



**MINUTES GLENEAGLE CIVIC ASSOCIATION
BOARD OF DIRECTORS MONTHLY MEETING**

**7 January 2016 at 6:30 pm
Holy Trinity Anglican Church, 13990 Gleneagle Dr.**

CALL TO ORDER- 6:33pm

In attendance: Dave Powell, Art Nielsen, Ken Judd, Roger Loudon, Craig Jasper, Michelle Fisher, Kevin Deardorff, Ryan Herter (Latrobe), Mark Avers (Huntington Beach Dr.), Melissa Seidenberg.

Absent: Shauna Naous

WELCOME OF MEMBERS AND MEMBERS FORUM

APPROVAL OF DECEMBER 2015 BOARD MEETING MINUTES- Craig moves to approve, Ken seconds. Approved unanimously.

COMMITTEE REPORTS

1. NEIGHBORHOOD REPRESENTATIVES

⤴ Vacancies- 1, 10, 23 still vacant

2. NEPCO- meeting changed from the 2nd to the 9th. Dave Deidrich, Colorado Deputy Water Commissioner, will be speaking. Roger will attend.

3. COVENANT CONTROL COMMITTEE

⤴ Review of Current Violations- Reports are in progress and will be provided at a later date.

⤴ Covenants Enforcements Policy Memorandum- Ken moved to approve the policy, Michelle seconded, policy is unanimously approved. Kevin will provide a signed copy of the policy to Melissa.

4. ARCHITECTURAL CONTROL COMMITTEE

⤴ Review of Approvals, Denials, and Pending Requests- 3 project requests came in.

5. FINANCIAL REPORT

⤴ Review of Budget and Actuals

⤴ Approval of Expenses

⤴ Pursuit of Dues in arrears

⤴ Ken Judd moved to approve 2016 budget, Craig seconded. 2016 budget approved.

6. ROADS, SIGNS & DITCHES COMMITTEE

◦ Phase 3 is complete and all paperwork is complete. Craig is in discussion with one more scout to complete the rest of the signs. His task will be to complete all the signs that are left. The scouts get their Eagle Badges for this project. The Board discussed putting together a certificate and/or letter from the HOA to the scouts who have achieved the projects.

7. PLANNING COMMITTEES

⤴ Holiday Lighting Committee- Review

8. EAGLE'S VIEW

⤴ Publication "reboot" in progress- first 2016 issue is being printed presently.

- ▲ Extra 350 copies printed will be placed at some area locations, such as Loaf & Jug, and Peoples Bank.

OLD BUSINESS

NEW BUSINESS

Discussion of developer proposal to Donala Water Board- Ken reported on preliminary developer proposals. There are two possibilities on table: ONE: 41 homes/lots, with rest of the property preserved as conservation easement which at some point could be deeded to the GCA. Conservation easement must be accepted by someone who can receive the land. TWO: 56 homes/lots, rest of property will not be a conservation easement, but will come directly to the GCA. Ken and Kevin wish to get a sense of the Board concerning the plans. Board and members present seem to have an overall leaning that 56 homes and immediate control of the land is preferable to 41 homes and a questionable case of a conservation easement.

AROUND THE TABLE- Michelle- nothing, Craig- nothing, Roger- his son has been transferred to NORAD and is relocated, Melissa-nothing, Dave- nothing, Ken- nothing, Art-nothing, Ryan- thanks the Board and appreciates all we do, Mark- thanks the Board for what they do, and appreciates all the time Board invests, Kevin- nothing

NEXT MONTHLY MEETING: Thursday, 11 February, 2016

ADJOURNMENT- 8:07pm

ACC Report: 10 Nov 2015 to 7 Jan 2016

Project ID	Action	Project Type	Address	Comments	Variance Required?
ID	Status	Type	Address	Comments	
3574	Approved	Fence	110 Pauma Valley Dr	Re-approval for October 2013 project that was never completed.	
3575	Approved	Fence	30 Huntington Beach Dr	Partial approval only - existing fence repair/replacement within the maintenance provision. New section of fence extending to the front disapproved.	
3576	Approved	Fence	170 Desert Inn Way	Split rail fence around back of property - lodgepole fencing will be suitable substitute	

**Gleneagle Civic Association
Budget and Actual Results for 2015**

<u>Revenue</u>	2015 Budget - Operating	Actual Results Through Dec 31, 2015	
Dues-651 Owners x \$45.00	\$ 29,295.00	26,500.40	\$88.20 received in 2014
Delinquency Recoveries from Prior Yrs	2,000.00	1,297.70	
Contributions in Excess of Dues	500.00	833.00	
Title Company Letters/Fines	2,175.00	\$4,775.00	
Late Fees	0.00	\$300.00	
Advertising	150.00	0.00	
Picnic	0.00	0.00	
Street Sign Sales	0.00	213.00	
Interest	250.00	259.27	
Budgeted Revenue	\$ 34,370.00	34,178.37	
<u>Operating Expenses</u>			
Liability Insurance	1,500.00	0.00	
Association Professional Liability	4,000.00	1,260.00	
Work Compensation Insurance	350.00	396.00	
Mailings (dues/notices/ballots)	800.00	396.17	
Legal	1,500.00	3,210.00	
Tax Preparation and Fees	650.00	500.00	
NEPCO Dues	90.00	27.00	
CAI Dues	150.00	240.00	
Annual / Meeting Expense	1,000.00	118.51	
Post office box	45.00	44.00	
Bank Fees	50.00	122.00	
Office Supplies	300.00	50.00	
Bookkeeping Service	0.00	0.00	
Financial Review	500.00	0.00	
GlenCo	100.00	0.00	
	\$ 11,035.00	6,363.68	
<u>Committee Expenses</u>			
Welcome Packets	150.00	234.34	
Directory	100.00	0.00	
Document Reproduction/Distribution	0.00	0.00	
Roads, Signs & Ditches	2,000.00	1,927.48	
Web Site Support	100.00	59.95	
Architectural Control/Covenant Expense	100.00	0.00	
Eagles View Production	2,000.00	2,118.74	
Board Education	250.00	0.00	
Board Discretionary	500.00	281.80	2014 Exp_Bd Mtg Food
	\$ 5,200.00	4,622.31	
<u>Community Programs</u>			
Annual Garage Sale/ Clean Up	500.00	69.00	
Gleneagle People's Pride	0.00	0.00	
Blue ribbon yard awards	0.00	0.00	
Annual Barbecue/Picnic	2,500.00	2,452.69	2014 Expenses/\$250.34
Owner Education	0.00	0.00	
Holiday Lighting Award	0.00	0.00	
GCA Activities/Events	100.00	672.59	Volunteer Dinner
	\$ 3,100.00	3,194.28	
<u>Capital Improvements/Maintenance</u>			
Trees/Landscaping in Common Areas	0.00	0.00	
Maintenance of Islands A & B	0.00	0.00	
Neighborhood Islands	0.00	0.00	
Common Area Mowing	1,500.00	1,038.11	
South	0.00	0.00	
Street	0.00	0.00	
	\$ 1,500.00	1,038.11	
Budgeted Expenditures	\$ 20,835.00	15,218.38	
Budgeted (Deficit)/Surplus	\$ 13,535.00	18,959.99	
Beginning Year Surplus	\$ 18,933.56	18,933.56	
Ending Surplus	\$ 32,468.56	37,893.55	
<u>Reserve Funds</u>			
Total Reserve Funds	115,000.00	\$130,130.38	
<u>Operating Funds</u>			
Total Operating Funds		\$22,640.44	

GCA Disbursements through November 30, 2015

Date	Check #	Payee	Amount	Purpose	Comments
1.9.15	N/A	Peoples Bank	\$3.00	Service Charge	
1.13.15	1858	Paulette Marine	\$62.94		Welcome Packets
1.16.15	1860	Kevin Deardorff	\$500.00		Jan Expense Report_Approved
1.16.15	1861	Kevin Deardorff	\$32.14		Balance_Jan Expense Report_Appd
1.24.15	1862	VOID	\$-		CAI Mbrshp/void_incorrect amount
1.24.15	1863	CAI	\$120.00		2015 Mbrshp renewal
1.24.15	1864	Shauna Naous	\$10.00		Refund_Per Rpt_SOS_Pd via CC
1.24.15	1865	Tri Lakes Printing	\$437.93		Eagle's View_Printing
1.24.15	1866	Staples	\$50.00		Office Supplies
1.24.15	1868	USPS	\$98.00		Stamps for Mailings Missed 1867 in book
2.3.15	N/A	Deluxe Checks	\$95.00		Checks for Operating Account
2.7.15	1867	Tri Lakes Printing	\$33.78		Printing re: 2015 Dues Notices
2.9.15	N/A	Peoples Bank	\$3.00		Service Charge
2.23.15	1869	Pinnacol Insurance	\$396.00		2015 WC Insurance Renewal
3.16.15	1870	John Perrin	\$5.00		Refund of 2015 Dues Overpay
3.16.15	1871	Kenneth Mellott	\$87.30		Refund of double pay dues
4.5.15	1872	Guardian Title	\$30.00		Refund overpay of title fee_385 Palm Springs
4.9.15	1873	Backman Business Group	\$500.00		2014 Tax Preparation
5.15.15	1874	Winzenburg et al	\$2,010.00		Legal Fees_Variance Request
5.15.15	1875	Nothing But Decks	\$587.00		Sign Posts
5.15.15	1876	Tri Lakes Printing	\$332.22		Newsletter
6.1.15	1877	Unified Title	\$45.00		Refund of 2015 Dues Overpay_245 Pauma
6.2.15	1878	Tri Lakes Printing	\$208.64		Printing/Mailing 2nd Notices_Dues
6.2.15	1879	Jim Evans	\$59.95		Web Hosting_Renewal
6.2.15	1880	Kevin Deardorff	\$500.00		Volunteer Dinner_Reimbursement
6.2.15	1881	Kevin Deardorff	\$103.25		Volunteer Dinner_Reimbursement
6.2.15	1882	Bill Bristol	\$338.11		Island Maintenance
6.2.15	1883	Little Lynn's Lawn Care	\$350.00		Island Mowing
6.10.15	1884	Farmers Insurance	\$1,792.00		Liability Insurance Policy
6.11.15	1885	Kevin Deardorff	\$325.92		Garage Sale/Comm Picnic Expenses
6.14.15	1886	Paulette Marine	\$106.88		Welcome Packets
7.5.15	1887	Winzenburg et al	\$500.00		Legal Fees_Variance Request
7.5.15	1888	Winzenburg et al	\$100.00		Legal Fees_Variance Request
7.12.15	1889	Little Lynn's Lawn Care	\$350.00		Island Mowing
7.19.15	1890	Tri Lakes Printing	\$437.93		Newsletter
8.1.15	1891	VOID	\$-		Incorrect amount
8.1.15	1892	VOID	\$-		473.93 Rew Woodbury; VOID
8.3.15	1895	Craig Jasper	\$473.27		Reimb pd to Rew Woodbury, signs
8.9.15	1893	Craig Jasper	\$26.73		Reimb pd to Rew Woodbury, signs
8.13.15	1896	Craig Jasper	\$300.00		Home Depot Card_Signs
8.23.15	1894	Colo Comm Media	\$69.00		Garage Sale Ad
8.23.15	1897	Little Lynn's Lawn Care	\$350.00		Island Mowing
9.10.15	1898	Craig Jasper	\$80.00		Table/Chairs_Annual Picnic
9.10.15	1899	Mark Vance	\$130.90		Const Materials_Food_Signs
9.27.15	1900	Famous Daves	\$1,676.32		Annual Picnic Food
10.06.15	1901	VOID	\$-		Tri Lks Printing; incorrect \$\$
10.06.15	1902	Tri Lakes Printing	\$26.00		Annual Picnic Flyer Printing
10.6.15	Echeck	CO Div of RE	\$27.00		HOA Renewal
10.08.15	1903	Ken Judd	\$21.34		Supplies for Annual Picnic
10.8.15	1904	Antelope Trails	\$40.00		Rental of space for Annual Meeting
10.8.15	1905	Melissa Seidenberg	\$149.55		\$71.04 Annual Picnic items; \$78.51 annual mtg printing
10.22.15	1906	Mary Jones	\$250.00		Gift cards for annual picnic
10.22.15	1907	Kevin Deardorff	\$77.65		Cakes for annual picnic
10.27.15	1908	Paulette Marine	\$72.84		Welcome Packets
11.29.15	1909	Tri Lakes Printing	\$437.93		August Newsletter
12.6.15	1910	Paulette Marine	\$61.02		Welcome Packet Printing_Tri Lakes Printing
12.10.15	1911	Craig Jasper	\$409.58		Boy Scout Sign Installation Expenses
12.13.15	1912	CAI	\$120.00		CAVL Membership
12.13.15	1913	Postmaster	\$44.00		Box Renewal
12.13.15	1914	Tri Lakes Printing	\$55.75		Past Due Notice Printing/Mailing
12.13.15	1915	Shayden Design	\$472.01		Newsletter Mock Ups
12.30.15	1916	Winzenburg et al	\$500.00		Legal Fees_fence violation
12.30.15	1917	Winzenburg et al	\$100.00		Legal Fees_fence violation

Covenants Enforcement

Policy Memorandum #2016-1

07 January 2016

It is the policy of the Gleneagle Civic Association (GCA), a Colorado nonprofit corporation, as successor in interest to the declarant with respect to the Declaration of Covenants, Restrictions, and Charges for Gleneagle subdivisions, to enforce compliance with these covenants on the part of all property owners and residents within the GCA community in an equitable and consistent manner. This will be accomplished through a Covenants Control Committee (CCC) made up of GCA members reporting to the GCA Board of Directors. The CCC will make periodic surveys of the GCA neighborhood for covenants compliance, take note of complaints submitted by any residents or owners, and report all violations and complaints to the Board. Thereafter, the Board may effect correction of such reported infractions. All actions taken pursuant to this Policy Memorandum shall be authorized by and within the scope of Section 146 of the Declaration.

Procedures

The Covenants Control Committee – The Covenants Control Committee will comprise a chairman and at least four members. The chairman shall be a member of the Board of Directors of the Association. Each of the four regions of the GCA community – Northeast, Northwest, Central, and South -- will be the responsibility of at least one member of the CCC with respect to covenants enforcement.

Surveys – Members of the CCC will conduct surveys of their respective regions approximately once per month and take note of any apparent covenants infractions readily visible from the street. They will also note any construction, landscaping or major maintenance projects underway.

Infractions – Infractions will be categorized as either transient or non-transient in accordance with a list derived from descriptions contained in the covenants and approved by the Board of Directors.

Complaints – Any resident of the GCA community may report a possible transient or non-transient covenants infraction to a member of the CCC or the Board of Directors.

Construction, Landscaping and Major Maintenance Projects – All such projects noted in the surveys or identified by a resident will be brought to the attention of the chairman of the Architectural Control Committee (ACC). In cases where the chairman of the ACC has not approved a project, it will be treated as a non-transient infraction.

Initial Contact Regarding an Infraction – Upon receiving notice of an infraction from the CCC or from a resident of the GCA community, the Board shall cause a letter to be sent to the resident of the affected property identifying the infraction to his/her attention and requesting correction within 30 days for non-transient infractions and 7 days for transient infractions. In cases where the resident is not an owner, e.g. a lessee, a copy of the letter will be sent to the owner. The letter will be signed by the CCC Chairperson or another GCA Board member, and a phone number will be provided for the resident or owner, as appropriate, to call for more information, if desired. The Board will maintain a list of all covenant issues being addressed within the community at any given time.

Initial Follow-up – Approximately 10 days after a letter declaring a transient infraction is sent or 35 days after a letter declaring a non-transient infraction is sent, a CCC member will inspect the residence to see if the infraction has been remedied. For infractions that have not been corrected, but the resident or owner has stated his/her intention to take action, the Board may exercise judgment about whether to allow additional time before taking further action.

Subsequent Follow-up – In the case of infractions for which no response is received or observed, the Board will send a second letter entitled SECOND NOTICE by certified mail to the same addressees as previously notified. The Second Notice will note the infraction, the earlier letter, the lack of response, and the action that may be taken; the Owner's right to be heard, either orally or in writing, by a committee appointed by the Board at a meeting of the Board which is at least fifteen (15) days after the date of the notice; the date on which the hearing will be scheduled; and if the Respondent fails to appear at the specified date and time or otherwise respond to the Complaint, the Board will proceed with or without a hearing, at its discretion, to make its determination of the allegations contained in the Complaint based on all relevant facts and circumstances.

Hearing. Each hearing shall be held at the scheduled time, place and date, unless the Owner has failed to respond or appear at the hearing. The Board may grant continuances for good cause. Each hearing shall be held by a Hearing Committee. The Hearing Committee shall consist of a person or persons appointed by the Board, which may be the Board itself, who do not have any direct personal or financial interest in the outcome of the hearing. A person is deemed not to have a direct personal or financial interest if he/she will not receive any greater benefit or detriment from the outcome than will the general membership of the Association.

The Hearing Committee may:

- (a) exercise its discretion as to the specific manner in which a hearing shall be conducted;
- (b) question witnesses and review evidence; and
- (c) act as it may deem appropriate or desirable to permit it to reach a just decision. The Owner need not be in attendance at the hearing, but is encouraged to attend. Any decision by the Hearing Committee shall be fair and reasonable taking into consideration all of the relevant facts and circumstances.

Decision. If the Owner does not appear but a written response is filed, the Hearing Committee shall render its decision based on the information available to it, including any written response, considering all of the relevant facts and circumstances. If neither an appearance nor a written response is made by the Owner, the Hearing Committee need not conduct a hearing or make any further findings except that it may determine that the Owner's failure to appear or respond constitutes a waiver of the right to a hearing, and impose the sanctions provided for herein. If an appearance is made, after all testimony and other evidence has been presented to the Hearing Committee at a hearing, the Hearing Committee shall render its decision(s), taking into consideration all of the relevant facts and circumstances. If the Hearing Committee does not inform the Owner of its decision at the time of the hearing, or if no hearing is held, the Hearing Committee will provide a written notice of the decision to the Owner's address of record via regular U.S. mail.

Enforcement. The provisions of this policy shall not limit, or be a condition precedent to, the Association's right to enforce the Declaration of Covenants, Restrictions and Charges or Rules and Regulations by any means available to the Association, including, but not limited to, commencement of a lawsuit to force compliance or seeking injunctive relief or damages. The Association shall be entitled to reimbursement of all reasonable attorney's fees and costs incurred by the Association in connection with any enforcement action, including any proceeding under this policy. Without limiting the Association's remedies under the Documents, the Hearing Committee may assess fines, suspend membership privileges, and impose other sanctions in accordance with this policy. If the violation involves damage to Association property, the violator shall also pay the costs of repair or replacement.

Habitual Offenders and Continuing Violations. A Member who accumulates more than three (3) violations within a twelve (12) month period will be deemed to be a habitual offender. For habitual offenders, continuing violations, or violations which have an indefinite commencement or termination date, the Hearing Committee may impose such additional fines as are deemed reasonable by the Hearing Committee without regard to the schedule set forth below.

Willful and Wanton Violations. In the event of a determination by the Hearing Committee of a willful, wanton or flagrant disregard for the provisions of the Documents, or based on the severity of the violation, the Hearing Committee may impose such additional fines as are deemed reasonable by the Hearing Committee without regard to the schedule set forth below.

Responsibility for Actions of Tenant or Guest. Members shall at all times be responsible for the actions of their tenants and guests. In the event that a Member's tenant or guest violates the Documents and a fine is imposed, the fine shall be assessed against that Member.

Violations or Offenses that Constitute a Present Danger. If, in its sole discretion, the Board deems that any alleged violation is or may be an immediate or substantial threat to the health, safety or welfare of the community or an individual, the Board may take the appropriate action necessary to abate the threat to health, safety or welfare of the community or individual.

If at any point during this process, the infraction is remedied, the Board may elect to forgive all or part of the fines accrued to date if requested to do so by the resident or owner and presented with suitable justification.

Enforcement Schedule – Non-transient Violations

Approximate Times / Action

Day 1: Initial letter sent

Day 35: Property resurveyed for correction of infraction

Day 40: Second letter sent with notice of right to hearing, if no action by resident or owner

Day 75: Property resurveyed for correction of infraction

Day 80: Board determines appropriate action

Day 150 (or later at Board discretion): Board considers lien or collection action if fines not paid

Enforcement Schedule – Transient Violations

Approximate Times Action

Day 1: Initial letter sent

Day 10: Property resurveyed for correction of infraction

Day 15: Second letter sent with notice of right to hearing, if no action by resident or owner

Day 25: Property resurveyed for correction of infraction

Day 30: Board determines appropriate action

Day 65 or later: Board considers lien or collection action if fines not paid

Record Keeping – The CCC on behalf of the Board will maintain accurate records of all actions taken with respect to covenant infractions.

Board of Directors Action – The Chairman of the CCC or his/her designee will report to the Board of Directors at its regular monthly meeting all covenants infractions that are being addressed. For each infraction that has reached the point where a fine has not been paid for 60 days or more after being levied or no other accommodation made, the Board shall make an explicit decision whether to pursue any of the remedies available to it, including a collection action, filing a lien against the property or taking some other action.

Fine Schedule – The schedule of fines for non-transient and transient infractions is as follows:

Non-transient Covenant infractions of the following nature may incur fines in the range of \$200 - \$400, beginning no less than 60 days after the initial notice of the infraction:

- Residence construction violations
- Painting schemes
- Easements
- Storage sheds
- Setback & lot line violations
- General building standards
- Fences
- Destroyed or damaged structures
- Grading
- Roofing materials
- Landscaping

Non-transient Covenant infractions of the following nature may incur fines in the range of \$50 - \$100, beginning no less than 60 days after the initial notice of the infraction:

- Garages & driveways
- Junk vehicles

- Exterior maintenance of structures
- Weed & Brush control
- Unsightly property conditions
- Antennas & Clotheslines
- Yard Maintenance
- Animal & Pet issues

Transient Covenant infractions of the following nature may incur fines in the range of \$25 - \$50, beginning no less than 14 days after the initial notice of the infraction. This fine schedule may be applied over a period of time or per occurrence:

- Unauthorized parking
- Trash & garbage cans
- Vehicle maintenance
- RVs, Campers, Trailers
- Unauthorized signs
- Maintenance equipment
- Offensive activities
- Nuisances on Property

Repeat of Fines:

Assigned fines may be repeated automatically until the violation is corrected as determined by the Board.

Approved by vote of the Gleneagle Civic Association Board of Directors on January 7, 2016.

Kevin A. Deardorff

Kevin A. Deardorff
President, GCA Board of Directors