starting to get kind of thin. With the dry conditions that are looking to be likely this year, the mulch will help contain the moisture. It also helps to cool the soil and the plant roots. Steve pointed out that the total cost for mulch throughout the neighborhood is \$28,237. Steve had asked Heidi Hanson to look at the budget. She had told him that if Pristine sticks to what they did last year, she could reduce the total landscape maintenance budget of \$131,885 by the \$6,160 that Pristine charged last year to turn over the mulch. That would bring the total to \$125,725 for the year without mulch. This year's budget for landscape maintenance is \$146,815. That would leave approximately \$21,090 left over for mulch, leaving a shortfall of approximately \$7,147. There's also \$10,000 in the replacement reserve expense line. David Probst said that the Board could

make a decision on that without him and Eric being there. Steve tabled the matter for a later decision. Taylor Ryan asked when we last applied new mulch and several persons answered that it was two years ago.

Steve asked David to explain the reasons for using compost tea instead of regular fertilizer. Compost tea builds the soil while regular fertilizer just goes into the soil, gets quickly absorbed and then it's gone. Regular fertilizer actually does some harm to the microorganisms in the soil. Bio-tea actually builds up the soil, which gives the root systems a better chance to fight off infectious diseases and drought. The compost tea system is used at the University of Colorado – Boulder and Harvard. David handed out some flyers showing test plots which showed the deeper root systems in the bio-tea plots. Compost tea must be used preventatively for drought conditions rather than reactively. David said that Pristine had used bio-tea to bring back the Association's spruce trees from near death. David said that application of bio-tea could possibly be done cooperatively with WECMRD, which would probably require modifications to the Freedom Park pumphouse or Pristine could simply apply the bio-tea in the neighborhood in the same manner that they usually apply regular fertilizer. Steve said that the cost of regular fertilizing in the past has run about \$6,200 per year. Tea compost would cost about \$7,800 per year if we just do it on our own (without WECMRD). That would be an increase of about \$1,600 per year. Steve explained that if the Association wanted to work with WECMRD on using tea compost, it would first be necessary to find out if they were interested and then the two parties would need to share the cost of modifications to the pumphouse. This should result in some cost savings over the long run. David Probst said that the two different application methods would have the same result. David warned that the current pumphouse might not have the capacity at the current time.

Steve went over a proposal from Old Growth Tree Service for tree and shrub care. The Association switched to Old Growth Tree Service last year. Steve said that he also started using them on some of his other properties last year and he's been very happy with their service. He feels that they have provided better service than the previous tree care company. Their prices have been about the same. David Probst said that he's noticed a big improvement in service too. Steve said that both Pristine Landscapes and Old Growth Tree Service were super about responding to the broken trees and branches from last fall's wind storm.

Taylor Ryan asked David Probst about edging that is coming up in many locations. David said that metal edging does often heave over the winter months. Pristine just goes through and resets it when they notice it sticking up. They push down what they can and replace what can't be pushed down. This is something that they do every spring.

39 CROSS TIMBER – DOG COMPLAINTS

The Board discussed this issue once again. The Board decided that they would waive the \$100 fine for the time being if: (1) the owner proves that she is working with a dog trainer no later than April 15, (2) significant progress with the dog barking problem, as determined by the Board of Directors, is accomplished no later than May 1 and (3) a \$100 fine will be assessed if those deadlines aren't met. Steve Stafford said that he would let the owner know.

APPROVAL OF MINUTES

Steve Stafford had previously emailed the Minutes from the January 23, 2018 Annual Owners Meeting to the Board Members for review. There was a brief discussion. Taylor Ryan suggested that the Board of Directors come up with a plan of action to address some of the ongoing items brought up at the Annual Owners Meeting. Kelly Malin agreed and said that one of the issues that needed to be addressed was the need for many of the homes in the neighborhood to repaint their exteriors. A discussion ensued about that issue. Steve said that Patti Liermann with The Valley Home Store had recently talked to him about the problem and they were hopeful that the Association would institute a policy to address the problem. The Board decided that the Association would allow persons with the red exterior paint to switch to a different color if they wanted to, since the red color weathers much faster than other colors in the neighborhood. Steve asked Jen Ehrlich if she could ask her paint store or contractor to come up with another paint scheme that might be a good choice to replace the red color scheme. The Board decided that the new policy should give an owner 45 days to come up with a written plan for repainting after the Association gives them notice that they have to repaint. The written plan must be approved by the Board. If it's not reasonably possible to start repainting that soon after the notice, the Board can extend the deadline. The Board decided that the first fine for non-compliance with the repainting requirement will probably be \$500, increasing with subsequent notices. Taylor asked if Steve could draft something with the basics and email it to the Board Members, before taking it to the Association's attorney.

AMENDMENT OF THE BYLAWS

There was a discussion about amending the Bylaws to lower the percentage of members present for a quorum at owners meetings. Right now it takes 25% of the membership votes to have a quorum at an owners meeting. There is some legal liability for the Board to be operating the Association without quorums at the annual meetings, especially when it comes to operating with budgets that are approved at owners meetings without a quorum present. Four Board Members voted in favor of amending the Bylaws to only require 10% of the membership votes for a quorum. Taylor Ryan voted against amending the Bylaws. The motion was approved.

ELECTION OF OFFICERS

Those present voted to appoint the following officers for the Board of Directors:

- President – Kelly Malin
- Vice President – Ashley Perrigaud
- Secretary / Treasurer – Kori Beckman

LANDSCAPE MAINTENANCE

There was another discussion about several landscape maintenance proposals. The proposal for adding mulch throughout the neighborhood was the biggest item. Those present approved the proposal from Pristine Landscape for adding mulch throughout the neighborhood. They voted to add mulch every other year including this year. Those present voted in favor of using compost tea instead of regular fertilizer without the involvement of WECMRD. Those present voted to

wait on replacement of trees that were broken by the fall wind storm, until the Board Members get a chance to look more closely at the trees that were broken. There was some concern voiced about planting new trees in a year when water supplies might be limited, as that might create a situation where there would be high mortality for the new trees. Replacement of trees might need to wait until next year, when hopefully water supplies would be more assured after a winter with normal snowfall. Those present voted in favor of the proposal for adding sand to the “sand box” and gravel to the walkways in the big central park. Those present approved the proposal from Old Growth Tree Service for tree and bush service throughout the neighborhood.

53 RED BARN – DRB APPLICATION

There was a discussion about the DRB application for a new fence and solar installation at 53 Red Barn. The Board had previously approved the application. Those present decided that in the future, input from immediate neighbors would be required before the Board will make a decision on the application. Neighbor approval is not necessarily required by the Board, but neighbor input will be required. It was decided that the neighbor approval language be taken out of the DRB application form but when a DRB application is submitted to Slifer Management, they will contact the neighbors for input.

DEPRECIATION OF EXTERIOR PAINT

Kori Beckman suggested that the Association send a letter to Eagle County Housing asking if the exterior paint could be added to the list of depreciable assets for the homes in the neighborhood. This would probably have to be approved by the Eagle County Commissioners.

APPROVAL OF MINUTES FROM JANUARY 23, 2018 ANNUAL OWNERS MEETING

The Minutes were approved without any further discussion.

FINANCIAL STATEMENTS

Heidi Hanson had previously emailed the most current financial statements to the Board Members. There was a brief discussion. There were no questions.

BIRD FEEDING

Steve Stafford said that he’s received several complaints about several owners who feed pigeons. Those owners would like a rule that prohibits the feeding of pigeons but not song birds or hummingbirds. Pigeons like to roost on the homes and they make a mess. Those present voted in favor of a rule that states that the feeding of pigeons is prohibited and homeowners must not allow pigeons to roost on their homes.

52 FLAT TOP – OWNER NOT IN RESIDENCE

There was a discussion about complaints that the owner of 52 Flat Top is not living in the townhome and has not lived there for a long time. This is the same townhome that has the teal colored doors and railings, which are non-compliant because the color was not approved by the Association. Steve Stafford said that she has agreed to repaint the doors and railings and she’s trying to decide between two different colors that are used in the townhomes. She will submit a DRB application when she makes that color decision. The MRTA Board gave her until June 1,

2018 to get the doors and railings painted in an approved color. She is planning on moving back into the residence, from Wyoming.

120 WILDCAT

Heidi Hanson said that Eagle County is finally closing on 120 Wildcat after the property was foreclosed on almost five years ago. That will put it back into the deed restricted pool of homes.

NEXT BOARD MEETING

There was a discussion about when to have the next Board Meeting. Those present decided to have future Board Meetings monthly on the 3rd Tuesday of each month.

ADJOURNMENT

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

Respectfully submitted,



Steve Stafford, Community Manager