

# MINUTES

## SOPRIS VILLAGE HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS' MEETING

October 22, 2024

6:00 p.m.

### Join Zoom Meeting

<https://zoom.us/j/91746700012?pwd=jbFvS0qvGhSKUzRGZPFjOOB7PQLH0K.1>

Meeting ID: 917 4670 0012

Passcode: 200389

Dial by your location: +1 719 359 4580 US

### Board Members:

Mike Meiners | Peter Guglielmo | Janine Gunning | Brandi Rice | Heather Smith

#### Directors Present:

Mike Meiners	President
Janine Gunning	Vice President
Peter Guglielmo	Board Director
Heather Smith	Board Director
Brandi Rice	Board Director

#### Directors Absent:

None.

#### Property Manager Present:

Megan Rodman	Property Manager
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#### Owners Present:

Jose Serrano	240 Arapahoe
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### 1. CALL TO ORDER

Director Mike Meiners called the Board Meeting to order at 6:05 PM MST.

### 2. SEPTEMBER 4, 2024 BOARD MEETING MINUTES

The Board of Directors reviewed and considered for approval the draft meeting minutes for September 4, 2024.

Director Pete Guglielmo moved and Director Brandi Rice seconded to approve the draft September 4, 2024 meeting minutes with the above changes. Motion Passed.

### 3. ITEMS NOT ON THE AGENDA

- Director Mike Meiners informed the Board that only one quote was received for installing gutters on the roof of the well house. The current quote received was for \$3,000.00. Director Mike Meiners would like to get a second quote from Down Valley Gutters before proceeding.
  - Director Pete Guglielmo suggested just installing gutters and not downspouts that would require heat tape.
  - Director Mike Meiners also contacted a homeowner who is an electrician to see if they would be interested in connecting the heat tape and Mike never heard back.
  - Director Janine Gunning noted that her husband, Ralph Gunning, would be interested in going down and looking to see where the Board wants gutters installed and providing recommendations.
  - Director Brandi Rice noted that if downspouts are not installed rocks be installed at the bottom of where the gutters discharge in order to avoid erosion.

#### 4. **PROPERTY MANAGERS REPORT**

##### Financials/ Accounts Payable

The Board of Directors were provided with the September financial reports – Balance Sheet, Budget vs Actuals by Month and YTD, Accounts Receivable, Check Detail, and Profit and Loss report.

Director Mike Meiners moved and Director Janine Gunning seconded to approve the September financial reports as presented. Motion Passed.

##### Mountain Waste & Recycling Discussion

The Board discussed Mountain Waste's potential breach of contract as a result of them charging the incorrect amount in trash/recycling fees to the HOA for the last 7 months. The HOA would first like to see a credit of the amount owed back to the HOA, and because of the breach of contract the HOA would like to know of their ability to cancel the contract with Mountain Waste without incurring cancellation fees to the HOA.

If Mountain Waste charged the wrong amount based on the terms of this agreement, it could potentially constitute a breach of contract. According to **Article V** (Payments) and **Article VI** (Rate Adjustments), the contractor (Mountain Waste) must charge in accordance with agreed rates and any authorized adjustments, such as those related to cost increases or index adjustments. If the charge does not align with these agreed terms, it may be considered a violation of the payment terms.

However, the agreement also allows for **rate increases** under certain conditions (e.g., cost of services, CPI adjustments, or consent from the customer, as per Article VI). It depends on whether the incorrect charge falls under permissible adjustments.

In case of a breach, the agreement allows for termination or suspension after a **notice and cure period** (Article XI), so the first step would be to notify Mountain Waste in writing, allowing them to correct the charge within the 10-day period.

The Board asked Management to discuss with Mountain Waste a potential breach in contract to see if the HOA could terminate the contract and if this is not an option, then the credit should be received by the HOA with a 10-day period.

Management did receive a proposal from Waste Management, per Board request, which the Board reviewed, but can only consider if the HOA can terminate its contract with Mountain Waste.

#### 2025 Budget Discussion

The Board of Directors discussed the following line-item changes:

- The Board reviewed an email from HCUS with regards to proposed budget items for 2025 concerning water system management and water system improvements. The Board has added these line items to the Budget already and they are similar in estimated costs for 2025.
- Trash Service – decrease to \$60,000.

Director Pete Guglielmo moved and Director Janine Gunning seconded to approve of the proposed 2025 Budget with the changes mentioned above. Motion Passed.

### **5. BEARS**

The Board of Directors discussed Bears getting into trash in Sopris Village HOA.

With Mountain Waste the HOA has two options for bear proof trash cans:

- 1) Purchase 130 trash cans at \$305 for the entire HOA, costing the HOA roughly \$39,650, which would require the HOA to sign a new contract with Mountain Waste, there would be no significant increase in pick up fees, or
- 2) Homeowners can rent a can from Mountain Waste for \$25/per month themselves, with a one year minimum commitment, and that homeowner would have a separate agreement with Mountain Waste, outside of the HOA's current contract.

At this time, since it is almost winter and the bears will be hibernating soon, the Board decided to table this topic until the Spring of 2025.

### **6. 2025 BOARD DIRECTOR ELECTION**

The Board of Directors discussed the timeline for Board Director Elections.

- Management will send out an email to Call for Nominations on October 23, 2024
- Director Nominations will be due by November 6, 2024
- Management will mail out ballots on November 11, 2024
- The Annual meeting will be rescheduled for December 11<sup>th</sup> at 6:00pm pending availability of the Sopris Room at the Eagle County Community Center with ballots being due by 5:30pm.

### **7. WATER COMMITTEE UPDATE**

There was no Water Committee Update.

**8. ADJOURNMENT**

Director Peter Guglielmo moved and Director Janine Gunning seconded to adjourn the Board Meeting at 6:55 PM MST. Motion passed.

The next HOA Board meeting will be on November 6, 2024 at the Eagle County Community Center.