

SKI RANCHES OWNERS MEETING

JANUARY 6, 2020



Welcome to 2020!



JANUARY 6 SKI RANCHES OWNERS MEETING AGENDA

- Welcome Fran Berg
- 2020 Budget & RETA Update Ray Bowers
- Declaration and Bylaw Amendments Fran Berg and Nicole Pieterse
- Highspeed Internet Update Rona Seams
- Restrictions and Covenants Update Greg Malver
- Complaint Process Lynn Cranford
- Snow John Knowles
- Design Review Committee (DRC) Dan Henschel
- Committees Fran Berg



2020 Budget & RETA Update

PROPOSED 2020 BUDGET – OPERATING AND RESERVES OVERVIEW

- No proposed increases to Either annual dues assessments
 - Total Operating Budget Assessment to remain at \$160,000
 - Total Road Reserve Assessment to remain at \$120,000
- For the Operating Budget - Minor Expense line items are changed
 - Some minor expense items to be reduced and others line items increased
 - New Ski Ranches Website to be funded from operating budget
- For the Reserves Budget – No planned expenditures for major road repairs this year
- We have ballots available here and would appreciate it if you could cast your votes today - for or against our proposed budget.
- Questions?

THE OPERATING BUDGET – PROPOSED FOR 2020

TELLURIDE SKI RANCHES PROPOSED 2020 OPERATING BUDGET

Operating Accounts	2017 Actual	2018 Actual	2019 Budget	2019 Estimated	2019 Estimated vs. 2019 Bdgt	2020 Proposed Budget	2020 Bdgt vs 2019 Bdgt
INCOME							
Operating Annual Assessment	110,000	110,000	160,000	160,000	-	160,000	-
Special Assessment - Fiber Optics	-	-	-	-	-	TBD	-
Total Other Income	19,931	22,330	13,025	13,702	677	15,225	2,200
Prior Year Net Income Rollover	-	-	-	-	-	-	-
TOTAL INCOME	129,931	132,330	173,025	173,702	677	175,225	2,200
EXPENSES							
Total Common Area Maintenance	33,260	11,853	18,300	19,338	1,038	15,800	(2,500)
Total Entrance Maintenance	6,684	7,812	19,000	18,930	(70)	10,450	(8,550)
Total Roads	15,165	25,985	80,300	67,235	(13,065)	61,235	(19,065)
Total Facilities Management - General	20,599	20,854	21,504	20,663	(841)	25,500	3,996
Total Administration Management	16,800	18,312	18,312	18,188	(125)	21,250	2,938
Total Administration	6,180	8,323	10,146	8,008	(2,138)	9,596	(550)
Total Taxes and Insurance	4,443	4,509	4,650	3,712	(939)	5,024	374
Total Professional Fees	8,693	11,617	13,500	16,630	3,130	12,100	(1,400)
Total DRC	12,640	12,412	14,470	11,176	(3,294)	14,270	(200)
TOTAL EXPENSES	128,063	121,676	200,182	183,879	(16,303)	175,225	(24,957)
OPERATING OVERAGE/SHORTFALL	1,869	10,654	(27,157)	(10,241)	16,916	-	-

Questions?

- 1) If the board of directors chooses not to fund specific budgeted items, those funds at the boards discretion, may be applied to other appropriate Ski Ranches needs.
- 2) The board of directors has discretion to spend accumulated prior years' overages from the operating fund
- 3) Although budget items may be identified as approved, they are not mandatory expenditures.

SKI RANCHES BALANCES AS OF DEC. 31, 2019

Summary of Operating Account Balances	2019 Budget	2019 Annual Estimated	2020 Budget	
				Notes
Beginning Balance:	61,731	61,101	50,860	Beg Balances Include Accounts Receivable
OPERATING OVERAGE/SHORTFALL	(27,157)	(10,241)	0	
Ending Balance:	34,574	50,860	50,860	
TRANSFER TO RESERVE ACCT.	0	0		
Ending Operating Fund Balance	34,574	50,860	50,860	

RESERVE FUNDS	2019 Budget	2019 Annual Estimated	2020 Budget
Assessment Reserve Account Beginning Balance	433,456	435,332	772,338
DEPOSITS			
Reserve Assessments	120,000	120,000	120,000
RETA Income	0	216,591	150,000
Interest	250	415	750
WITHDRAWALS			
Capital Road Improvements	0	0	0
Assessment Reserve Fund Ending Balance	553,706	772,338	1,043,088

Questions?

REAL ESTATE TRANSFER ASSESSMENT UPDATE

- The new real estate transfer assessment of 2% became effective July 1, 2019
- Prior to July 1, Ski Ranches had 2 home sales and 3 land sales
- After July 1, Ski Ranches had 7 home sales and 2 land sales totaling \$10,827,750
- The RETA has generated \$216,5340 for the road reserve fund in 6 months
- For budgeting purposes the board is conservatively forecasting \$150,000 in RETA income for 2020, but if the real estate market continues in the current upward trend, it could be better. However, please note that there are no homes under contract at this time and nothing has gone under contract since Nov. 2, 2019...
- Questions?



Declaration & Bylaw Amendments

DECLARATION - AMENDMENT I (SUMMARY)

- ISSUES:

1. Due to general voter apathy, getting a budget passed each year (according to our current Declaration) with a requirement that a quorum of at least a majority of weighted votes be turned in, has always been problematic.
2. It costs the HOA significant time and money to get the members to turn in those budget votes each year.

- SOLUTION:

- Amendment I proposes an update to the budget approval process. If passed, TSRA's budget for Annual Assessments adopted by the Board of Directors each year will no longer require that a majority of votes must be turned in by mail ballot. Members will still have a say and be able to veto a budget proposed by the board.

DECLARATION - AMENDMENT I (DETAIL)

- **AMENDMENT I - SHALL SECTION 4.3 OF THE DECLARATION PERTAINING TO THE APPROVAL PROCESS FOR THE ANNUAL ASSESSMENT BUDGET BE AMENDED EFFECTIVE FOR THE YEAR 2021 TO READ AS FOLLOWS?**
- Section 4.3 Annual Assessment; Budget Approval. Assessments for Common Expenses shall be allocated according to the formula set forth in Article 3, Section 3.4 of this Declaration, and shall be due and payable, without right of set-off or deduction, in monthly, quarterly, or annual installments, or in any other manner as determined by the Board of Directors. The omission or failure of the Board of Directors to levy the Assessment for any period shall not be deemed a waiver, modification or a release of the Members from their obligation to pay. Within 90 days after adoption of the proposed budget for the annual Assessments, a summary of the budget shall be delivered to the Members and posted on the Association's website. The Board of Directors shall set a date and time for a meeting of the Members to consider the budget to take place within a reasonable time after posting and emailing the summary of the budget to the Members and shall notice said meeting in accordance with the Bylaws. The budget will be deemed approved by the Members in the absence of a vote of a majority of the votes entitled to be cast in the Association to disapprove ("veto") the budget at such meeting whether or not a quorum is present in person or by proxy. If the membership vetoes and therefore fails to approve the proposed budget, the budget for the preceding year shall stay in place until a subsequent budget is approved by the Membership.

DECLARATION - AMENDMENT 2 (SUMMARY)

- **ISSUE:** If an emergency (for instance – a broken water pipe at the entrance or major damage caused by a big windstorm) necessitates immediate action for the welfare of the community and is not in the budget, the board needs the ability to fix the problem.
- **SOLUTION:**

Amendment 2 proposes to amend the Special Assessment approval process. If passed, the Board of Directors would only need to obtain Member approval by vote for **large** Special Assessments (specifically those in excess of 10% of the budget), and would no longer need Member approval for smaller Special Assessments to address budget shortfalls due to unexpected emergency needs. (Example, 10% of this year's budget would be \$28k, or around an average of \$140.00 per owner).
- The board would thus be enabled to take care of any unexpected needs that were not within the originally planned budget, if the originally budgeted income (dues) would not be sufficient to cover a special or emergency need.

DECLARATION - AMENDMENT 2 (DETAIL)

- **AMENDMENT 2 - SHALL SECTION 4.4 OF THE DECLARATION PERTAINING TO THE APPROVAL PROCESS FOR SPECIAL ASSESSMENTS BE AMENDED TO READ AS FOLLOWS?**
- **Section 4.4 Special Assessments.** In addition to the annual Assessments authorized above, the Association may levy, in any Assessment year, a special Assessment applicable to that year only for the cost of funding any capital improvements to the Common Area, for construction, reconstruction, repair or replacement of the Common Area, and to address any budgetary shortfalls; provided that any such Assessment estimated to be in excess of ten percent (10%) of the current budget for Annual Assessments shall require approval of a majority of a quorum of the votes in the Association, unless the Special Assessment is for purposes of addressing a budgetary shortfall. Special Assessments may be payable in installments extending beyond the fiscal year in which the Special Assessment is approved. The Board shall have the right to require that Special Assessments be paid in advance of the provision of the subject services or materials

DECLARATION - AMENDMENT 3 (SUMMARY)

- Amendment 3 proposes to clearly codify what is already in the DRC Design Guidelines concerning the placement of buildings on Ski Ranches Lots.
- This amendment mirrors the setback requirements already contained in TSRA's Design Guidelines. It's important to add this information to the Declaration to better ensure its enforceability and to notify surveyors that they need to depict or note these setbacks on the surveys they prepare.

DECLARATION - AMENDMENT 3 (DETAIL)

- **AMENDMENT 3** - SHALL SECTION 5.6 OF THE DECLARATION PERTAINING TO BUILDING SETBACKS BE AMENDED TO ADD THE FOLLOWING PARAGRAPH CONSISTENT WITH THE DESIGN REGULATIONS?
- Structures constructed on a Lot shall be setback a minimum distance of twenty (20) feet from the Lot line and thirty (30) feet from public right-of-way measured to the exterior of the structure. Please note that setback distances shall not apply to decks or patios under thirty (30) inches high.

DECLARATION - AMENDMENT 4 (SUMMARY)

- This clarifies when and how the Board of Directors may amend the Declaration without Member approval.
- This would allow the Board of Directors to fix clerical errors in the Declaration without taking the correction to the Members for approval.

DECLARATION - AMENDMENT 4 (DETAIL)

- **AMENDMENT 4 - SHALL SECTION 8.6 OF THE DECLARATION PERTAINING TO AMENDMENTS OF THE DECLARATION BY TSRA'S BOARD BE AMENDED TO READ AS FOLLOWS?**
- Section 8.6 Amendment of Declaration by the Association. The Association shall have the authority to amend any provision of the Declaration, without Owner or mortgagee approval, in order to correct clerical errors. The Association shall also have the authority to amend, revise, remove, repeal or add any provision to this Declaration, without Owner or mortgagee approval, to the minimum extent necessary as determined by the Board, in order to conform with any applicable state, city or federal law.

BYLAW AMENDMENT – QUORUM (SUMMARY)

THE ISSUE:

- In an owner's association as large as TSRA, it is always difficult to obtain a quorum of 50% of the eligible votes when it comes time to vote on certain actions and issues.

SOLUTION:

- A change to 20% would allow for a Member vote on all issues EXCEPT for amending the Declaration to occur with a quorum of 20% of all eligible votes, as opposed to 50% of all eligible votes.
- Any Major TSRA decision to amend the Declaration will still have the requirement to be voted upon and in favor by a majority of ALL eligible votes in the Association.
- **This proposed amendment to the Bylaws would reduce the quorum requirement - for all other issues to be voted upon by members - from 50% to 20%.**
- It must be made clear that a quorum of eligible Member votes (whether it's 50% or 20%) must participate either in person or by proxy at a meeting, or by mail or by electronic vote in order for a valid vote to take place in certain situations. These situations currently include voting to amend certain bylaw provisions, voting on Special Assessments, and voting on the budget.
- Note that a 20% quorum is consistent with CCIOA (Colorado Common Interest Ownership Act) and how other HOA's operate.

BYLAW AMENDMENT

- **BYLAW AMENDMENT:**
- SHALL SECTION 4.05 OF THE BYLAWS BE AMENDED TO REDUCE THE MEMBER QUORUM REQUIREMENT FROM 50% TO 20% AS SET FORTH BELOW?
- Section 4.05 Quorum of Members. The presence of 20% of the eligible votes, represented in person or by proxy, shall constitute a quorum for any action except as otherwise provided in the Governing Documents.
 - Note: In referring to what is “provided in the Governing Documents”, this bylaw recognizes that the Declaration overrides any Bylaw and does have the strict requirement that to pass an amendment to the Declaration, a full majority of ALL lot owners (by weighted vote) must vote in favor of the amendment.

DECLARATIONS AND BYLAW AMENDMENTS

- Questions?



HighSpeed Internet Update

HIGHSPEED INTERNET – NEXT STEPS

- Next Steps
 - Based on the Board’s analysis to date, the Board is pursuing Forethought as the preferred provider.
 - Next Steps for Forethought:
 - Forethought is engaging three contractors to get firm competitive bids for all installation costs
 - Forethought is working with the state to get a contract for the grant funds (usually takes around a month)
 - Forethought to provide Ski Ranches with a “form” contract for review
 - Next Steps for Ski Ranches:
 - Ski Ranches has found and will engage an internet attorney to negotiate an internet service provider contract
 - Ski Ranches has commenced to levy its highspeed internet special assessment. \$20,000 overall has been assessed. One or more additional assessments will occur in 2020 as the costs of the project become finalized.

HIGH SPEED INTERNET COMMITTEE

- Project Lead
 - Rona Seams – HOA Board Member
- Technology
 - Todd Haugen
 - Evan Iverson
- Construction
 - David Ballode
 - Bruce Sanders

HIGHSPEED INTERNET - DISCUSSION

- Questions?



Restrictions and Covenants Update

PROPOSED UPDATES TO ARTICLE V – RESTRICTIONS AND COVENANTS

- Ski Ranches Restrictions and Covenants were created in 1973 and updated last in 2008.
- The Board was asked to provide more clarity around some of the restrictions and to ensure all restrictions are transparent, communicated and equally applied to all owners
- We looked to San Miguel County and surrounding communities to ensure our restrictions were in line with the law, updated and made sense for Ski Ranches
- Created what we hope will be a neighborly process for conflict resolution
- Created non legal language Ski Ranches Rules at a glance for Homeowners
- Updated Article V language for lot maintenance, lighting, trees, trash, trailers, snow removal, short term rentals and pets
- Next Steps: Send out the entire document to homeowners for comment

OVERVIEW OF SKI RANCHES RESTRICTIONS

- Ski Ranches is a quiet, family residential-only neighborhood. We ask that you, your renters, contractors and guests are aware of our rules and respect our residents by abiding by our bylaws.
- Maintain your property. Keep it neat. Clean up deadfall. Keep culverts clear.
- Keep snow on your property. You are responsible for clearing your driveway and any berms left by plowing. (We are hoping to have a solution to the unbearable berms.)
- Obey speed limits. Drive slowly especially in winter months, stay in your lane.
- No unattended vehicles parked on streets. (Parking for parties okay of course.)
- Absolutely no overnight parking on streets.
- Absolutely no on-street parking during snowplow operation.

OVERVIEW CONTINUED

- Be bear Aware. Don't put out trash, especially in the summer, until day of trash pick up (Tuesday). Remove cans from the road same day after pickup.
- Owners who list their property for rental must abide by San Miguel County rules and provide Ski Ranches administer with a management contact if the owner is not on-site.
- Quiet Time is 10:00 pm to 7:00 am (No Rental Party Houses).
- No trailers, campers, commercial vehicles stored in sight on property.
- Check Design Committee rules prior to cutting trees, landscaping or beginning construction projects.

OVERVIEW CONTINUED

- Keep pets under your control. No loose animals or nuisance noise. Contractors are not allowed to bring pets into Ski Ranches while working.
- Nuisance noise is defined as 20 minutes of continuous noise during the day and 10 minutes after 10pm.
- Pick up after your pets (along the roads and open space).
- Outside lighting should be subdued or motion detector activated (after 10pm).

RESTRICTIONS AND COVENANTS

Questions and Comments?



Complaint Process

COMPLAINT PROCESS

- Complaints are viable if the person, property and/or environment are personally affected. No one on the Board is going to drive around looking for violations!
- However, if a neighbor is impacted we can help try to resolve the issue.
- In order to ensure fair and consistent application of our by-laws, we are proposing a more formal complaint process which will be documented and hopefully resolve issues in a neighborly manner.

PROCESS FOR CONFLICT RESOLUTION

- Talk to your neighbor before contacting the Ski Ranches Board, Administrator or the Sheriff. Perhaps they are not aware of your concern. (Ski Ranches administrator can provide contact information if you don't know your neighbor.)
- If the problem persists, submit a complaint form (evidence of the issue, documentation is important. Be specific).
- Someone on the Board or Administrative Staff will investigate within 48 hours to try to find a resolution.
- If the problem persists, submit a second complaint form which will result in a hearing.
- If still not resolved, fines will be levied. \$100.00 for first offense, then doubling for subsequent offenses.
- Law enforcement is a final resort

Ski Ranches Complaint Form

This form should be submitted to Ski Ranches Administrator only after having discussed with and informed the owner of the concern.

Today's Date: _____

Complainant Name: _____

Ski Ranches Address: _____

Email: _____

Telephone Number: _____

Type of Complaint: (Circle one)

Dogs Parking Trailer Trash Trees Other: (please state) _____

Description of Complaint: (Be specific: Dates, times, location)

Action taken with neighbor to resolve complaint: (Be specific: Dates. Actions agreed, other other neighbors experiencing the same issue)

Evidence: (Attached, video, audio, photo or doctor signed injury report)

—
Signed: _____

Printed Name: _____

Office Date Received _____ Follow up Date _____

Action taken _____

COMPLAINT PROCESS

Questions and Comments?

Snow



SNOW!



This has already been a busy snow year. We are aware of the issues with road plowing and are taking steps along with other neighborhoods to address this with the county

- Ensure everyone living on or visiting your property understands what to expect and do during the winter season.
- Residents are responsible for clearing the top of driveways, berms left by snowplows. Blow all snow onto your property, not County streets.
- Store all snow on your lot.
- Fire Hydrants: Ski Ranches HOA (and your dues) provide this service. We have 55 fire hydrants. Fire hydrant clearing begins after the roads have been cleared. (Do not blow snow over the hydrants or the flags)
- Keep snow on your property. You are responsible for clearing your driveway and any berms left by plowing. (We are hoping to have a solution to the unbearable berms)
- Absolutely no on street parking during snowplow operation.

SNOW BERM – POTENTIAL SOLUTION

- Ironex Snow Gate



Design Review Committee (DRC)

DESIGN REVIEW COMMITTEE (DRC)

- Objectives:
 - Preserve and protect the beauty of the natural environment
 - Promote a harmonious relationship of buildings, landscape and topography
 - Protect the value of the property
 - Promote design that is responsible to the local area and climate
- The DRC
 - Meets every 3rd Wednesday of the Month
 - Reviews new projects whether large or small
 - Works with Owners, Architects, Builders, Arborists and Realtors
 - Most projects concern new construction, additions/remodels, tree clearing
 - 2019 Projects

DESIGN REVIEW COMMITTEE (DRC)

- Current Members:
 - Dan Henschel, Chair
 - Tom DeStefano
 - David Ballode
 - Terry Fernald
 - Jim Caruso
 - Scott Benge (Catapult – TSRA administrator)

- Questions?



Committees

SKI RANCHES COMMITTEES --- WE NEED YOU!

- Website Update – Need web savvy volunteers to work with Catapult on the design of our new Ski Ranches Website
- Social Committee – Need volunteers to help plan and execute the July picnic and December Holiday Party
- Welcome Committee – Need volunteers to welcome new owners
- Board members
- DRC members

THANKS FOR COMING!



- Go Vote and get your neighbors to vote!
- Votes needed for:
 - 2020 Budget
 - Declaration and Bylaw Amendments