



Meeting of the Executive Board

Stapleton Community Room • 2823 Roslyn St. • Denver, 80238

Thursday September 21, 2011 ~ Noon - 2:00 pm.

AGENDA

- | | | |
|---|--------------------|----------|
| I. CALL TO ORDER | H. Majerik | Verbal |
| <ul style="list-style-type: none"> • Additions to the Agenda | | |
| II. APPROVAL OF MINUTES | H. Majerik | Attached |
| <ul style="list-style-type: none"> • June 15, 2011 | | |
| III. OPEN MEMBER FORUM | | Verbal |
| IV. GOVERNANCE | B. Fennelly | Attached |
| <ul style="list-style-type: none"> • Approve 2010 Final Audit • DRB Fee Policy (Action Requested) • 2012 Re –Districting (Est. Committee) | K. Burnett | |
| V. FINANCIAL REPORT | K. Burnett | Attached |
| <ul style="list-style-type: none"> • Statement of Activities January – August, 2011 • Balance Sheet as of August 31, 2011 • Delinquency Report | | |
| VI. PROPOSED BUDGET | K. Burnett | Attached |
| <ul style="list-style-type: none"> • 2012 Budget Assumptions • 2012 Organizational Structure & Staffing • 2012 Proposed Operation Budget • 2012 Reserve Projects & Capital Improvement Budget | | |
| VII. MANAGEMENT REPORT | | Staff |
| <ul style="list-style-type: none"> • Aquatics • Events • Facilities • Membership | | |
| VIII. MEETINGSCHEDULE: | K. Burnett | Verbal |
| <ul style="list-style-type: none"> • Annual Members Meeting (Nov 9 @ 6:30 PM) • Annual Board & Delegate Meeting (Nov 16 @ Noon) | | |
| IX. EXECUTIVE SESSION (IF NEEDED) | H. Majerik | Verbal |

**STAPLETON MASTER COMMUNITY ASSOCIATION
EXECUTIVE BOARD MEETING**

Wednesday, June 15th, 2011 ~12:00 – 2:00 pm.
Stapleton Community Room
2823 Roslyn Street
Denver, CO 80238

ATTENDANCE

Heidi Majerik (President)
Brian Fennelly (Treasurer)
Lee Ferguson (Secretary)
Keven Burnett (SMCA Executive Director)
Michael Kearns (Resident Board Member/Vice President)
Gregg Looker (District 2 Delegate)
Thomas Atwood (District 6 Delegate)
Jenifer Graham (Office Manager)
Paula Deorio (Aquatics Director)
Diane Deeter (Program & Events Director)
Alec Hill (Facility Manager)

ABSENT

Bethany Smith (District 4 Delegate)
George Pavlik (District 1 Delegate)
Dana Elkind (District 3 Delegate)
Tim Wilson (District 5 Delegate)

I. CALL TO ORDER

Heidi Majerik

II. APPROVAL OF MINUTES

February 16th 2011, meeting minutes were attached.

❖ **M/S/C~ (Kearns/Fennelly/Majerik)**

Motion to approve: minutes as presented.

III. FINANCIAL REPORT:

1) The Executive Director presented budget.

Balance Sheet (As of April 30th 2011)

• Current Assets	\$1,787,920.16
• Accounts Receivable	\$294,603.68
• Total Assets	\$197,661.65
• Total Liabilities	\$286,389.30
• Total Equity	\$1,699,192.51
• Total Liabilities & Equity	\$1,985,581.81



Statement of Activity (January through April 2011)

• Income (4000 series)	\$1,030,193.75	Budget	\$697,872.00
• Expense (5000 series)	\$3750,323.85	Budget	\$975,322.00
• Net ordinary Income	\$279,869.90	Budget	\$107,478.00
• Other Income	\$92,187.86	Budget	\$87,168.00
• Net Income	\$315,175.33	Budget	\$63,646.00

Denver Water – 250k over the course of the year

❖ **M/S/C ~ (Fennelly/Kearns/Majerik)**

❖ **Motion to approve:** Financial Statement for January through April 2011 as submitted.

IV. GOVERNANCE

The following Policies were presented

- Adoption of a policy and procedures for conducting Owner and Board meetings
- Adoption of a policy and procedures regarding Conflicts of Interest and code of ethics
- Adoption of a policy and procedures for Inspection and Copying of Association Records.

❖ **M/S/C ~ (Ferguson/Majerik/Fennelly)**

❖ **Motion to approve:** Policies as presented

2010 Audit Report is currently being processed, should be completed with in the next few weeks.

V. MANAGEMENT REPORT

A. Administration

- Aviator Pool Incident (5/12) –The routine preparation process to start up Aviator encountered failed sewer lines as a result water came in to the basements of several homes. Investigation is underway to figure out why this happened. Executive Director communicated to the residents, via phone, in person and letter (presented in packet)

B. Facilities

- Jet Stream Pool (Filing 19)- up and running a few weeks later than expected, working through the kinks. Punch sheet is currently being addressed
- Filing 15 – shade structure is up and being used patrons. Heating/boiler issues encountered at F15 pool most likely an Xcel issue.

C. Aquatics

- 2011 Aquatics programs are off to a successful start with 481 lessons in the 1st session

D. Events

- 2011 Stapleton Active Minds Seminar Schedules was passed out- receiving great reviews
- Sponsorships this year is about \$10k
- Theatre on the Green was a great success with Foot Loose
- Hazel Miller is next event

VI. MEETING SCHEDULE

1) Q3 Executive Board: September 21st 2011 Noon-2:00pm



**RESOLUTION
OF THE
MASTER COMMUNITY ASSOCIATION, INC.
REGARDING POLICIES AND PROCEDURES FOR COVENANT AND RULE
ENFORCEMENT**

SUBJECT: Adoption of a policy regarding the enforcement of covenants and rules and procedures for the notice of alleged violations, conduct of hearings and imposition of fines.

PURPOSE: To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the Association.

AUTHORITY: The Declaration, Bylaws, Articles of the Association, and Colorado law, including, but not limited to, C.R.S. 38-33.3-209.5.

**EFFECTIVE
DATE:**

RESOLUTION: The Association hereby adopts the following procedures to be followed when enforcing the covenants and rules of the Association, which shall replace and supersede any and all policies previously adopted by the Board of Directors regarding covenant and rule enforcement:

1. Reporting Violations. Complaints regarding alleged violations may be reported by an Owner or resident within the community, a group of Owners or residents, the Association's management company, if any, Board member(s) or committee member(s) by submission of a complaint.
2. Complaints. (a) Complaints by Owners or residents shall be in writing and submitted to the Board of Directors. A written complaint is not required if the alleged violation can be independently verified by the Association. The complaining owner or resident shall have observed the alleged violation and shall identify the complainant ("Complainant"), the alleged violator ("Violator"), if known, and set forth a statement describing the alleged violation, referencing the specific provisions which are alleged to have been violated, when the violation was observed and any other pertinent information. Complaints failing to include any information required by this provision may not be investigated or prosecuted at the discretion of the Association. (b) Complaints by a member of the Board of Directors, a committee member, or the manager, if any, may be made in writing or by any other means deemed appropriate by the Board if such violation was observed by the Director or manager.

3. Investigation. Upon receipt of a complaint by the Association, if additional information is needed, the complaint may be returned to the Complainant or may be investigated further by a Board designated individual or committee. The Board shall have sole discretion in appointing an individual or committee to investigate the matter.

4. Voluntary Compliance. It is the intent of the Association to gain voluntary compliance without the need to resort to violation letters and fines. Therefore, upon receipt of a complaint, the Association will first attempt to informally resolve the matter through phone calls to the alleged Violator and through coordination with the subassociation, if any, to which the alleged Violator belongs. If these efforts fail, the Board may, at its discretion, use the other remedies included in this Policy, including the imposition of fines.

5. Courtesy Letter. If a violation is found to exist and informal means of resolving the matter have failed, a courtesy letter may be sent to the Violator explaining the nature of the violation. If the violation is a continuous violation, meaning one that continues and is uninterrupted by time, the letter shall advise the Violator that he or she will have 10 days from the date of the letter to come into compliance, and shall advise the Violator if he or she does not come into compliance, the Violator may be subject to fines pursuant to this Policy. If the violation is not a continuing one, meaning the violation is a one-time discrete violation, such as pool rule violations, the letter shall contain a statement advising the Violator that a violation has occurred and that subsequent violations of the same rule or covenant may result in the imposition of fines pursuant to this Policy.

6. Continued or Subsequent Violation After Courtesy Letter. In the case of a continuous violation, if the alleged Violator does not come into compliance within 10 days of the courtesy letter or any other prior violation letter, a fine letter shall then be sent to the alleged Violator, providing notice and an opportunity for a hearing, and explaining a fine may be imposed pursuant to this Policy. The letter shall further state that the alleged Violator is entitled to a hearing on the merits if requested in writing within 10 days of the subsequent violation letter. In the case of one-time discrete violations, if the Violator subsequently violates the same rule or regulation for which the Violator received a prior courtesy or fine letter, a fine letter shall then be sent to the alleged Violator, providing notice and an opportunity for a hearing, and explaining a fine may be imposed pursuant to this Policy. The letter shall further state that the alleged Violator is entitled to a hearing on the merits if requested in writing within 10 days of the subsequent violation letter.

7. Notice of Hearing. If a hearing is requested by the alleged Violator, the Board, committee or other person conducting such hearing as may be determined in the sole discretion of the Board, may serve a written notice of the hearing to all parties involved at least 10 days prior to the hearing date.

8. Impartial Decision Maker. Pursuant to Colorado law, the alleged Violator has the right to be heard before an "Impartial Decision Maker". An Impartial Decision Maker is defined under Colorado law as "a person or group of persons who have the authority to make a decision regarding the enforcement of the association's covenants, conditions, and restrictions, including architectural requirements, and other rules and regulations of the association and do not have any direct personal or financial interest in the outcome. A decision maker shall not be deemed to have a direct personal or financial interest in the outcome if the decision maker will not, as a result of the outcome, receive any greater benefit or detriment than will the general membership of the association." Unless otherwise disqualified pursuant to the definition of Impartial Decision Maker, the Board may appoint to act as the Impartial Decision Maker the entire Board, specified members of the Board, any other individual or group of individuals.

9. Failure to Timely Request Hearing. If the alleged Violator fails to request a hearing within 10 days of any fine letter, or fails to appear at any hearing, the Impartial Decision Maker may make a decision with respect to the alleged violation based on the Complaint, results of the investigation, and any other available information without the necessity of holding a formal hearing. If a violation is found to exist, the alleged Violator may be assessed a fine pursuant to this Policy.

10. Hearing. At the beginning of each hearing, the presiding officer, shall introduce the case by describing the alleged violation and the procedure to be followed during the hearing. Each party or designated representative, may, but is not required to, make an opening statement, present evidence and testimony, present witnesses, and make a closing statement. The presiding officer may also impose such other rules of conduct as may be appropriate under the given circumstances. Neither the Complainant nor the alleged Violator is required to be in attendance at the hearing. The Impartial Decision Maker shall base its decision solely on the matters set forth in the Complaint, results of the investigation and such other credible evidence as may be presented at the hearing. Unless otherwise determined by the Board, all hearings shall be open to attendance by all Owners. After all testimony and other evidence has been presented at a hearing, the Impartial Decision Maker shall, within a reasonable time, not to exceed 10 days, render its written findings and decision, and impose a fine, if applicable. Failure to strictly follow the

hearing procedures set forth above shall not constitute grounds for appeal of the hearing committee's decision absent a showing of denial of due process.

11. Notification of Decision. The decision of the Impartial Decision Maker shall be in writing and provided to the Violator within 10 days of the hearing, or if no hearing is requested, within 10 days of the final decision.

12. Fine Schedule. The following fine schedule has been adopted for all recurring discrete covenant or rule violations:

First violation \$ _____

Second violation
(of same covenant or rule) \$ _____

Third violation
(of same covenant or rule) \$ _____

Fourth violation
(of same covenant or rule) \$ _____

Fourth and subsequent covenant violations may be turned over to the Association's attorney to take appropriate legal action. Any Owner committing three or more violations in a six month period (whether such violations are of the same covenant or different covenants) may be immediately turned over to the Association's attorney for appropriate legal action.

13. Continuous Violations. Continuous violations are defined as violations of Owner obligations that are uninterrupted by time. For example: the failure to remove an unapproved exterior improvement. If an Owner is determined as having a continuous violation, in accordance with the terms of this Policy, such Owner may be subject to a daily fine of \$ _____ per day per covenant if not corrected, following a notice and opportunity for a hearing as set forth above.

14. Waiver of Fines. The Board may waive all, or any portion, of the fines if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the Violator coming into and staying in compliance with the Articles, Declaration, Bylaws or Rules.

15. Violations on Common Elements. If a violation occurs on Common Elements, the Association may use self-help to correct the violation.

16. Other Enforcement Means. In the event there is not voluntary compliance, the Board may use all other enforcement means which are available to the Association through its Declaration, Bylaws, Articles of Incorporation and Colorado law.

17. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

18. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

19. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

20. Amendment. This policy may be amended from time to time by the Board of Directors.

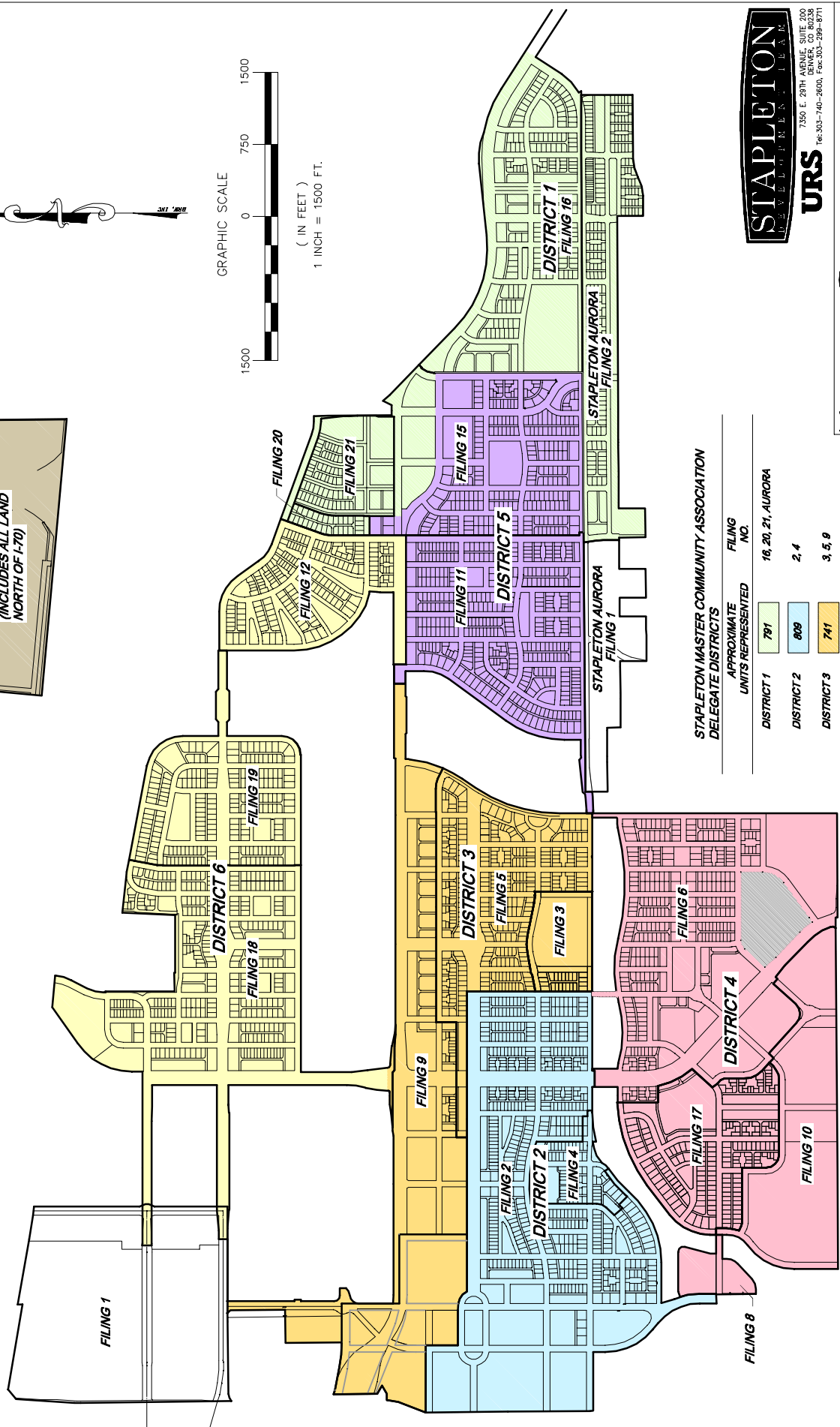
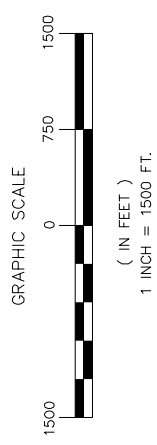
PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Master Community Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on _____ and in witness thereof, the undersigned has subscribed his/her name.

MASTER COMMUNITY ASSOCIATION, INC.
a Colorado non-profit corporation,

By: _____,
President

DISTRICT 7
FILING 7
 (INCLUDES ALL LAND
 NORTH OF I-70)



**STAPLETON MASTER COMMUNITY ASSOCIATION
 DELEGATE DISTRICTS**

DISTRICT	APPROXIMATE UNITS REPRESENTED	FILING NO.
DISTRICT 1	791	16, 20, 21, AURORA
DISTRICT 2	809	2, 4
DISTRICT 3	741	3, 5, 9
DISTRICT 4	818	6, 8, 10, 17
DISTRICT 5	887	11, 15
DISTRICT 6	885	12, 18, 19
DISTRICT 7	520	7, NORTH STAPLETON

STAPLETON
 URS
 7350 E. 29TH AVENUE, SUITE 300
 DENVER, CO 80238
 Tel: 303-740-2600, Fax: 303-299-8711

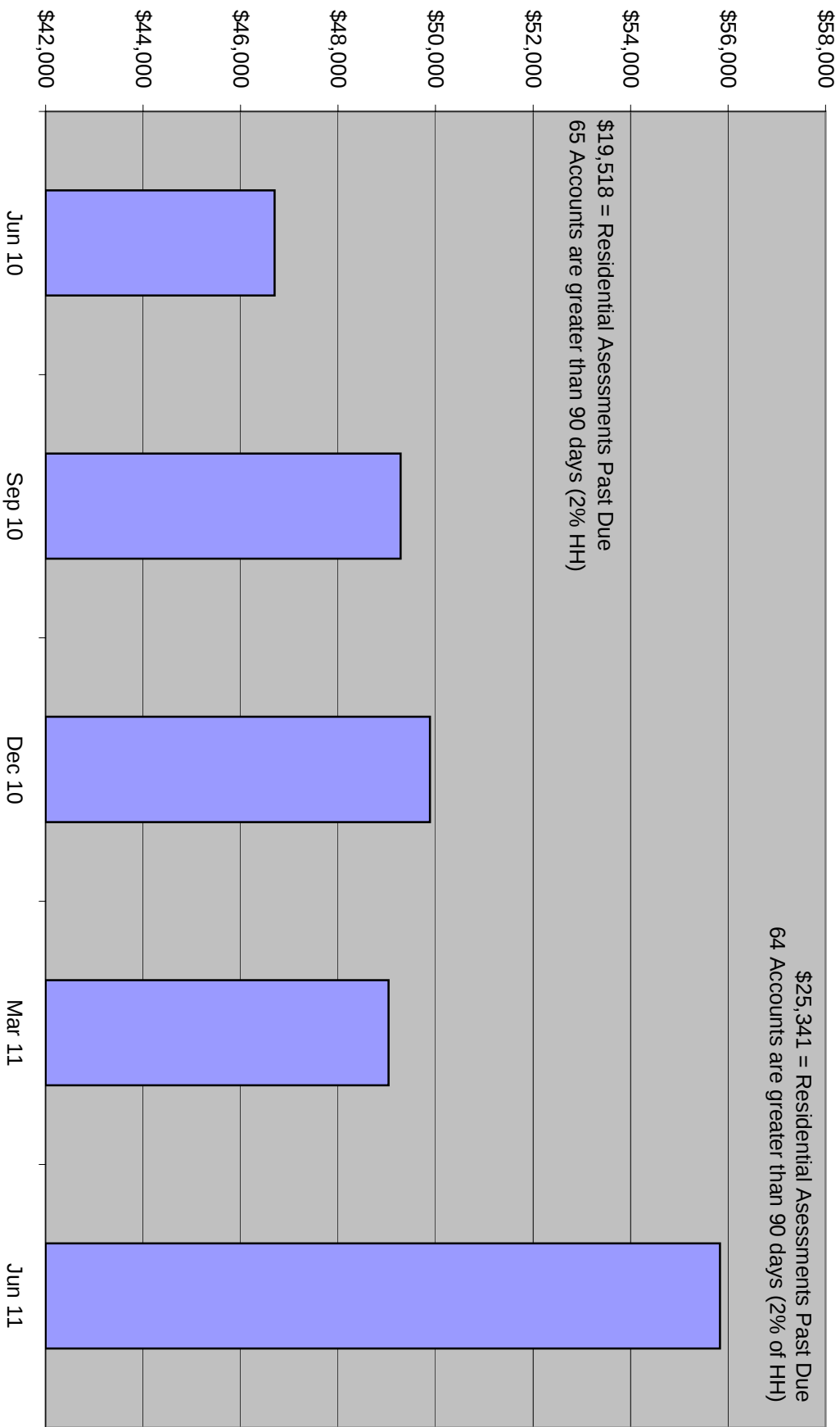
Stapleton MCA
Statement of Activity
January through August 2011

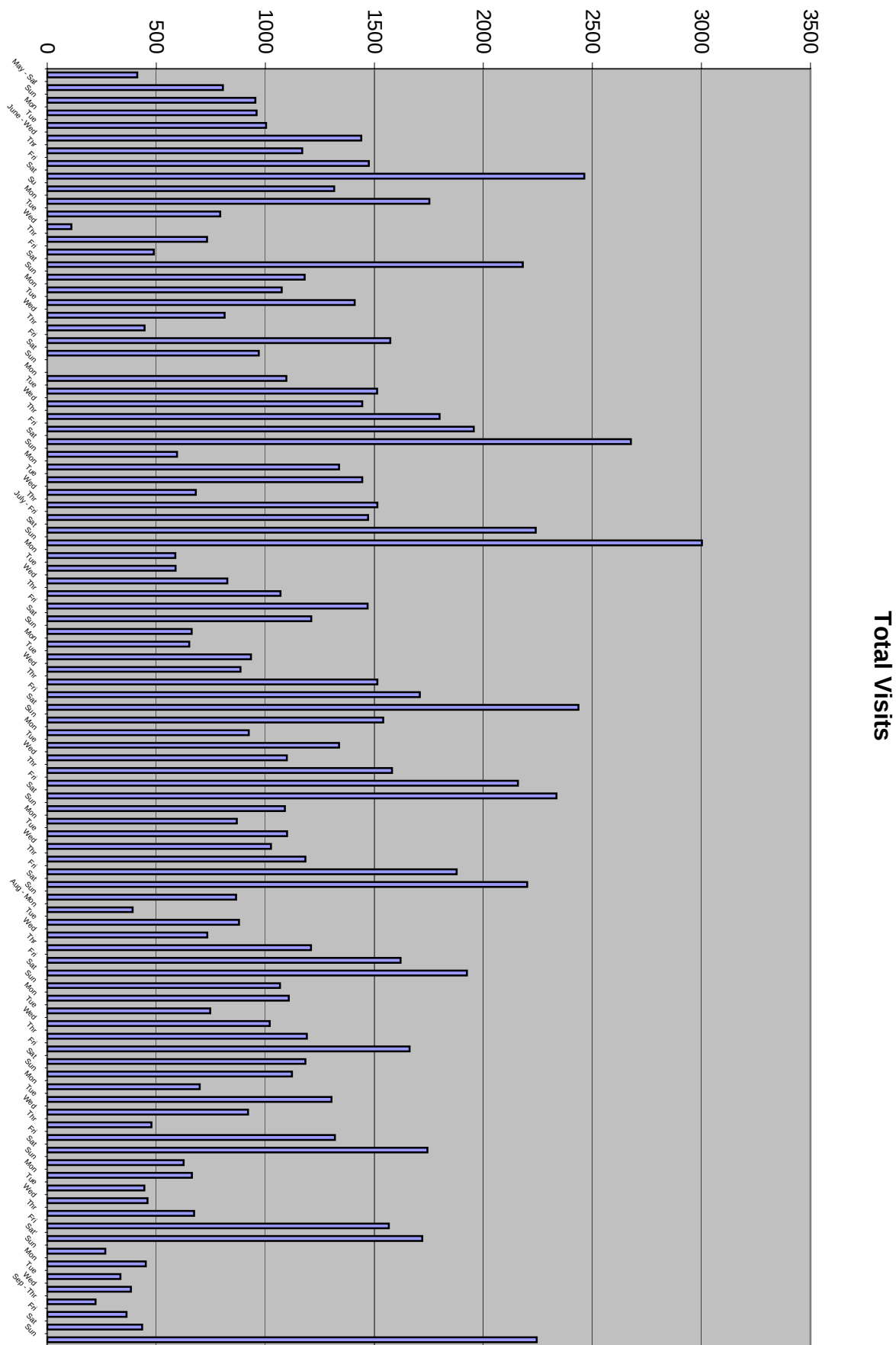
	Jan - Aug 11	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4010 · Assessments	1,417,213.97	1,410,944.00	6,269.97	100.4%
4020 · PCMD	449,998.81	556,078.00	-106,079.19	80.9%
4030 · Working Capital	30,200.00	40,000.00	-9,800.00	75.5%
4040 · Collections	28,385.90	31,328.00	-2,942.10	90.6%
4060 · Pool Income	390,950.76	283,000.00	107,950.76	138.1%
4070 · Event Income	76,789.60	41,000.00	35,789.60	187.3%
4080 · Facility Rental	27,005.80	12,000.00	15,005.80	225.0%
4085 · Water Service	762.48			
4090 · Other Income	9,022.63			
Total Income	2,430,329.95	2,374,350.00	55,979.95	102.4%
Gross Profit	2,430,329.95	2,374,350.00	55,979.95	102.4%
Expense				
5010 · Administration & Payroll	385,974.44	398,720.00	-12,745.56	96.8%
5020 · Office & Community Room	64,279.29	60,176.00	4,103.29	106.8%
5030 · Assessment Management	106,410.92	96,360.00	10,050.92	110.4%
5040 · Professional Services	27,272.99	27,900.00	-627.01	97.8%
5060 · Insurance	52,121.96	71,768.00	-19,646.04	72.6%
5100 · Programming & Events	187,899.16	148,300.00	39,599.16	126.7%
5210 · SMCA Grounds Maint.	238,125.28	342,000.00	-103,874.72	69.6%
5220 · SMCA Utilities	77,994.36	66,900.00	11,094.36	116.6%
5300 · PCMD Grounds Maint.	348,385.93	456,628.00	-108,242.07	76.3%
5320 · PCMD Utilities	86,131.85	87,450.00	-1,318.15	98.5%
5400 · Pool Operations	597,081.47	630,095.00	-33,013.53	94.8%
5500 · Other Expenses	1,885.13	2,664.00	-778.87	70.8%
5900 · Fund Transfers	174,336.00	174,336.00	0.00	100.0%
Total Expense	2,347,898.78	2,563,297.00	-215,398.22	91.6%
Net Ordinary Income	82,431.17	-188,947.00	271,378.17	-43.6%
Other Income/Expense				
Other Income				
6010 · Reserve Funds	150,914.44	150,336.00	578.44	100.4%
6020 · Improvement Fund	24,000.00	24,000.00	0.00	100.0%
6050 · Community Fund	10,714.54			
Total Other Income	185,628.98	174,336.00	11,292.98	106.5%
Other Expense				
7010 · Reserve Repairs & Replacements	102,365.07	95,000.00	7,365.07	107.8%
7020 · Improvement Projects	49,212.81	36,000.00	13,212.81	136.7%
Total Other Expense	151,577.88	131,000.00	20,577.88	115.7%
Net Other Income	34,051.10	43,336.00	-9,284.90	78.6%
Net Income	116,482.27	-145,611.00	262,093.27	-80.0%

Stapleton MCA Balance Sheet As of August 31, 2011

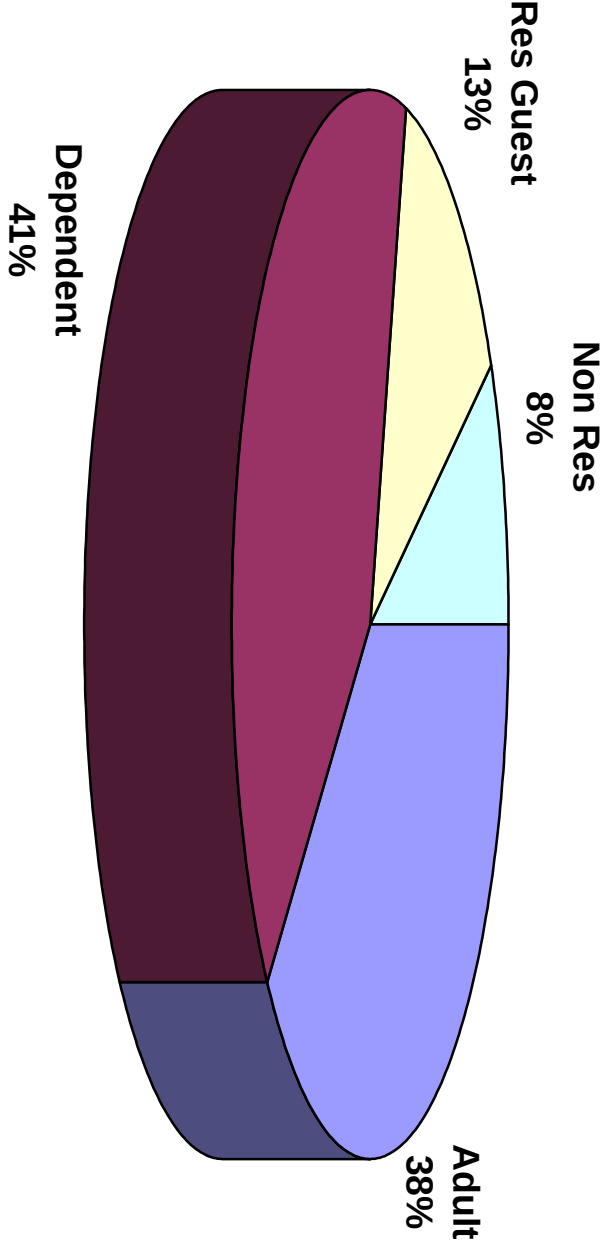
	<u>Aug 31, 11</u>
ASSETS	
Current Assets	
Checking/Savings	
1010 · MSI Assessment Acct	176,605.69
1015 · MCA Operating Acct	131,392.22
1020 · MCA Operating Reserve	100,577.01
1030 · MCA Community Reserve	202,338.79
1070 · MCA Community Fee Fund	37,685.70
1080 · MCA Investment - Schwab	750,000.00
Total Checking/Savings	1,398,599.41
Accounts Receivable	
1110 · Accounts receivable	292,639.06
1115 · Doubtful accounts allowance	-40,000.00
Total Accounts Receivable	252,639.06
Other Current Assets	
1299 · Undeposited Funds	18,971.12
1410 · Inventories for sale	1,301.24
1420 · Inventories for use	10,506.44
1530 · Petty Cash - MSI	1,200.00
1535 · Cash Banks - MCA	2,100.00
1550 · Training Equipment - Aquatics	3,890.59
Total Other Current Assets	37,969.39
Total Current Assets	1,689,207.86
Fixed Assets	
1620 · Pool Faciltiy - operating	16,919.70
1630 · Leasehold improvements	118,739.86
1640 · Furniture, fixtures, & equip	72,930.06
1650 · Vehicles	24,831.98
1745 · Accum deprec	-33,736.90
Total Fixed Assets	199,684.70
TOTAL ASSETS	<u>1,888,892.56</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2010 · Accounts payable	269,663.95
Total Accounts Payable	269,663.95
Credit Cards	
2050 · Credit card	-8,832.66
Total Credit Cards	-8,832.66
Other Current Liabilities	
2100 · Payroll Liabilities	3,833.30
2200 · Prepaid Assessments	121,570.29
2250 · Swim Team Fund	1,368.33
2410 · Refundable advances	-347.46
Total Other Current Liabilities	126,424.46
Total Current Liabilities	387,255.75
Total Liabilities	387,255.75
Equity	
3001 · Opening Bal Equity	148,920.30
3010 · Unrestrict (retained earnings)	490,545.44
3300 · Working Capital Equity	745,688.80
Net Income	116,482.27
Total Equity	1,501,636.81
TOTAL LIABILITIES & EQUITY	<u>1,888,892.56</u>

**Delinquent Accounts
90 Days Plus**





Totals By Users Groups





**EVENT SUMMARY
SEPTEMBER 15, 2011**

Egg Scramble	1,500
Attendance at our Annual Egg Hunt was 1500	
Theatre on The Green	3,000
Average attendance for 4 nights was 750	
Movies	6,000
Average attendance at our 5 movies was 1200	
Concerts	6,000
Average attendance at our 4 concerts was 1500	
Famers Market	31,500
Average attendance at our Farmers Market has been 1750	
Sweet William Market	7,500
Average attendance at our Sweet William Market has been 1500	
4th of July	3,500
Breakfast attendance was 1000	
Parade attendance was 2500	
Beer Festival	2,500
Attendance at our Beer Festival was 2500	
Kid's Triathlon	600
Attendance at our 1 st Kid's Tri was 200 participants/400 spectators	
Stapleton Rocks	2,500
Attendance at our day long concert was 2500	
Dog Daze	300
300 Dogs attended the event.	
Stapleton Activities, Inc.	500
Average attendance at our potlucks and Westerly Creek Cleanup has been 40	
Active Minds	600
Average attendance at our Active Minds Seminars was 40	
Pumpkin Patch	1,500
Attendance based on last year was 1500	
Winter Welcome	2,500
Attendance based on last year was 2500	
TOTAL TO DATE	70,000

Diane Deeter
Director of Programming and Events