

# Minutes of the Park River West Condominium Association

## Annual Membership Meeting, August 10, 2019

### 1) Call to Order, Roll Call, Recognition of Proxies, Declaration of Quorum

The meeting was called to order at 9:07 a.m. by President Stewart Squires. Board members in attendance included Fritz Sampson, Vice-President; Helen Evans, Treasurer; Carol Barkley, Director/Webmaster/acting Secretary; Ron Springer, Director; Judy Domina, Director/Past President; John Mize, Director; Ray Buxton, Director. Mindy Stephens, Secretary, was absent. Squires also recognized Rick Stephens (Insurance Committee) and Dennis McDonald (Volunteer Coordinator). A quorum of 57 was reached with 34 owners present and 23 proxies.

Squires announced that two members (Barkley and Domina) would be leaving the Board effective at the end of the meeting.

### 2) Approval of 2018 Annual Membership Meeting Minutes

A motion was made to approve the minutes by Unit 635 and seconded by Unit 640. The motion passed unanimously.

### 3) President's Report (Stew Squires)

#### a) General Comments

The Association is the strongest it's ever been, both financially, and more importantly, organizationally. We still have some dominant players, but there has been a sense of community here at PRW that we have not seen previously.

#### b) Snow Removal

After a particularly hard snow in Dec., Rob McCauley, our Snow Removal and Landscape provider ceased operations. Snow Removal is now being provided by Zeek Construction. They will also do drives and walks for a separately billed fee. The Board will provide contact numbers to sign up in a future email. Snow Removal costs to date are less than budgeted given less snow than expected.

**Discussion:** Unit 609 indicated concern regarding ice forming near their unit. Squires explained that this is believed to be caused by a spring. It will need to be further researched for cause and possible repair.

#### c) Landscaping

After working with Ben Ekeren of Park Landscaping on Irrigation Blowout last fall, the Board engaged Park Landscaping to handle Irrigation Maintenance and Landscape Maintenance for the coming year. We got off to a slow start this season due to lots of moisture and a late Spring. That plus extraordinary volunteer effort has already provided significant cost reductions for Spring Cleanup and mowing. This provides for more of the landscaping budget to finally go to new trees and shrubs. Park Landscaping has done some trimming and now two mowings, but

with two Official Volunteer Work Days and a number of unofficial days of volunteer effort they have spent a lot of time just hauling debris away. Owners may have noticed the large slash piles behind the mailboxes in June/July and earlier this month. We are slowly getting into a good rhythm on trimming and mowing.

We've had a return of Canadian Thistle along the river path and near some units, and Fritz Sampson is dealing with that and other weed issues.

At Dennis McDonald's request the Board acquired a battery powered weed whip to trim grasses, especially along either side of the river pathway, resulting in substantial additional savings through volunteer effort.

After an owner comment in late Summer of last year, and an inspection in the Fall by Davey Tree, we discovered that a majority of our Spruce trees were infected with Pine Needle Scale. This last reared its head in the Spring of 2016 in the SE corner of the project. The four infested trees then received a drenching with Safari, a systemic insecticide that has been very effective in dealing with Pine Beetles and Ash Borers. Those four trees are in great shape today. This Spring we drenched all the Spruce trees in PRW and have again seen pretty amazing results in even the worst of the infested trees. It appears at this time that no additional treatment will be required.

During the 2018 Fall inspection we also discovered that one of our large pines had a plant parasite called Dwarf Mistletoe. This Spring a second tree downwind also had a branch with this parasite. Since herbicides do not work on this plant without killing the tree, the plant has to be cut out from the bark. For the second tree, the limb with the growth was removed and there appears to be no further infestation. We're fighting a losing battle on the first tree, however, and likely will need to remove the tree to prevent further spreading of this parasitic plant.

Through volunteer effort we've removed close to twenty dead trees. We have six more that are large and/or between buildings, and Park Landscaping will remove those in the near future. A number of those removed will be replaced. However, given the high density of plantings in PRW, and in a number of cases, the inappropriate plantings where root damage to asphalt has been a problem, or trees between buildings have the potential to cause building damage, we will not replace some of those removed.

It appears that Winter Kill affected a number of shrubs around the project. We have been watching to see how many of these shrubs fail to recover and will need to be replaced. We expect to begin new plantings before the month is over.

Finally, with dogged determination and tireless effort Dennis McDonald has made remarkable progress on repair and mapping of our irrigation system. Park Landscaping is handling the more difficult repairs.

**Discussion:** 1) Unit 639 asked whether remaining tree stumps would be ground out. Squires explained that this would depend on whether the tree will be replaced. The Board and

landscaper will determine which trees should/should not be replaced as some were not in optimal locations. 2) Several unit owners expressed concern regarding the growth of grasses and weeds in the rocks that surround homes and driveways. Squires asked for volunteers to lead a committee to address resolution of this issue. There were no volunteers. Sampson explained that he is currently spraying a selective group of weeds including Canada Thistle, Musk Thistle and Mullein. He also encouraged homeowners to allow grasses to go to seed in order to encourage new growth.

#### **D) Ownership of Property Surrounding Units**

Squires reminded all unit owners that the growing areas surrounding and abutting each unit are Common Elements. Where the Board is encouraging some modest volunteer trimming or pruning while we get up to speed with a new contractor, owners may not change the appearance of these areas without board approval. Personalization is limited to the porch, walk, deck, and driveway (your limited common elements). Owners may not plant a garden or install or create landscape features. If owners want to change aspects of these areas, please request approval from the Board.

#### **d) Fences**

The Fence Committee under Ray Buxton has removed several sections of fence, leaving only those they determined were necessary. They have disposed of the old sections at no cost to the Association. Painting will be completed soon.

#### **e) Asphalt Seal Coating and Repair**

Asphalt sealing and repair has been completed on the aprons that needed it. This work is done until late October when it cools down, after which vehicle smudges to the surface will be repaired and any final overspray or other damage will be taken care of.

#### **f) Issues with Pets**

We do not allow dog runs or enclosures for your pets on the Common Elements. Especially because of our abundant wildlife and for the safety of your animals, the Declaration requires that all pets when outside your condo be on a leash (and that means a human being on the other end). We have a number of owners and renters that attach a cable to the posts of their deck and allow their dogs to have free run over the Common Element area. This practice is not allowed and the Board will be actively enforcing this rule going forward. The animal has no shelter from sun or weather, and the Declaration requirement that owners immediately clean up after their animals is often postponed by days or even weeks with this practice. It doesn't matter whether the owner is present or not, dogs may not be cabled to a deck. They may of course run free within the confines of a gated deck.

#### **g) Parking Remains a PROBLEM**

Parking has taken on new significance after the fire we experienced at unit 611 two weeks ago. We're not going to comment on the fire during this meeting because it's still under investigation. However, because the two aprons were clear of vehicles when the fire broke out,

we were able to provide immediate and direct access to the unit for four fire trucks and associated law enforcement vehicles. At last year's annual meeting the Board made it clear that our access aprons were the only fire access lanes we have. Signs were created and posted, and stencils were used to tag asphalt areas where parking was not allowed. We still have owners, renters and even service agents of owners parking in the fire lanes.

This designation and parking ban goes hand in hand with the requirement that vehicles may only be parked in the garage and in the driveway. Only cars and pickup trucks may be parked at a unit. RVs, trailers, boats, quads, or any other drivable or towable wheeled vehicle need to be stored or parked in your garage or off site.

An additional clarification needs to be made. We've seen an increase in the presence of large 350 class, Super Duty or Heavy Duty series pickup trucks. These are capable of loads in excess of three and one-half tons and sport dual rear wheels on each side. After making driveway collapse repairs at multiple locations within PRW, and in accordance with what's stated in the Declaration, these vehicles are not allowed to be parked in driveways nor in garages (and of course not in the fire lanes). Please park them on Park River Place. As well, owner's commercially marked vehicles must be parked in the garage or on Park River Place. If you have someone work on the interior or the exterior of your unit, please make room for them to park in your driveway and not in the Fire Lanes.

At present the Board is enforcing parking rules when we become aware of an infraction. Board members put flyers on these vehicles and try to find their owners to get them moved. Most owners, renters, or service providers when asked, move their vehicles. For those that don't, normally a call to the owner's agent or the owner solves the problem. The Board would like to encourage all owners to make a proactive effort to ensure that you, your family, your visitors, your service agents and your renters, if applicable, park where they are supposed to and keep our Fire Lanes clear of vehicles.

Park River Place remains our overflow parking. It is not an RV or trailer park, nor is it a storage lot. This type of vehicle needs to be parked in appropriate facilities for their use and storage.

**Discussion:** 1) A unit owner asked if we tow the vehicles. The Board explained that this is not an option for legal and liability reasons. 2) R. Rapola (Unit 609) will check with Estes Valley Fire Department and report back to the Board as to whether the Fire Marshall should be notified when vehicles are parked in the fire lanes.

#### **h) Short Term Rentals**

Many owners rent their units short term. Owners must comply with Town of Estes Park licensing requirements, and must inform the Association Board in writing that they are engaging in the practice. Owners must also notify the Board of the identity of the required local agent and their contact information. This is the person or company who is authorized to deal and act on behalf of the owner. And who the Board will contact if there is an issue with the unit, or the

renters, or your unit servicing personnel. If the local agent changes, owners must notify us with new contact information before that change goes into effect.

Finally, the Board requires the posting of the PRW rental rules with high visibility within the unit. They can be found on the website ([parkriverwest.com](http://parkriverwest.com)).

The ability to rent units under the town's short-term rental program adds significant value to our condominiums, according to local realtors. But without responsible self-policed renter controls, that value can easily be eroded.

**i) Trash and Feeders**

Reminder: only bear proof trash cans may be left out overnight. All others need to be taken in by the end of the day. As well, bird feeders and other food sources need to be bear proofed or taken in at night.

**j) Gutters**

The gutters were cleaned out in July. Some issues remain, such as drip edge problems and smashed downspouts. These issues will be addressed in the next few weeks. If you have a problem, please notify the Board.

**4) Treasurer's Report (Evans)**

Helen Evans presented the 2019 YTD expenses and the 2020 Proposed Budget. She noted that PRW is in a good financial position, and that we would not raise association fees for 2020. The reserve contribution for 2019 will be the maximum of 10% of income (\$20,400).

**Discussion:** In response to unit owner inquiry, Evans and Squires explained that we are slightly over budget for painting YTD but that the painting is completed for 2019 and is expected to cost less in 2020 due to estimate of less work needed next year. Evans also noted that we have only one pending deck repair.

Squires noted that sewer expenses can be counted on to continue to increase. He suggested that unit owners get involved in city/county discussions about the future of Estes Valley sewer systems. Squires explained that there are two companies currently providing sewer services and that this may not be efficient in the future.

**5) Adoption of 2020 Budget**

A motion was made by Unit 609 to approve the 2020 Proposed budget. It was seconded by Unit 603. It was approved unanimously.

**6) Nomination and Election Directors**

The following were nominated to the 2019-20 Board of Directors: Stew Squires, President; Fritz Sampson, Vice President; Helen Evans, Treasurer; Mindy Stephens, Secretary; and Greg Barkley,

Elizabeth Rapola, John Mize, Ray Buxton, Ron Springer (all Directors at large). The board was elected unanimously.

**7) Discussion of Barbecue Use and Fire Mitigation (Fritz Sampson)**

Sampson asked the unit owners for feedback on several aspects that the Board is considering in regard to a policy around the use of grills.

- a) Should we require that grills be moved away from the unit walls? If so, how far?
- b) Should we ban grills altogether?
- c) Should we provide signs requiring renters/owners to move the grills away from the unit walls and/or deck railing?
- d) Should we make fire extinguishers mandatory?

Discussion: Comments included the following:

- Grills should be 18-24 inches away from the wall.
- Deck railings are less of a concern than unit wall.
- Could shielding be provided? Would it encourage folks to leave the grill near the wall?
- Options including electronic grills and natural gas grills were suggested
- Heat is causing the damage to the siding – not fire.
- Accidents (such as a faulty propane tank) are far less likely and harder to prevent than basic education about where to place the grill to avoid damage to the unit.
- Are larger grills more of a concern than smaller ones? Or is it the BTU size and the general cleanliness or maintenance that is the greater issue?

A motion was made by Unit 620 that the Board work with the painter to document which properties have scorching damage, and that the owners of those units be required to pay for repair. The motion was seconded by Unit 608. It passed with one opposing vote.

The Board will use this feedback to develop a policy.

**8) New Business Proposed By Members**

- a) Landscaping Preferences: A unit owner asked if he was allowed to do landscaping. He was asked to work with Dennis to ensure that the work was in line with the PRW look.
- b) Number of Renters versus Owner Occupied: a unit owner asked how many units were rentals. The Board provided the following detail.

- 19 full time
- 26 part time
- 21 short term rental
- 2 long term rental

- c) River Path Repair: a unit owner asked what the plan is for improvements to the river path. Squires explained that the Board is looking at options and estimates for clearing weeds and resurfacing the wet areas.
- d) River Bank Stabilization: a unit owner expressed concern that there is erosion along the river bank. Squires and Sampson explained that this would likely involve bringing in heavy equipment and large boulders, and would be a very large expense. At this time there is no plan to work on this project.

**9) Adjournment**

Unit 633 made a motion to adjourn the meeting. Unit 609 seconded. The meeting was adjourned by unanimous vote at 11:37.

Minutes prepared and signed on:

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Carol B Barkley, Director and acting Secretary