

Stoney Brook Homeowners Association
Minutes of the Meeting of the Board of Directors
October 26, 2022
Stoney Brook Clubhouse and via Zoom

Amended by the Board - November 16, 2022

Directors Present: Bob Bulkley, Evelyn Burke, Debbie Wolach, Andy Klatskin, Hal Fireman, Jack Kiner, Laura Goff, Stanley Trout, and Craig Weber (via Zoom)

Others Present: Angela Miller, General Manager

Homeowners Present: Katrina Shanks (Unit 311), Mike Meisinger (Unit 326), Jerry Gordon (Unit 323), Charley Babb (Unit 459), Lorri Stonbraker (Unit 449), John Cowan (Unit 213), Judith Hutson (Unit 408), and Allen Bowling (Unit 406) in person; and those attending via Zoom were: Bill Taylor (Unit 11), Linda Watson (Unit 132), Mike Petrak (Unit 376), Uli Kappus (Unit 309), Mike Davis (Unit 17), Kay Ceilley (Unit 378), Mary Ann Harper (Unit 340), Michael Cook (Unit 375), Tim and Tonya Compton (Unit 506), Betty Lehman (Unit 307), Jenny Austin (Unit 135), Vincent DiBiase (Unit 380), Richard Schoenmaker (Unit 31), and Diane Silverberg (Unit 10)

Call to Order: Mr. Bulkley called the meeting to order at 6:29 p.m. with a quorum established.

Homeowners' Comments: Ms. Shanks inquired about the status of the roads being repaired by the Xcel contractors, as well as the asphalt patching due to the sewer lateral repair in front of Unit 204. Mr. Fireman responded the road repairs might get pushed back to Spring due to the cold weather, and the sewer line patch is only temporarily. Ms. Ceilley thanked the Board and members of the Committees for all their hard work and being transparent with the increase in insurance and dues. Mr. Kappus suggested re-visiting the Estate Sale rules to be a little bit more responsive to the community's needs based on what could be coming up in the future. Mr. Babb mentioned it has come to his attention there is now a fee to use the clubhouse and asked if that is correct. Mr. Bulkley stated any usage fee is based on the type of reservation: if it's just Stoney Brook residents no usage fee; non-resident guests with an owner a \$100 usage fee is applied. Further, he said after a notice and comment period, the clubhouse reservation revised rules became officially effective at the September Board meeting. Mr. Babb continued that the clubhouse is an amenity like the courts/pool and no fees should be charged. Ms. Burke mentioned the usage fee has been effective for several years based on the number of guests.

Approval of the Minutes: A motion (Kiner/Burke) to approve the September 28, 2022, Meeting Minutes as written passed with no opposition.

President's Message: Mr. Bulkley thanked Mr. Weber, Mr. Fireman, Mr. Cowan, and their committees for preparing the draft budget. He anticipated the draft budget will be presented to the homeowners for their comments at the November 16 and December 14, 2022 Board meetings.

Mr. Bulkley emphasized that living in a covenant controlled community necessitates that owners abide by established rules and, recently there have been a couple of instances of non-compliance that the Board will need to address.

General Manager's Report: Ms. Miller provided the following report:

ONGOING PROJECTS:

- Pond Treatment and Stream cleaning
- Monument Sign
- Leaves clean up (daily) during season
- Paint Units – currently Units 443-445; three buildings remaining, weather permitting
- Yosemite Fence – staining (street side)
- Crew cleaning shed/dumpster area

NEW PROJECTS:

- Drain Pond 4 – undecided on draining this winter since the pond is not losing water per the crew. The NPW contract for pond restoration will be reviewed to determine our options.

COMPLETED PROJECTS:

- Sprinkler blowout and fall aeration (October)

Paint Schedule:

The recommended 2023 Paint schedule was provided (15 Cedar Units and 18 Masonite Units), Mr. Weber suggested extending the time for owner appeals to December's Board meeting. A **motion (Trout/Fireman)** to approve the recommended 2023 Paint schedule with the option for owners to appeal at the December 14, 2022 Board meeting passed with no opposition. Mr. Weber stated the proposed 2023 budget (\$131K) for the painting expense provides flexibility for more units to be painted based on a Spring 2023 inspection.

Insurance Committee: Mr. Bulkley reported the committee was able to obtain the liability insurance at a premium less than the original offer from \$10K to \$6K.

Social Committee: Mr. Meisinger reported the Social Committee will be having a Holiday Food Drive Sunday, November 13, 2022 for residents to drop off donations in the clubhouse lobby or in the lower clubhouse parking pad. He thanked the community for your continuous generosity. Last year's food drive collected 6 carloads of non-perishable food and over \$800 in cash donations. The charitable recipients for this year are the Covenant Cupboard Food Pantry (Presbyterian Church of the Covenant) and Weinberg Food Pantry. The Annual Holiday Party is scheduled for December 16, 2022, and more information will be distributed.

Treasurer/Finance Committee Report: Mr. Fireman provided the September 2022 financial reports. Mr. Fireman reported a leaf debris vacuum has been purchased. The balance sheet as of the end of September reflects consolidated reserve balances of \$603,032 of which \$277,217 is in bank checking or investment accounts, and another \$326,107 is allocated to prepaid insurance.

Mr. Fireman provided and discussed the revised Draft 2023 Budget and 5 Year Plan for the Board to review and discuss. The Finance Committee is proposing \$665/month for HOA dues. *Insurance Mandated Safety Upgrades:* Mr. Fireman has allocated \$60K in the proposed budget to cover insurance compliance items in the common area (handrails, repair walkways, etc.). Mr. Davis suggested installing a guardrail along the steep pathway from Units 15-16 to the tennis courts.

Insurance: Mr. Fireman mentioned one of the factors in the increased annual insurance premium was the adjustment to increase the policy valuations of the buildings/units in the community. Mr. Fireman recommends that homeowners contact to their insurance agent or Moody's agent (Adam Loner) evaluate the adequacy of their insurance coverages.

Ponds: \$16K was spent on algaecide this year; to eliminate this high expense and the algae it is suggested the HOA stock 7 out of the 10 ponds with fish (grass carp).

Fertilizer: we will consider reducing the number of applications from three to two fertilizer cycles, one in the spring and one in the fall.

Equipment: plan is to buy better equipment that will improve operations (utility vehicle, etc.)

Salaries: a huge component of our expenses, the amount does include hiring another maintenance member if needed. The Association is very fortunate to have our knowledgeable current staff.

Insurance and Utilities: these expenses are out of our control.

A motion (Weber/Wolach) to approve the proposed 2023 Budget be presented to the homeowners for their review and comment, passed with no opposition.

Mr. Cowan thanked the Board and Committees for planning the proposed Budget and making some hard choices resulting in what is going to be presented to the homeowners as a \$95/month increase in HOA dues which is justified compared to the reviewed expenses; the high increase for insurance and the anticipated 20% increase in future years will necessitate continued increases in future years to fund these expenses. Mr. Cowan reviewed the proposed budget and it appears to cover any possible contingencies. Mr. Cowan encourages the Board and the Finance/LRP Committees to see if any expenditure items may be deferred for another year i.e. some or all of the \$60K recommended for insurance compliance expenses (install common area railings etc.) might be postponed to subsequent years.

Temporary Bocce Ball Courts:

Mr. Fireman provided a plan for temporary bocce ball courts on Court 3, with installation by our in-house crew for approximately \$5K in expenses.

A motion (Kiner/Burke) to approve installing Bocce Ball courts as presented passed with no opposition.

Education Committee: The new owner information meeting was held on October 12, 2022 in compliance with State of Colorado regulations, and seven new residents, and others, attended..

Architectural Review Committee: Ms. Wolach reported the following ARC approvals in September:

- Unit 336 replaced front door and side light
- Unit 212 removed pine tree, it was encroaching into their unit boundaries

- Units 390 and 391 installed a rain barrel, relandscaped between the two units' driveways
- Unit 442 replaced dying bushes on the side and front of unit
- Unit 9 replaced front walkway deck

Ms. Wolach informed the Board that the garage door at Unit 344 was inadvertently damaged beyond repair by the Owner's contractor. The owner subsequently told Ms. Wolach that he contacted multiple garage door companies to try to find the same HOA design with no luck so the owner picked out a door that he thought would work. Ms. Wolach mentioned the owner did not reach out to the office or ARC for guidance before installing the non-conforming door. Ms. Wolach informed the owner he needed to have the ARC Committee review the replacement garage door request; the ARC Committee received the request and denied approval. The owner requested the Board supply detailed specifications of the HOA garage door requirements. The Board suggested a letter be sent to the owner advising the door be replaced and include a timeframe for replacement. If the owner does not comply, the matter will be forwarded to the HOA's attorney for review and possible further action.

Pickleball (ad-hoc) Committee:

Ms. Wolach thanked the ad-hoc Pickleball Committee for their work (Ms. Burke, Ms. Goff, Mr. Harper, and Mr. Karsten).

Ms. Wolach mentioned the Committee contacted representatives of three other facilities (Cherry Hills III, Gates Tennis Center and Heritage Eagle Bend) and their reservation systems are similar to what the PB Committee has proposed.

Ms. Wolach reiterated the Pickleball committee's goal is to establish equal access for all residents of Stoney Brook to use the Pickleball courts.

PROPOSED GUIDELINES

- 1. Create a rolling reservation system that would allow for reservations seven days in advance.*
- 2. A single resident can reserve a court for a maximum of two times per week.*
- 3. Each reservation is for a maximum of two hours of play.*
- 4. If you made a reservation you must cancel within 24 hours in advance.*
- 5. A unit owner must be present for the entirety of a reservation.*
- 6. An owner can only reserve one court for any time period.*

The Committee did receive comments regarding the proposed guidelines from a group of homeowners. The consensus was not in favor of the proposed guideline of only a seven-day rolling reservation system and would like an explanation of where the conflict is in reserving a court.

Ms. Wolach reported the following response from the PB Committee:

The mission of the Pickleball Committee is to create a reservation system that allows for equal access for all members of our community. Currently, two groups reserve most of the primetime hours. One group is mostly homeowners, and the other is mostly outsiders with

some homeowners. One of those group members reserved pickleball courts through 2023. The other group contains up to 11 people and reserves at least two mornings each week for the entire summer.

Our committee recently issued proposed guidelines for pickleball reservations to deal with these inequities. The only responses to those guidelines were from the two groups described above. Below is our reply to their responses.

- A "resident" refers to one person. So, if a unit has two residents, each may reserve two hours of play twice in each week.
- One response dealt mainly with what is to be done after the construction of court three. But that topic is currently in discussion.
- If a resident reserves a court, and others are playing on that court without a reservation, they should immediately surrender the court to those with a reservation.
- Both of the groups requested a longer reservation window and more time for each session of play. We believe that those proposals would again create the same problem with registering that we have now for the main part of the community.
- Social interaction is, certainly, one of the benefits of pickle ball, and we all need equal access to the courts to reap that benefit.
- Our guideline is two hours per game. But, if more than one resident is in a game, each resident can reserve another two hours for more playing time, assuming that resident would not exceed his/her weekly limit..
- To allow for more games, it was suggested to create a temporary pickleball court on one side of court 2. Overall, tennis players should have priority on court 2, so they should be entitled to a longer reservation window. In addition, the pickleball players would be responsible for setting up and breaking down their posts and nets, but the problem is who would monitor that setup and breakdown?
- The computer application, Google Analytics, and a wait list were suggested as means to determine how many residents actually want to reserve courts in primetime hours. We investigated and found that those techniques would not accurately gather that data.
- Our proposed guidelines do not create a complicated system. In any case, after the 2023 summer season, the committee would like to reevaluate the new reservation system and make any necessary changes.

Mr. Bulkley mentioned the reason the PB guidelines were proposed is to make sure the website system can accommodate this type of request.

A **motion (Weber/Klatskin)** to approve the proposed pickleball six guidelines to be tested in May and June 2023 season with a chance to reevaluate passed with seven in favor and two opposed (Mr. Bulkley and Ms. Burke).

Communications Committee: Any articles for the November/December newsletter should be submitted by October 28, 2022.

Old Business:

New Policy: The Conduct of Meeting policy, prepared by the HOA's attorney to comply with recent legislation (but revised by the Board to permit recording of meetings) will be sent to the homeowners for comments.

New Business:

Estate Sales: a resident's family recently held an Estate Sale knowing this type of sale is prohibited per the HOA rules and traffic safety. A demand letter from the Board President with an assessed fine was delivered to the unit. The Board agreed to move forward with a fine. Mr. Kappus suggested the Board revisit the prohibition on this type of sale with certain enforcements in place.

Employee Holiday Fund Letter: Mr. Cowan will again sponsor the preparation and distribution of the letter and Ms. Santambrogio has volunteered to handle collection and distribution of the funds to the maintenance crew.

Annual Meeting: Ms. Miller will contact the Denver School district to complete the application process to reserve Samuels Elementary School for the annual meeting for January 25, 2023, if available. Final determination of the forum for the annual meeting will be determined by the Board and presented in the annual meeting notice.

Adjournment: At 8:40 p.m., there being no further business, a **motion (Trout/Burke)** to adjourn until Wednesday, November 16, 2022, passed unanimously.

Respectfully submitted,
Angela Miller, Recording Secretary