

SunRiver Condominiums
Regular Board Meeting with Violation Hearing
Tuesday January 4, 2022 6pm MT
Final Approved 4.5.22

Meeting Attendance from Board: Ryan Williams, Andrew Thompson, Karsang Sherpa, Chris Rogers.

Management: Gil Sherpa

Owners: Chuq Yung, Todd Johnson, Kevin LaCarrubba, Michael English & Kasia Jablonski, Darylenne Littman, Alissa Consenstein

- I. Call to Order (Andrew)
 - a. Explanation of Hearing/Meeting. This meeting was called for a hearing on rules violation which will happened below. The timeline was set based on the offense and notices provided following SunRiver policy. Hearings occur at regular BOD meetings.
- II. Approval of Minutes 11.17.21
 - Motion to table approval and update information not discussed at meeting and should be tabled proposed meeting minutes. Motion (Ryan) Vote 4-0
- III. Reports
 - a. Board
 - i. (Ryan) Doc review :BOD needs to do better job documenting work done between meetings.
 1. Seeking 2015 annual meeting minutes
 2. Many Board documents have been updated to SunRiver website
 3. A link to the website will be sent to owners
 - ii. Andrew Update
 1. For personal reasons, Andrew Thompson is choosing to remain on the Board but no longer in the capacity as President effective immediately.
 2. Ryan Williams is willing to serve as Board President, effective immediately.
 - Andrew Motions Ryan as President, effective immediately, in a 4-0 vote.
 3. Brandon Toms is the current secretary.
 - Andrew motions to remove Brandon as Secretary remain on BOD. Approved 4-0
 4. Andrew Thompson is willing to serve as Board Secretary.
 - Ryan Motions to have Andrew step in as Secretary. Approved 4-0
 - b. Financial
 - i. Audit Information available (Report on Website)
 1. Report had no major issues
 2. Could look into Gap CPA for further information in future
 - ii. Delinquent accounts
 1. 2 owners are behind on dues.
 - Ryan Motions to send letter regarding ACH payments for these owners or potentially call for entire years dues (Per policy) on these owners. Approved 4-0
 - c. Mangers Updates
 - i. Snow Plowing updates
 1. Not charged first month of contract no snow saved 500
 2. This month will be 250 as old snow blower was sold for 250 to contractor
- IV. Old Business (Notes for documentation will not be discussed at meeting)
 - a. Water Commissioner - Joe Zupancic - Raymond.Zupancic@state.co.us - (970) 379-8439
 - i. Email sent on 12/27/21 (Ryan) & Michael English will help source parts if possible
 - b. Gil – Check with plumber to increase water pressure of all buildings.

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- c. Gil - Line up plumber for early spring install of water meter
- d. Gil – Progress of extra security camera install
 - i. Quote received by BOD day of meeting for the 5 camera installation. Cost 2750 plus electrician cost for installing
 - Ryan Motion – Table the security camera project. Map out the current coverage and proposed additions. Gather quotes for electrical work as well. Approved 4-0
- e. Gil – Remain on top of roof repairs/warranty

V. Hearing on A101 with Owner Comments

- a. History. Sometime in Oct/Nov. Nov 13th members of the HOA took notice and notified the BOD. Emails were exchanged some from Nov 2020 of the similar violation. In Nov 2020 SunRiver attorney wrote information about the ability to restrict location. As the member was on the BOD and copied on the more recent messages several combative emails were exchanged to the remainder of the BOD. Karsang sent a message to remove the sign regardless of the rules against it “as a good neighbor” the respond was similar that the issue would be fought all the way.
- b. Rules – After extensive review SunRiver rules itself on signs specifically only state No For Sale/Rent signs. However we fall under EVPOA and must follow their rules that clearly limit a sign/banner of this nature to be restricted to the boundaries of a unit. Recent (July2021) CO legislation relaxed the policy and HOA ability to limit Flags/Signs/Banners BUT is very clear that they can be limited in Number/Location/Size. Per SunRiver rules it is not listed as an allowable item on limited common area in addition to being against EVPOA rules for this type of sign/banner
- c. What has happened. Original issue Nov 2020 requested removal of similar signs. 2021: Warnings given twice before the past HOA BOD meeting returned with written “No contract” at the BOD meeting. Fines per the policy that was being used established in 2009 were placed on the unit door every 48 hours increasing in amount. SunRiver attorney sent 2 letters requesting removal of the sign. With further document review and attorney discussions the policy from 2009 updated/adopted in 2017 but never implemented. Follow the new policy a new warning with abatement was provided via certified mail sent Dec 15th 2021 & posted on unit door 12/22/21. Abatement period was originally 12/22/21 but extended to 12/24/21 in goodfaith due to delays in certified mail. On the morning of 12/24/21 the sign was in place and notice of the hearing & first fine (150) was sent to unit owner and placed on the door. Sign was down morning of 12/25.21. Hearing notice and explanation of events was sent to owners providing notice of the issue and possible hearing if not resolved by 12/24/21. Notice of hearing was provided to owner on 12/24/21. Hearing date set 1/4/22 as the first day after the 10days required by policy.
- d. Email sent from Brandon Toms to Board is read to owners per policy guidelines
- e. Kasia asked about the timeline of notice of violations.
- f. Darlyne asked what is prohibited at SunRiver on decks. Discussion of new legislation from 2021 that took effect in Colorado regarding signs.
- g. Owners at recent meetings have asked for more enforcement of rules.
- h. Multiple owners complained to Board about the banner due to its noticeability.
- i. Todd asked about flags being allowed. Discussion of content neutrality.
- j. Chuq would rather Brandon no longer be on the HOA Board.
- k. Kasia doesn't like Brandon's approach to this issue and would rather Brandon no longer be on the HOA Board.
- l. Kevin doesn't understand why Brandon feels singled out. Rules need to be enforced.
- m. It's unclear why Brandon took down the banner or if he plans to put the banner back up.
- n. The abatement lasts 12 months per the policy where fines could continue to be given
- o. Fines current estimate around 200 possibly more with legal costs
- Ryan motions to table fines as long as the sign remains down but that we need to work on consolidating and establishing better clarity of rules and enforcement. Approved 4-0

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VI. New Business

- a. Update Rules & Regulations to combine with EVPOA rules
 - Ryan Motions to work on a form that will merge some of EVPOA rules that effect SunRiver into SunRiver governing documents in a combined approach. Approved 4-0
- b. Establish Flag/Sign Policy updated from EVPOA to comply with new CO legislation Number/Location/Size
 1. Darlynnne doesn't want any flags allowed on decks
 2. Owners discuss allowing zero, 1 or more flags per unit. Majority think that 1 flag would be reasonable as this includes ALL flags including the American Flag. Location discussed to be allowed on a flag pole
 - Ryan Motions to add to Rules/Regs Flag Policy. Units are allowed 1 flag per unit from a flag pole hanging of its own accord. Size 3x5. Approved 4-0
 3. Signs discussed among owners. These can be limited in Number/Location/Size. Majority feel that these are not needed on or in a particular unit. Open house signs seem to have majority in favor as they are not permanent and typically are in the common areas not a particular unit
 - Ryan Makes motion on majority opinion to create sign policy of zero signs allowed on a unit, its limited common elements or purposely visible from a unit. Approved 4-0
- i. Establish rules on decorative lights
 1. Owners discuss that there are some in place. Majority does not have a major problem with these festive type decorations near their respective holiday. Holiday lights should be on a timer near complex "quiet hours". Every decoration will need to be within reason at each will be subject to BOD approval.
 - Ryan Motions to adopt policy on Holiday/Festive decorations to a reasonable accord

VII. Owner Comments

- a. Kasia: wants to see owner comments limited to 60 seconds and improve efficiency of meetings.
- b. Darlynnne: wants to see regular, monthly board meetings.

VIII. BOD Comments & Announcements

- a. Website Updates with ALL HOA documents (Ryan)
 - i. Interesting other documents that need to be discussed later and possibly brought back at owner pet policy/agreement and BOD member code of ethics.

IX. Adjournment. 8:11pm MT.