



SROA 2021 Annual Meeting Minutes

South Park High School Multi-Purpose Room

September 11, 2021

Call to Order: The meeting was called to order by Board President Jackie Burghardt at 10:05 a.m. The current Board of Directors introduced themselves to the membership and Secretary/Treasurer Mike Peterson reported a quorum was present with 55 lots represented in person and 32 lots by proxy for a total 87 properties represented.

The 2020 Annual Meeting Minutes were approved as written.

Broadband Report: Jackie introduced Karon Banta from South Park Telephone (SPT) and thanked them for providing the breakfast and coffee provided. Karon thanked the members for their participation in the highly successful Silverheels Ranch Broadband project,

Karon reported that the project developed between Silverheels Ranch and SPT and the grant application process used to develop high speed internet access in Silverheels Ranch is being used as a model for other communities in Park County and around the state and thanked everyone for their participation.

Treasurer Report on 2020-21 Budget and Balance Sheet: Treasurer Mike Peterson presented a review of the prior year's income and expenses. Mike reported the expenses were 14% higher than budgeted due to an increase in the Insurance costs and added Office Supplies and Postage related to the Proposed Amended Covenants project.

Mike reported there were 6 lots unpaid for 2020-21 with only 1 lot unpaid for multiple years. Mike reported the total Equity for the Association was \$22,803.58, as compared to the 2020 balance of \$18,096.57

President's Report: President Jackie Burghardt provided information on the growing population of Park County and in our own subdivision reporting there have been 21 closings on properties in Silverheels since our annual meeting in September 2020. She highlighted the activities of the Board over the past year, citing the fish stocking of the ponds that occur twice a year and the continued fight against noxious weeds in our subdivision, primarily the Canada Thistle, which our volunteer weed sprayer Patrick Buckley has been working diligently to spray any that he finds or are brought to his attention, asking members to notify the board via the website so we can keep on top of them and keep them from spreading.

Jackie reported on the completion of the Broadband Project with South Park Telephone, and highlighting the success the project has had on our community and the increase in value of our properties due to bringing the amenity to the subdivision. We currently have 98 active users of the high-speed internet access, 3 members with pending installations, and 21 vacant lot owners who

have signed up for future installation of the fiberoptics to their properties once their homes are constructed.

Jackie reported the website continues to evolve and is a place for everyone to get the most current information on our subdivision, including newsletters, board meeting minutes and treasurer reports, along with contact information for just about anything you might need in Fairplay and Park County.

Jackie reported on the Newsletter, stating we send out at least two a year. She asked for volunteers who would be willing to work on creating or contributing to the newsletter to contact the board for more information.

Jackie continued with a report on the Roads Committee work with the County to get our roads better maintained. Jackie thanked Laura Biewick on her hard work in communicating with the County. Jackie also reminded owners to make sure and maintain our own driveways and culverts to make sure the draining down our driveway is diverted into the culvert before it runs out into the road.

There are more short-term rentals in our neighborhood in the last several years. Park County has gone to regulating these, and as of April 1, 2021, requires all short-term rentals to register their properties with the County. The Board has requested the rental owners provide us with your permit and license from the county to operate an STR. We are also requesting an emergency contact because we have needed to make contact with the person in charge.

The Board has also fielded many complaints from our membership about some of the short-term renters and we ask all those who rent out to provide your renters with the rules of the covenants of our community and Park County. Some of the complaints we continue to receive are: dogs running loose; use of ATVs on county roads—County rule, not permitted; loud parties; vehicles blocking roadways; trash strewn; careless use of a neighbor's property and maybe the most dangerous—firepits and fires. Under the County rules, under *Section 7 E 8: Not have on the premises any portable outdoor charcoal grills, fireplaces, fire rings, or any other ember-producing equipment.* Please make sure that your renters are aware of this. Wildfires have been a significant problem in our state in the last several years, and we want to protect our properties from any accidents that might result in a fire.

SROA Committee Reports

Architectural Control Committee: ACC Board member Tyler Pontius reported the ACC was busy this past year assisting owners with the approval process. The past year they have reviewed 28 applications with 23 approve and 5 still pending. There were 4 new homes that began construction in the past year, and 5 homes with new paint jobs and 2 new sheds built.

Maintenance Committee: Mike Peterson reported for our Maintenance man, Alan Pederson, who could not attend. Alan has continued to patrol the neighborhood on a weekly basis and pick up trash along the roads. He has also maintained the signs in the subdivision and releases the water from the augmentation pond each fall to meet our water augmentation plan.

Roads Committee: Laura Biewick reported for the Roads Committee, discussing her work with the Park County Road and Bridge Department and trying to get some more work done on roads in Silverheels Ranch. The biggest problems the county reports are a shortage of staff and money to really do the work on the roads that are needed. The Roads Committee will continue to communicate with the county and work on getting the roads in better condition.

Discussion on Proposed Amended Covenants: President Jackie Burghardt began the discussion with a history of how the Board decided to amend our protective covenants. In 2019 when our Roads Committee were working with the County' Public Works Department to improve our roads in Silverheels, they discussed the possibility of entering an agreement with the county where we would pay for and provide the county with road base to spread on our roads after the county had finished grading and restoring the road's crown. We had a vote in 2019 that was passed to create a special assessment for each property owner to pay for our share of this project.

The County then asked us to provide them with a legal opinion confirming that as an Association, we had the ability to assess and collect this special assessment. The Board retained an attorney who specializes in HOA law, and gave him our governing documents and asked him to provide this legal opinion which we then forwarded to the county.

It was during this review process that our attorney informed us that our Covenants, dated in 1979, did not comply with current state law governing homeowner associations. Jackie explained that Silverheels Ranch operates as a limited expense community under CCIOA and this needed to be referenced in our covenants to meet compliance with statutes. The Board concluded that we had no choice but to update our covenants to meet the current state law. The Board worked with the attorney and drafted a set of Amended Covenants which were sent to all members on August 5, 2020 in advance of the annual meeting.

At the 2020 Annual Meeting, held by Zoom due to the pandemic, many of the members raised issues with the proposed Amended Covenants and wanted further review. After the annual meeting, the Board organized an Amended Covenants Review Committee, sending out emails inviting SROA members to join the committee and provide the Board with recommendations and other input the Board used to develop the final version of the proposed Amended Covenants, which were then sent to all SROA members, requiring a total of 102 signatures to approve the new Amended Covenants. The final count came in at 65 votes, well short of the 102 required.

The Board still believes the Covenants need to be amended, and have proposed the formation of a new committee, headed by a facilitator, a neutral person who will not have a vote, whose sole purpose will be to keep the process organized and moving forward.

SROA member Jim Burghardt, a retired attorney who specializes in semi-retirement in mediation issues, has volunteered to be the facilitator for this project. The new Amended Covenants Committee will be formed by sending an email to all members inviting them to attend in Zoom meetings that will identify the issues and work toward developing new covenants that will be supported by all of the association.

Board Elections Board of Directors election began with nominations and the introduction of the nominees to the membership. For the three Board of Director positions there were five nominations:

- Mike Peterson
- Mary Manka
- Kylie Pontius
- David Wissel
- Zachary Loos

After the vote was tabulated, the three members elected to the Board of Directors are:

- Mike Peterson
- Kylie Pontius
- David Wissel

Nominations for the Board of Director Alternate were opened and 2 people were nominated,

Zachary Loos and Mary Manka. Mary Manka declined the nomination, and Zachary Loos was voted as the new Board of Director Alternate by acclimation.

Adjournment

Jackie asked for any other new business to be presented. Hearing none, the meeting was adjourned at 12:54 p.m.

Respectfully submitted by Mike Peterson, Secretary/Treasurer.