

Valley View Village HOA	Valley View Village Townhome HOA	Valley View Village Condominium HOA
President: Sam Wardell	President: Jason Rayzor	President: Dan Falk
Vice President: Shaun Kellerby	Vice President: Rae Ann Bartels	Vice President: Lindsey Latham
Secretary/Treasurer: Caleb Ealey	Secretary/Treasurer: Penny Roehm	Secretary/Treasurer: <i>Open</i>

**APPROVED**

Special Meeting – October 4, 2022

BY: BOD DATE: 10/7/22

Called to order at 6:33pm.

- Review bids from Property Professional and Integrated Mountain – Vote on one
- Determine what Keith will be paying/doing prior to October 7, 2022
- Opened and read through both bids, open discussions, what's included, fees and further questions. Called Property Professionals for clarification of the following:
  - Trash included? Yes
  - Board approval is required for financial/budgetary changes. When the board approves the budget and scope, extras can be further negotiated. Hopefully all will align, and we'll be able to agree to a progressive budget.
  - Fees can be negotiated. Monthly management fees will remain the same and can be revisited at the December 6, 2022, Annual Meeting and upped to match what was quoted. Contracts will need to reflect these dates. This will allow Valley View Village residents to see new management in action and discover the difference and value of Property Professional. These fees go up as follows:

	Current Monthly Fees	Property Professional Monthly Fees	Monthly Difference (New Monthly Rate)
Valley View HOA (43 units)	\$902	\$946	\$473 \$903.02 adds \$1.02 each
Townhome HOA (50 units)	\$1100	\$1250	\$150 \$1103 adds \$3.00 each
Condominium HOA (18 units)	\$396	\$450	\$396 \$399 adds \$3.00 each

- Irrigation will continue going through the Battlement Mesa Metropolitan District
- There will be a flat cost for annual mailing list
- Laura will collect documents, plastic fencing and shingles from Keith then store
- At 7:42pm Penny made a motion to vote on a Management Company.
  - Property Professionals had 6 votes
  - Integrated Mountain had 0 votes
  - Shaun did not vote, Rae Ann did but there has been question on validity of paid dues status.
  - Shaun will be filing a complaint with DORA as what the board has done in hiring a new management company is illegal.
  - Contract can ideally be available and on boarding process can begin Friday, October 7, 2022, and will include collection of QuickBooks files, financials, vendor contacts, all association documents
- Keith has already paid Mountain Lawn. Blow outs will be performed the third week of October 2022.

Meeting adjourned at 7:55pm.

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## HOA Management

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**From:** Lindsey Latham <thedance84@yahoo.com>  
**Sent:** Friday, October 7, 2022 8:33 PM  
**To:** Penny Roehm; cable box  
**Cc:** Samuel Wardell; HOA Management; Shaun Kellerby; dtfalkjr@gmail.com; jlraylor@hotmail.com; raea5@msn.com  
**Subject:** RE: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes  
**Attachments:** Executive Meeting 9-29-2022.docx; HOA Meeting Minutes - 9-6-2022.docx; Special Meeting 10-4-2022.docx

I also vote to approve the September 29<sup>th</sup> meeting minutes. I have attached both to this email along with the October 4<sup>th</sup> minutes.

Thank you all for your patience in getting them typed up. Work had me out of town until this evening and I was unable to accomplish both things.

Lindsey

**From:** Lindsey Latham  
**Sent:** Friday, October 7, 2022 6:17 PM  
**To:** Penny Roehm; cable box  
**Cc:** Samuel Wardell; HOA Management; Shaun Kellerby; dtfalkjr@gmail.com; jlraylor@hotmail.com; raea5@msn.com  
**Subject:** RE: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes

I also vote aye to approve the September 20<sup>th</sup> meeting minutes.

Lindsey

**From:** Penny Roehm  
**Sent:** Friday, October 7, 2022 1:37 PM  
**To:** cable box  
**Cc:** Samuel Wardell; HOA Management; thedance84@yahoo.com; Shaun Kellerby; dtfalkjr@gmail.com; jlraylor@hotmail.com; raea5@msn.com  
**Subject:** Re: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes

I am sorry for this again but need to amend my answer.

2nd the motion to approve minutes and vote aye.

Penny Roehm

Secretary/Treasurer

Valley View Village Townhomes Board

On Fri, Oct 7, 2022 at 1:19 PM cable box <cealey92@gmail.com> wrote:

Aye

Caleb Ealey

Valley View Village Homeowners Association

Secretary/Treasurer

On Fri, Oct 7, 2022, 12:35 PM Penny Roehm <[pennyroehm@gmail.com](mailto:pennyroehm@gmail.com)> wrote:

I second that motion.  
And say Aye

Penny Roehm

On Fri, Oct 7, 2022 at 11:56 AM Samuel Wardell <[samuelwardell@hotmail.com](mailto:samuelwardell@hotmail.com)> wrote:

I motion to approve the minutes from the 9/20/22 and 9/29/22 meeting as written with no amendments.

Samuel Wardell  
President  
Valley View HOA

\*\*\*\*Note: Please use reply to all for your responses.

**From:** HOA Management <[hoa@propertyprosteam.com](mailto:hoa@propertyprosteam.com)>

**Sent:** Friday, October 7, 2022 11:02 AM

**To:** Samuel Wardell <[samuelwardell@hotmail.com](mailto:samuelwardell@hotmail.com)>

**Cc:** [thedance84@yahoo.com](mailto:thedance84@yahoo.com) <[thedance84@yahoo.com](mailto:thedance84@yahoo.com)>; [cealey92@gmail.com](mailto:cealey92@gmail.com) <[cealey92@gmail.com](mailto:cealey92@gmail.com)>; [kellerbyvv@gmail.com](mailto:kellerbyvv@gmail.com) <[kellerbyvv@gmail.com](mailto:kellerbyvv@gmail.com)>; [pennyroehm@gmail.com](mailto:pennyroehm@gmail.com) <[pennyroehm@gmail.com](mailto:pennyroehm@gmail.com)>; [dtfalkjr@gmail.com](mailto:dtfalkjr@gmail.com) <[dtfalkjr@gmail.com](mailto:dtfalkjr@gmail.com)>; [jlraylor@hotmail.com](mailto:jlraylor@hotmail.com) <[jlraylor@hotmail.com](mailto:jlraylor@hotmail.com)>; [raea5@msn.com](mailto:raea5@msn.com) <[raea5@msn.com](mailto:raea5@msn.com)>

**Subject:** RE: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes

Good morning Board(s) and Happy Friday!

I am excited to start working right away on set up and transfer, so I will be sending the attached letter to Keith Lammey today as an official request for association documents. I am happy to pick up any items from him and see if we can store them at my office. I will coordinate with Keith, reach out the vendors, and finalize the letter to ownership regarding the transfer of management. As soon as I have contact information, I will do my best to get letters emailed and mailed.

I have attached the fully executed contracts for Valley View HOA and Valley View Townhomes.

**Lindsay** – if you could send over the signed contract for the condos, I can get it signed and back to you. If you would prefer wet signatures, I will be in Battlement later this afternoon and I am happy to swing by or meet wherever is convenient for you.

**Please note the following is required in order to move forward with the bank account transfer. Alpine Bank will need APPROVED meeting minutes from the last 3 meetings (9/20, 9/29, and the draft copy from 10/4).**

→Below I will use the necessary verbiage to approve the minutes from **9/20 and 9/29**. We will approve the minutes from 10/4 at the next Board meeting. Because your minutes (I am assuming you have one record of minutes for all three associations for each date, we will only need **2** board members to make the motion to approve the minutes for all **3** HOAs.

**APPROVED**

9/6/2022 Valley View HOA Special Meeting

BY: BOD DATE: 10/7/22

Called to Order at 7:06PM

Lots: 109, required is 11 for 10% quorum. 36 lots represented, including proxies.

Sent out letter at end of August in working order of guidelines with min. of ten days but less than 50 in mail form. Many don't live in Valley View, so this also included those living out of state.

#### New Business

Called meeting as things were brought to Board Presidents' attention that were concerning more than the homeowners, spoke with other board members and felt it would be good to host a special meeting to address these things. Concerns were numerous on different levels. We'll be discussing the four items listed on the agenda. Some things were brought to attention ahead of time and this is to inform everyone and encourage open communication. Will address points with what's already been told and clear up. If items weren't touched on, the floor will open to those that signed up. For sake of time, we're limiting it to five minutes and we're hoping to address things in an efficient manner. Expressed gratitude for those that came to voice their concerns for the neighborhood we live in. This evening President did ask Keith Lammey not to be here as our HOA manager as this is a member's meeting. Felt this would be easier for members to discuss items in his absence. Representation is here from all HOAs, the townhomes have specific concerns and providing there is a 2/3 representation available for the townhomes will allow for a vote as they would like to remove their board. Will discuss what was covered years ago with a lawyer in point #2 regarding townhomes.

In future – use colored paper for topic sign ups so as not to miss this.

Can understand concern regarding visibility and access to HOA docs. Explained and showed online. Went to [elkpeaksassociations.com](http://elkpeaksassociations.com) website, Elk Peaks Consulting Group, Ltd. Manages our Associations. Association Management, Valley View, on left there are links to each HOA for Valley View. Everything is under Valley View with Agenda and Minutes of board meetings dating back to 2013. There was no quorum at the April 2022 meeting and board has yet to meet to approve and post those minutes as of today. Opened April 13, 2021, meetings.

Are we supposed to have individual meetings for each board? According to the bylaws these are supposed to be separate meetings. She would like to see townhome minutes. Explained that as an HOA we meet for voting purposes on the entire HOA as well as individual sections. All meetings are transparent and posted online after approval. Townhomes Documents – Records Policy is under HOA. Must request from Keith 1, a, iii to show money is going where it is stated rather than being able to just see where it goes. We have a management company, but we do look at the budget breakdowns and see where the money is going. Do we see receipts to where money is going? We see bills and checks for approval prior to Keith sending out checks. Unavailable to see publicly for safety/exposure purposes, hence the need to request. CCIOA – Colorado Common Interest Owners Act required by the state of Colorado and those are referenced and linked throughout the website and kept up to date.

Confused, heard Shelby say we need to do a form to request financials? We adopted a policy based on what CO was asking HOAs to do and incorporated into our policies. Website was last updated in 2017

BOD APPROVED: 10.7.22

and according to the bylaws that were pulled in the last few weeks it says that anyone can make a request during business hours and now we're not able to. She has printed bylaws from townhomes with nothing notating a form to complete for that request. This process is lengthy and expensive to update those bylaws. We would rather update policies and vote on them to add into the minutes of meetings to stay up to date with state laws. Law took effect in 2019. How are owners to find this information? Website is updated regularly, and we add bylaws to the page. When they looked at the website, they could not get up to date information. Nathan explained that the website has been updated as all the financials are listed through April 2022 and current. What hasn't been updated is the front facing page and that's why the date is older. The document links are updated. There is a time lapse between the meeting and when items are posted as they must be approved by law. Unknown what the laws for the meetings are. If policies change, does she need to hunt for this daily as there is no notification, can't there be a notification sent out? Won't make the statement that every policy has changed but we have the foresight as board members that this needs to be reviewed. Claims that no letters come through to her for 3 years and no vouchers in her mail. A handful of people raised their hands that they receive something mentioning meetings. Post office sends out letters and have record of assessments monthly with notifications of member meeting in Dec. Per Shelby she noticed that many people have made an appearance tonight, going back to the budget we would need to increase the fees because of postage, she doesn't understand why that cannot be included in the current budget? Is email an option, this will alleviate the postage. No letter received in a few years; wouldn't you wonder where those letters are going? Come up with a new policy to get more people involved. Who keeps the list of homeowners current and/or how do they know? The management company takes care of that and there's a form to ensure information is up to date.

According to meetings for July they can elect their officials for the board and that didn't happen in July. This meeting hasn't met since Keith has been manager. She received a letter three years ago and that's the only meeting that she has been notified of to attend. *Look into this.* Bylaws are something that were established from the previous association, not by Keith's company.

Amy Hatcher – main concerns re: being a member and getting to website for transparent items. Battlement Mesa web page is first they went to, and everything is outdated. Going to Elk Peaks and looking for board members to contact it's Penny whose term is up and no contact information, or it's outdated. Board of Directors has Jed and Mike then it gets confusing by going into outdated bylaws that people will be voted in in July. Maybe there was a letter in Dec? You think someone is getting voted in then the dates are confusing for terms ending. Information is hard to acquire. Concerned with Article 1.2 is annual meeting in July and notice of meeting 1.5 that all meetings should have a notification prior to. People feel left out, and that transparency is lacking – did address this with management and lawyers, the next section is board meetings and that may be causing some of the confusion. 2004 is when bylaws were written. We're trying to clear this up this evening.

Bernita Grone (sp?) - Transparency is the issue that has people worried. Most every management company sends a monthly statement, and this would be a great place to add notes. *Some people may owe money because they never received a statement. Townhome owner – the management company isn't the police but when dangerous things and illegal things with police involvement there should be a way to hold the homeowner more responsible. Situation may have been avoided with transparency.*

Shelby – Their problem began almost two years ago when trying to contact Keith Lammey and have emails to back this up. They have children and safety concerns. Removing tarps took a month. Four months at this point to reattach the tarps. Valley View Road is a thoroughfare for people exceeding the speed limits and they have emailed him over the summer. Suggested speed bumps and keeps hearing the budget will need to be increased, is money being spent efficiently and where is it going? Need budgetary adjustments and allocate money to other places. Need to consider changing the management company as this has been a difficult process and should not be. He avoids their phone calls and frustration has been building. Where do they turn when they cannot get a hold of the management company? Finally found Jed's information and he's been excessively helpful and gone out of his way to put this meeting together. Keith's lack of professionalism is very apparent. Response: Regarding the tarps/shades the HOA was calling different contractors trying to get them to show up to fix them. Those things were not being communicated. Response: Unsure why Keith hasn't been responding to their issues. Why do we need a contractor to cut down a wind sail? Response: We live in a litigious society that may sue the HOA if there were to be an accident and needing the insurance their companies carry. Another issue to address with him is that he's reaching out to contractors because he has been told at the beginning of August, he was waiting on locates to get signs up. 811 allows 3-5 days to get this done. We need a way to double check this as this may not be accurately getting relayed.

Francie – wants to express sincere gratitude for hosting this meeting. Different tone tonight. She's been on other boards, and it tends to be a thankless job to serve on a board, so thank you for the forum. Back to transparency, we are the consumers that fund this association and sees that Keith and the management teamwork for her, but she gets nothing from him when she tries to get information. Feels Keith is competent but has an authoritarian position and it shows. He's coasting to where he has other people that work for him, and he delegates. She lived next to the druggies and had a good relationship with Keith initially. Felt there was a conflict of interest and went to emails for three weeks re: concerns. After three weeks of accepting email, he replied pointedly that he's not in charge of notifying people if they're out of compliance and violating policies. He said she has no access to any information after she asked about notifications being sent out. Unsure how to judge something without having information. Hired a real estate company in Rifle, their paralegal, Dusty, did 3.5 hours of research on the Elk Peaks website to find the information she was requesting. If people can't access something from the home page within 30 seconds, they'll move on. She couldn't determine who the legal officers were, and neither could the paralegal. She went to the BMSA meeting and found out Penny was a rep here but didn't know how to get a hold of her. Was told she'd have to go through the BMSA board to acquire that information but if she calls the board then they give her information to Penny for Penny to reach out to her. Unsure if people's numbers should be given out but there must be a better way to get this information. Paradigm shift this evening. Focus on the homepage and make the most important information more readily available.

Jeff Ringo – has a bunch of teenagers that are willing to help. They just recently moved in and notice the speeding through Valley View. Willing to come together and brainstorm suggestions to improve the neighborhood. He sees this town growing and calling this home. Owns Wall to Wall drywall company.

## Point 2

Why do we have three associations rather than one? Management looked into this in 2013 because we were having a hard time filling board positions and lacking participation. Had a lawyer investigate it and

some of the highlights are the CCIOA applies to all Valley View HOAs with limited and narrow exceptions. CCIOA applies to all board after July 1992. All three were after 2004 so they fall under that law. Consolidation of two or more common interest communities in a section state that the merging associations must be of the same form of ownership. This is the conflict – ownership of a condo is different from townhome and/or SFH. Merging cannot happen for ownership. When the associations were established, they could not merge as they are not the same types of ownership but could approach with the sub associations covered by one HOA. Looking at CO law and saying this cannot be done. Only way it could be done is to dissolve the association meaning more lawyer knowledge. That is why there are three separate HOAs.

Francie – doesn't need to speak after the explanation. Except, clarify this. Understands why there are three, but something said earlier led her to believe that all three met at the same time. Response: Logistically it's hard to schedule multiple meetings and the associations are intertwined. In essence, it operates as one with three separate ones represented. Only get to vote on common areas and anything that relates specifically to said ownership.

### Point 3

Questions and concerns regarding lawn and snow. We entered a contract and are aware the quality has not been what people want. Also concerns to length of the grass cut. Spoke to them and other landscapers, it's the type of grass planted. It stays longer to conserve on watering and keeps that cost in check. There were a few weeks this summer that it was very neglected, Jed even called, the individual apologized as his wife had died and he was going through that process. His quality of work did show that. He is aware that it was not up to our standards or even his own during that timeframe. Personally, grace was extended in this situation, and we deal with people that go through real things. Unfortunately, that impacted many lawns and understand that this made things look a bit less than exemplary in those times. Other situations are being investigated.

Snow removal last year was discussed at our board meeting and were ready to look at other contractors, letters were sent out, but nobody wanted to plow. Contacted previous companies and they deemed it not worthy to do. Went back to the original company. Cars parked on the road and our neighborhood design is horrifically designed for snow removal purposes. Piles are in various places. We could pay to have it hauled away but that is also excessively expensive. These things do cost, and we do consider that we don't want to increase dues. As a board we're interested in looking at different contracts or individuals, many were interested in the work until we said Battlement and there isn't enough snow fall here to account for being on call 24/7.

Carol Abbott – One of the first residents in VVV. Things were a little more pleasant in the beginning. Had a company out of Rifle handling things. When Keith came on board it was cordial but a little cool and has slid down hill. Making phone calls has resulted in accusatory or derogatory remarks back. She has been without back yard watering for two summers, they've done nothing to repair sprinklers, and this has become her financial responsibility. The lawn mowing quality has gone down. Can go into her front yard after the mower goes through and there are huge chunks of mowed grass in her yard afterwards. Issues where she lives at the dead end of Angelica Cir with a sign that says no dumping. People that live in the two-story units, condos, next to her have continuously thrown trash from their cars and she has cleaned up. Drainage is overgrown and still has debris, water pools, mud piles and right now there is algae growing, it stinks and is a breeding ground for mosquitos. When she's called there is no response, or you



get a cold shoulder or a put down. Some years back it was more neighborly, there were volunteers that cleaned up, there was a barbecue for the development. Wishes that she knew her neighbors more and who lives around her. Hopes others with concerns about lawn mowing would speak up. Noticed there is no more monitoring of parking, and some places have three vehicles and only use their garage for storage. Was told that parking next to her was overflow and that no parking was to be done on Angelica Cir but now it's full of cars and she's never had a guest be able to use the overflow parking beside her. Need to get something done to make it better.

A lot of people came for specific reasons and appreciates everyone being here, thinks it's wonderful we're here. Concern is, Shelby addressed it, we want to know how to replace our property management. According to the bylaws they pulled up they can vote to do that. Thinks many are here tonight to vote this off. How do we get to this point?

Sam – Can't thank you enough for having this meeting. Lack of communication and involvement is the primary concern. He is conservative on budget and has worked in government most of his life. If it needs done, it's probably going to cost, things can be cut, and contracts renegotiated. Biggest thing is the lawn care between maintenance and irrigation, around \$47,000 annually and watering done at hottest times of day, riding mowers, cutting weeds. Biggest concern is that it doesn't seem we're shopping around to get the best price and quality services. He is willing to shop around and make the calls. Looks at the rec center and other areas locally and they get edging, we don't. \$2350 being for homeowners HOA and the biggest areas of grass are the playground and along the main sidewalk on Valley View, he doesn't understand. Went from \$250 to under \$100 by managing how he waters his own lawn. He's willing to become involved, do research and doesn't feel we're getting good service for what we're paying. If \$47,000 is just for the homeowners that's an extravagant amount of money. Can tell who is smart about their lawns. If we can cut costs in half this could allocate money for other areas to be more efficient. Broken sprinkler systems need fixed.

Shelby – Along his point to address saving budget rather than spending additional 2015 vs 2022 doesn't jive. Sprinkler/pump spent \$1400 in 2015, irrigation \$14,000. 2022 paying \$23k for irrigation and sprinkler/pump is \$780. Irrigation has almost doubled. Response: There were issues found with pumps and they were fixed. Jed is okay accepting help from homeowners getting quotes for services and would love to see some for lawncare and snow removal. Who makes the decision? Response: It would go to Keith to be presented to the boards and then we would vote as a board. Would he filter them? Response: We request three bids. If Keith doesn't like the bid or company then filters what gets presented to the board, how would anyone know? Questioning of Keith and validating their experiences is a big issue. Accessibility is needed, we have internet and email. She bets that most would accept an email. Not expecting legwork to be done by the board but people in this room want to partake and know what's going on.

Keith has been contacted to fix gutter issues on townhomes that are causing problems, but nothing has been done. Need a different outlet to get someone to fix the problem as they cannot be ignored.

Nathan - How the issue should be – bids should be publicized. They must be delivered to Elk Peaks by a set time and those sealed bids come back to the board for the board to open. It must be posted somewhere to ensure details are written out. We want these items so everyone can bid apples to apples. If you're looking for lawn quotes it includes edging and mowing on every bid.

#### Point 4

Be better informed. The situation at 51 Cliff View will be addressed as well as the need for the management company to communicate better. This is obvious tonight. The other thing is that there are openings for the boards. Sam expressed, via letter, requesting to take that appointment from the board. What we wanted is to see if there is anyone else that would like to step up. That will be the first point of the meeting September 20<sup>th</sup>. For clarification and opportunity to know there are openings

HOA and Condo board. You're elected to the board and then voted into position. This would be appointment to fill vacancies, not voting, until the annual meeting. Would like to speak before people come up regarding 51 Cliff View. Aware that situation has generated genuine feelings of frustration and concern. Cannot speak to anything Keith did or said in this situation. Mark is on Zoom to share momentarily. From the beginning Mark communicated with different board members that he was in the process to evict before their first month in the home and is aware that background checks could have been done. He hasn't let people rent his homes that smoke. Had a clearance through the state and assumed renters did their part but this is one of the hardest states to evict renters from. Harassment by owners is a real thing. The way our laws read a judge will side with the renter every time if there is any harassment by the owner so they must proceed carefully. Mark never received a dime in payment, if anything, this has cost him excruciatingly so. There are frustrations and certain information that cannot be given on residents as it is protected by the state. These are things that tie the hands of folks. Looking back there could have been better communication. Mark told several people and saw printed emails of requesting calls to discuss with his phone number.

Does that person own more than one residence? Response: Mark owns many places in Valley View, and this won't happen again. Has some amazing tenants in our neighborhood.

Francie - This doesn't match what she knows. She wrote a letter documenting Mark's behavior and ten owners have signed it. She lives next door and saw trash, feces, and needles stacked up. Had no idea that Mark had someone locally managing and she wanted to work something out. She spoke with him and outlined his responsibilities: the tenants ran the water for 48 hours and ruined her wall. When they spoke, Mark asked her to document the problem. Keith also requested this and that she take pictures of the drug dealer's license plates and their camper. She didn't stay at her property for 3 months overnight. Said she would have to put up with them for the remainder of their one-year lease. Requested Mark put in a Ring doorbell or security equipment. Wants to move that Mark Kozuch is removed from all boards, he lives in FL, phones in to every meeting, and doesn't live here.

According to bylaws they have this special meeting and may remove any director from the board, and they have enough people to vote him off. No excuses. Public safety. Also want to remove Elk Peaks. When she went door to door to get signatures Keith informed her to sit down and shut up. She did and didn't say anything. 51 Cliff View happened, and she realized that she isn't the only one that has no faith in Keith or his property management. Unfortunately, the two have refused to speak to or respond to any of them. They feel that they care about their neighbors, where they live, where their money goes. She feels the only recourse we have as a community is to have Mark Kozuch removed and Elk Peaks as well. We need all of you to attend a meeting and talk to other property management people. It's important to be able to say I want this person, not that person for property management. Have everyone involved, ask questions, be comfortable with those decisions, not just Keith or Mark. Understand the long term and the long haul to get this done. Response: Jed understands where Francie is coming from and would

like to give Mark the opportunity to speak prior to moving to the second as he has requested to do so. What's confusing to Francie is that people have provided him multiple opportunities to answer phone calls, emails, letters but he has yet to respond them. Mark is an owner and member, and he does have a right to speak.

Conflict of interest as he is a homeowner and on the board. Legally this is not allowed as he profits by renting his properties.

Shelby – We need to play ball and listen.

Mark – There is a lot being said tonight that's not true. About ten years ago he was asked to volunteer for two years, he tried to let people step in once his term was over. It's been this way for ten years and nobody has stepped forward to do it. His career moved him to FL and his health prevents him from moving back. His personal interests have never taken over. He made a terrible mistake letting those people move in and would never have allowed them to move in knowing they were drug dealers. When he heard what happened he took immediate action. Francie reached out Saturday, July 9<sup>th</sup> for the first time. A month prior to that he started the eviction process, June 9<sup>th</sup> certified eviction notice was sent. Began at least May 10<sup>th</sup> and was consulting with attorneys June 7<sup>th</sup> and 8<sup>th</sup>. Tenants have unbelievable rights and eviction cases have been hard to get on since COVID. Everyone he spoke with said 2-4 months at least, to get this done. The tenant that lived there prior sent him screen shots of text messages May 10<sup>th</sup> that she had with some of her friends. He spoke with the tenants about the dogs and multiple people that sounded valid at the time with having people help them move. June 6<sup>th</sup>, he received another message from Erin expressing the same concerns. June 7<sup>th</sup>, he gave them notice. July 9<sup>th</sup>, he got Francie's call. He's well into this and paid an attorney, hired and everything was in the law's hands. There was nothing he could do at that time. He told her at least three times and the law stated that he could do nothing. He is sorry from the bottom of his heart, he could do nothing from the people, dogs, repulsive behavior. Andrew Paget accused him of many things. You are clearly misinformed, and these accusations are incorrect. On his side 100%. Please contact to discuss. Received that email July 20<sup>th</sup>. June 9<sup>th</sup> eviction process began. Francie said he refused to add surveillance to his property as it would be like poking an angry bear and they would probably destroy it. June 6<sup>th</sup> there was a person at 50 Cliff View Ct looking for dogs and doing what they could to help. He got shafted hard. He wouldn't have allowed those people to move in had he known more. Thankfully those people are out of the neighborhood, this is deep. Francie when you said you were afraid to stay at your home it made him sick thinking of anyone not being able to live in their own home. He was on the phone with the sheriff's department and spoke with many deputies to no avail. Keith Lammey provided him with a number specifically stating he owned the property causing all the problems. He never received a letter signed by ten different people but did receive some from Francie, one with an attorney. July 9<sup>th</sup>, she told him he'd have a lawsuit. His insurance policy didn't cover dogs. He's very sorry to Francie but the fact she wouldn't accept his response hurts. If he had gone to take out their trash it could have been construed as harassment as Jed mentioned previously. You don't need to overthrow a board, just step in, and participate. Don't throw away something good, Keith has done a good job managing the HOA for ten years. Don't upset the apple cart before you step in. Would like to trust that someone else could take his position but nobody has stepped in to do so. Please accept my apology for screwing up. Let my heart listen to her words of a homeless child and he let them move in. Thankfully nobody was hurt, the dogs didn't harm anyone, nobody got into that craziness. Doesn't allow smokers and has always been a responsible landlord and representing those that aren't able or willing to do so.

Francie didn't speak to this kind and compassionate man before. August 18<sup>th</sup>, she emailed this letter and a copy to Keith. Approx 3/5 months ago you rented to drug dealers with repeated offenses. Didn't run a background check with the state of CO. All leases should have to be approved by the board and a CO background check should be required. Within days of their occupancy, it was apparent this was a 24-hour drug operation. 4-6 cars were parked nearby, 3 generations and teens occupied. Two aggressive pit bulls and cats. Dogs jumped the fence into her yard, ran the streets and local sheriffs were called. Several puppies were also there with a multitude of other animals. Keith said that Mark would take care of it as they're best friends. Document cars, animals and other comings and goings. Met with resistance and stated you wouldn't install security. You stopped responding. Finally, apparently you self-manage and own five properties. Extreme distress to that neighborhood. Gun shots fired in the middle of the night. 50 Cliff View had many fights throughout the nights, trash outside for a month reeking of feces and other debris probably including needles and drugs, water ran for 48 hours. Hadn't remedied anything in his power to correct, like removing the trash. Residents were deathly afraid of harm to themselves or their children and moved. Psychological and emotional damage to families in the area. Request that he resign from the board as he doesn't manage his properties to safeguard others in the area and it doesn't go along with the bylaws. They then cancelled the meeting that was scheduled for August 18<sup>th</sup>. Mark received this email and there are no names other than his own. He has two pages of the letter but has no signatures. It simply says concerned citizens of VVV.

It isn't true that he stopped answering his phone. Francie hung up on him July 9<sup>th</sup> because she was too frustrated that he wouldn't hire someone. Not disputing he hadn't done anything, but it was already in court. They are asking if Mark will step down or if there will need to be a vote. Do it the right way and let the current board introduce you to this. Francie has already hired an attorney and he's concerned. Crazy that he wants to have an attorney involved. Mark will not resign.

Currently, due to a number of things, there has been a motion to remove Mark from the board. Seconds have been made.

Question – Understanding that Mark is not on the SFH board. Only the condo and townhome. They are the only ones that can vote. Turned in a lot of proxies from townhomes and there is a renter with the proxy from her landlord. How do the votes count?

Put name and address so proxies are known.

Final vote: 18 Remove, 8 Stay. Requires 2/3 vote which would be to remove Mark from both boards. (Townhome and Condo) Requested those that are interested submit a letter of interest on Sept 20<sup>th</sup> at 6:30pm. Townhomes – 1 Condo – 2 positions are open.

Sam wants to be involved through Dec or someone wants to fill it. Be rational. He has issues with certain things, but his big thing is to see about managing things better from the board's perspective.

Rae Ann – thanking everyone for coming out. Nobody likes conflict or the back and forth. Took a lot of courage to speak in peace and vote. Willing to fill a position on the townhome board if they want her to, it cannot just be her decision. We all have a voice as we have so well-articulated this evening. It's important that we hear from everyone.

Shelby – chatted with a few people and everyone is here because of issues contacting the managing committee. It's okay for us to know where our money goes, how it's spent. A lot of people would like to

investigate a new property management company, is this something that can be done tonight. Shelby already has bids from companies. Rain gutters not getting fixed is causing financial damage. Probationary period to do it better or....

Grievance has been aired, had the opportunity to express with the management company not here. Should we perhaps give a chance for resolution? What can you answer, fix, change, or choose to do? Just as a colleague or neighbor we look for resolution rather than overthrow. Grievances are long. Now that those are all brought together, then why can we not investigate that procedure. Something is different when VV comes together as whole and make one big grievance of lacking communication or procedures, perhaps as a collective we want a response and resolution to make it work for everyone. Accountability must happen all around. Not putting someone's head on a pike. Here's a list of things from our Special Meeting, let's address this.

Daniel – One of the few people here that has no contact issue with Keith. They talk regularly if something is wrong. The first HOA was in the negative and this is better. Keith is getting older, has a lot on his plate and maybe he needs to delegate a little bit. There is money available for things to be fixed. Part of why he left the HOA is because it became a fuss fest of sorts. There is a time and place. He wasn't a big fan of Mark, and everyone complained about driving over speed bumps, was tired of wasting evenings.

Probationary period time limit – perhaps Dec meeting. Everyone's invited to sit in on these board meetings. Perhaps use Dec as the timeline to make changes and adjustments.

Nathan – At the board meetings, is Keith here? Yes. Is there a sign in for public comment? Yes. Sign in for your time to address Keith and the board with your problems. You have the opportunity. The last property manager had us bankrupt. Battlement was going to foreclose on us. If we see the check receipts because he can show the bills, then we don't want to cut the budget to tight and lose property value. He may not respond to you, etc. but our roads get crack sealed, streetlight was out for four years because we were bankrupt and couldn't afford the lightbulb. This stuff happens. Frustrations are understood but wait for it before you put his head on a stick running up and down the street. The next one might be ours.

Townhome gets condensation on the vents inside for the last couple of years when snow is melting.

Adjournment motioned, seconded, in favor AYE 9:50pm

Submitted – Lindsey Latham (VP, Condo HOA)



## HOA Management

---

**From:** Jason Rayzor <jlrayzor@hotmail.com>  
**Sent:** Saturday, October 8, 2022 11:37 AM  
**To:** Lindsey Latham; Penny Roehm; cable box  
**Cc:** Samuel Wardell; HOA Management; Shaun Kellerby; dtfalkjr@gmail.com; raea5@msn.com  
**Subject:** Re: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes

Aye

Jason  
President of Valley View Town Homes Association

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**Subject:** RE: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes

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**Subject:** Re: Valley View - Management Contracts (VVV, VVT) + Meeting Minutes

I am sorry for this again but need to amend my answer.





**APPROVED**

BY: BOD DATE: 10/7/22

Executive Board Meeting – September 29, 2022

Meeting called to order at 6:28pm

Board Of Directors – Anyone on the board can sign but at least two must be signers

We have until October 7th

Valley View HOA

President (Acts as secondary treasurer): Sam Wardell

Vice President: Shaun Kellerby

Secretary/Treasurer (Signs checks and sign form at the bank): Caleb Ealey

Valley View Townhomes HOA

President: Jason Rayzor

Vice President: Rae Ann Bartels

Secretary/Treasurer: Penny Roehm

Condo HOA

President: Dan Falk

Vice President: Lindsey Latham

Secretary/Treasurer:

Title 38 Under DORA 33.8.33.3 Part 1B

Solicit anonymous bids that is in violation of that rule. The board should know before anything is done. Bylaws state that the boards. We need to investigate between bylaws and DORA on how this process should be. Sam has been very transparent in emailing

NO DECISION IS BEING MADE THIS EVENING. We're just trying to understand what these companies can provide and may be offered. Integrated was good. Property Professionals was the other.

Laura Brown – Property Professionals – She lives in Valley View. Sold her condo in Dec, lives in condos by Penny – Jessica/Angelica – Conflict of interest?

Based out of Silt. Run 5 associations – Mesa Ridge (85 units, 35 acres and stayed with her from a company change) They do all exterior. Large one in NC and some in Rifle that include exterior maintenance. Worked at BMSA and lived in Valley View. Does not do property management, only HOA with a focus on community with quarterly clean up days and summer BBQ. Builds relationship better than the first violation. On site three days a week walking, looking notating, update to boards weekly, post assessment emails go down to monthly. Monthly financials and they get posted to the website. Work at our direction. Proactive and work on front side with vendors to discuss expectations. Part of a large office, 21 agents, 3-4 support staff, company started 4 years ago. Annex office in Rifle and they hold meetings here and at the library quarterly and annual. In contact with homeowners regularly. (Renters?? – Not allowed to speak with renters legally must be in accordance with the bylaws so homeowners get letters, calls, texts, emails and they can be transferred to the renters.)

BOD APPROVED: 10.7.22

We follow BMSA and have few covenants on our own except pets and barking. BMSA covers trash issues. Great safety net. But it's her job to ensure they follow the directions and don't get violations. Community outreach. Doing things for the betterment of our community. Letters go out to homeowners for introductions and where to find information, homeowner is required to provide that information to the renter. Rae Ann never received anything from HOA, realtor told her to call HOA and get things from Keith. She knew nothing of HOA. When a new buyer comes in, what does Laura do? She sends letter and new owner request goes in with a hard copy of the rules, welcome committee. She finds it hard for people to not know there was an HOA and will direct them to the DORA website for rules and regs. It's the sellers job to provide the information. Nobody has a problem with rules if they know why and are more likely to follow the rules. Some don't like HOAs but they live in one, you work with that. Most owners are willing to work with you if you work with them. Mesa Ridge has very strict rules but there is also give and take but a standard of expectation must be maintained. How do you handle bids for lawn care, snow removal? October reach out for spring bids, spring reach out for winter bids. 3-5 vendors she knows personally and walk property together to discuss expectations, issues and then provide to board and they can decide together. If an annual contract is available, it's preferred. Won't get a bid every year but will review them every few years, including insurance. Not everyone will do a great job every time. Try to use local companies but sometimes it's hard for our area. They will for the right people. Three snow plow guys quit in one day at Mesa Ridge...Avoid the crisis. Our budgets are pretty on par with what she would charge. We each pay a different fee for each association. Wouldn't say our budget is out of her reach, she would need to check with her team but feels it would be feasible. Restructuring our model to improve expenditures? Thinks that we are being mindful with our money at this point and we should not need to raise our fees at this time. If we needed to pull from other places that it would be possible to do. Reworking would be able to alleviate certain costs. Go to BMSA for covenant violations? No. We have to follow BMSA rules and it would be a violation within Valley View to violate BMSA's rules. She doesn't just go after BMSA violations but they will definitely be within ours if it's being done. Meets with vendors twice a year to walk properties and feet on the ground, eyes on the properties. Laura's cell phone number is provided to board members only. How would you address concerns from members? Typically if there's a complaint that the dog is unleashed and pooping in my driveway? Printed letter and went to the neighbor, spoke to them. The owner didn't know and his girlfriend was in town. Write up report of violation and let's board know how it's being handled. There is concern when it's the same people. From members at a meeting, this is last on the agenda and bylaws state each person can share for so long. Board cannot respond until later so there may be discussion to not speak out of turn. There is a lot of communication with members so there isn't much trouble. Available 6 days a week in the office. Turnover rate from their initial contact back to them, she has 24 hour clause but she generally wraps up within the day. There are many staff members than can fill in the gaps as necessary. They are equipped and ready for this size HOA and it could really accomplish much in the next year with some traction.

Integrated Mountain Management – Largest company on Western Slope read by Sam  
One owner/partner and team is specialized in staying current in laws. Full access to their financial service team. Covenant enforcement, tracking information for communication, payment online. Can fit within our budget with monthly fees. Onboard process \$500 one-time fee to set up banking, and start up with HOAs, attend meetings, DORA, website management. Transparency, responsiveness, trust, customer satisfaction. Aspen to GJ. Has worked with Keith previously and did well.

Shawn doesn't accept the emails as appropriate communication. Sam doesn't mind going beyond October 7<sup>th</sup> but is concerned vendors won't get paid and that we'll end up doing so much to run this. The emergency meeting and the one before that Jed thought the association wanted to run itself. That's why Jed quit. As a board we're not thinking about the association right now. Shawn is concerned with an audit and Keith refused it but he says that the board told him not to. Jed said it was too expensive and bylaws were changed by policy rather than covenant, so they're outdated.

Keith is paying Mountain Lawn for work done on a post-dated check that will cover the blow out postdated to 10/31.

October 4<sup>th</sup> at 6:30pm have closed bids and present – Caleb and Rae Ann picking up.  
Confirm if Keith can/not mail checks.

Things to do by October 13<sup>th</sup>:

- Get with Keith to have him line out bill payments through October 2022. His last day is October 7<sup>th</sup>.
- Provide all documents to Penny, PDF of all postings from the website.
- Get a closed bid from Property Professionals and Integrated Property Management to cover at least the following:
  - Onboarding Fee/Transfer Fee
  - Cost per HOA monthly
  - Communication to homeowners and proof of sending
  - Website management fees
  - Fees associated with property visits
  - Cash flow management
  - Meeting attendance fees – Quarterly and Annual
  - Tax Return Fees per Association
  - Lawn Maintenance Service Fees
  - Snow Removal Fees
  - Number of bids for services requested
  - Secretarial Fees
  - Turnaround times for emergency service requests
  - Turnaround times for standard service requests
  - Fees Associated with Our Processes

Meeting adjourned at 9:18pm

~~Keely owner of 2 years — A La Carte Real Estate — 3rd St Mercantile Building in Rifle — Amy Lawhead HOA management (was w/ Integrated Management then Cheryl & Co. ~ 4 years experience and currently 7 HOAs, Castle Valley Ranch over 100 units currently) Keely and Amy would co-manage Valley View Village and they have nothing in town but do in Rifle, Silt and NC.~~

Do all accounting and reporting. Maintenance repair scheduling. Outsource tax prep and costs ~ \$150/year. Budget prep, presentation, implementation. All vendors are outsourced, shop around to get best service. Walk throughs are walks through the neighborhood or drive around and keep an eye on things for violations or needed maintenance. Software is Appfolio for property and HOA management that homeowners can login to pay their dues, see rules and covenants, request maintenance and then management reaches out to vendors. Tracks all notifications from homeowners whether it's a statement or violation and keep track of conversations. For those that call, the conversation is notated within the system. Violations via mobile app and violations are marked and emailed. For those that don't have email, it's a letter. Shows accounting and reporting. Calendars to show board meetings and events. When board approval isn't needed it'll get paid automatically. We would be signers on the account and have access all the time to our accounts but would flow through the software with Alpine Bank or whomever we choose to use for banking. They need to know our needs prior to build a quote being built and provided. The more time spent on a future project they have a build out timeframe of the time they'll spend on those things along with the quarterly and annual meeting to line up with management fees. Collect dues, pay dues, balance sheets, owner statements, delinquent, insurance, 1099 to vendors, annual review of contracts, lawn maintenance and landscaping, snow removal, trash removal and insurance. Budget review monthly to ensure actual expenditures match budget and AppFolio will red flag anything going over the budget and ensure approval is received. Representation to meetings as needed and transcribe minutes for approval and post to appfolio. They do keep our covenants and

budget private unless you are a homeowner and log in. Architectural review. Three staff members. Emergency availability – office phone is forwarded 24/7. Response time are daily w/in 24 hours and preference is through A La Carte. Software will email & text them notifications. They have HOAs with SFHs, condos and THs and familiar with all three but this would be the first with all 3 together. Working within our budget structure is something they work with us on to do. She did see some areas of concern that seem high but didn't delve deeper. Our budget is currently over some of what Keith has been charging us. Familiarity with BMSA? No. She lived here in the '90's in Monument Creek Village. Familiar with BMMD. Amy may have more relationship information/knowledge.

~~Bray and Company~~ – NO

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Submitted – Lindsey Latham (VP, Condo HOA)



## HOA Management

---

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Aye

Jason  
President of Valley View Town Homes Association

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