

*West Fork Village
HOA Board Meeting Minutes
November 21, 2013*

ROLL: **Board Members Present:** Jamison Walsh—President
Steve Hooten—Vice President
Cathy Bohannon—Secretary
Kelly Hoff—Treasurer
Rosann Holman—Voting Member

Travis Ryan—On-Site Manager

Fran Burns—Broker Associate, Prudential

Others Present: DJ and Staci Emmons, Jacob Tegtman and Mike Burgess

GARAGE SALES—Realtor, Fran Burns, Prudential Rocky Mountain Realtors:

Fran would like to handle the sale of the garages and presented a plan for how she would do that. She distributed a flyer and her business card.

Her suggested selling price at this time is \$4,250. Should she be selected to sell the garages, she would request a list of owners

***Jamison:** What is the term?*

Fran: Two years—she would like to use Heritage Title.

***Jamison:** That's fine.*

***Rosann:** What would the closing cost be?*

Fran: She would estimate it at about \$300.

***Kelly:** How does the insurance work?*

Fran: You would add the garage to your current title and your cost would be adjusted based on the additional property.

Discussion followed regarding current renters vs. purchasers. First right of refusal would go to the renters. Should they choose not to purchase they would be given 30 days notice.

One problem we are faced with is that the West Fork Village founder owns a garage, but not a condo.

There are some owners who purchased garages separately and the title for the additional garage is separate from the unit. Is there a way to combine the two legally and for a low fee? Yes.

MOTION: It was moved and seconded that the Association finance the sale of the garages—Motion passed.

MINUTES FROM THE SPECIAL MEETING—October 19, 2013:

MOTION: It was moved and seconded to approve the October 19, 2013 minutes as submitted—Motion passed.

OPEN DISCUSSION:

A. D.J. and Staci Emmons:

They have gone through three dryers in ten years. They would like to bring attention to this issue throughout the complex—the outside dryer vents need to be cleaned. It was suggested that you could pull the dryer out and go from the bottom up.

Discussion ensued regarding this being the responsibility of owners or the HOA. It was stated that if left to owners, some would continue to ignore the potential problems ignoring the vents may cause.

The following was suggested: Look into all options. Determine responsibility. Put a proposal together to do all of the vents at one time—we may receive a quantity discount. If a quantity discount is offered, do a community service announcement indicating this must be done by a specified date—if they are not done, the owner may be held responsibility should a problem arise connected to that unit's vent.

D.J.—Is our attorney comfortable handling the titles for the garage sales and if so, could save us some money if she handled them? Travis will check with her.

It was noted that Fran would handle everything , but Lisa (our attorney) will not.

B. **Mike Burgess (Sandi McNeeley's husband):** Apologized for Sandi not being here.

REPORTS:

A. Pet Update: Rosann Holman

The subcommittee met, but she hasn't had time to write the report yet. The results of their meeting were not unanimous. They will meet again in December and maybe January.

Travis proposed that this committee become an ongoing committee and rename the committee "The Preservation Committee." That way they could address other issues.

D.J.—What does that entail?

Rosann—*Rules and guidelines regarding pets including the number allowed per unit.*

D.J. offered to join the committee. Thank you D.J.

Rosann was not feeling well and was going to leave the meeting. She asked that if a vote came up regarding alcohol in the Clubhouse her vote is "no" unless the resident is paying to have a party in the Clubhouse. It is better to have a blanket statement than deal with individual problems that arise.

B. Roofs and Gutters:

Buildings 1, 2, 4, 5, 7 and 15 are complete for roofing. They are currently working on building 3 and 6 is next. We have not received any confirmation date for the gutters.

Dave—How did Building 3 do with the snow—were there any leaks?

Travis—*They've got it pretty well sealed.*

Are gutters included on the garages?

Travis—*No. He will check on how much that will cost.*

C. Screens, Windows, and Railings:

Jamison—*Windows are done, but screens are yet to be completed.*

Some screens have been exchanged but will resume the remaining screens in the spring.

Railings: There are some that need to be painted before they can be refinished.

Work on the railings will resume in the spring when it is 60° or higher.

D. New Assistant Manager Hired—Jake Tegtman

Jake is requesting to work full time after his 90-day probation. He is open to moving into the Clubhouse as soon as it is available.

Jamison—*Prorate December's rent at \$200. Give him the keys on the 12th so he can move in, but he cannot live there until the 15th. His full-time assistance may be justified more in the spring and summer—we will address that issue again later.*

Travis—*He asked Jake to write a Mission Statement regarding his job here.*

E. Unpaid Charge Summary and Attorney's Report:

Our attorney, Lisa Weibel, submitted summaries of the unpaid charges of two units possessing balances of \$3,485 and \$2,240, respectively. Jamison described the option of submitting a default judgement against these parties in small claims court. In both cases, the agreed amount on the repayment plan will never be fully paid since they continue to occupy their respective units and continue to accrue the \$130 each month.

Case #1 (\$3,485)—Debtor is working part time and attempts to secure additional hours; prefers to pay weekly as opposed to monthly but requires constant reminders. If we file a default judgment, there is nothing we can do to secure payment unless the unit is put up for sale or refinanced. The question remains—do we continue to pay Lisa to deal with this debtor or file the default judgment for the amount plus filing costs. If we file now, we can force the issue and do a deferred judgment as long as regular payments are made. The consensus was to file a default judgment and defer it as long as we receive payments.

Case #2 (\$2,240)—Debtor has been served with summons and complaint and entered into a written stipulation for payment which was approved by the Court on August 21, 2013. Copy of order was sent to debtor, but debtor has failed to comply with the order. Notice of default has been sent to debtor. Lisa is in the process of drafting a motion for entry of default judgment in the amount of \$2,217.85. We need to check with Lisa to see if we are supposed to file this action with the credit bureau or if the court does that when the default is filed.

Damage in Unit 910—Lisa indicated she sent Travis a letter, but he hasn't seen it. He will check with Lisa again.

Lisa did send an e-mail regarding Board compensation and a potential problem regarding reimbursements that was deleted in the rewriting of the amendments.

F. Postcards for 2014 Meeting Dates and Times—The Board secretary needs to sign the postcard of 2014 meeting dates and times before they are sent to owners. Steve Hooten indicated he will be returning to work in mid-December and doesn't know how his schedule will affect his ability to attend those meetings. Kelly noted that we had changed the 2014 annual meeting to a Saturday—Travis will make that correction before the postcard is signed.

G. Jamison's signature is needed on the 1st Bank Letter.

H. Major Complaints:

1. Odor complaint—cigarette smoke—Letter sent.

2. Vandalism—Damaged retaining wall south of building 1—Travis called the police and filed a report. Cost of repair would be ~ \$750. Police have pictures of damaged wall. It was decided since we cannot prove liability, this was a battle we did not want to fight.
- I. Bylaws Amendment—The bylaws were amended in September to address low turnout of prospective Board members running for election. With the hope of encouraging more participation in elections, the Board amended the bylaws to stipulate that during each Board members active terms, they will not have to pay the HOA dues. Our CPA, our attorney and our insurance agent were all contacted regarding this and no one found any reason this could not be done. Lisa did alert us to a potential problem with reimbursements to Board members as a result of the changed amendments.

Our CPA needs each Board member's social security number in order to file a 1099. He also needs Jamison's new address. Board members need to e-mail Travis with requested information.

- J. Windows—If you are an original owner and you have fog or condensation in your windows, call Milgard for the warranty work. Contact Shelia Nation at (303) 365-5765. We were reminded that the new windows come with shipping clips in them that need to be removed for windows to function correctly.
- K. American Family Insurance Increase in Policy by \$14,000—It was ~\$31,000, now ~\$45,000. It's time to shop around for insurance. It was suggested that we check with Chris who is a resident and an insurance agent. Travis paid half of the year so that gives us time to "shop around."
- L. (Old Report) Ten units affected by water damage from a hot water heater, a refrigerator and/or various other things this year. The Association's insurance covers damages caused by these appliances failing unless it is proven to be negligence. Consider amending the covenants addressing the maintenance/age/warranty status of these appliances—if the appliance is no longer under warranty, (?) years old, or not properly maintained, the owner should be responsible for the damage caused. The owners will need to amend the covenants by a 2/3rd's vote. Check with Lisa as to what her interpretation of the 2/3rd's vote means.

Jamison asked Travis to check with our insurance agent on how other HOA's handle the question of responsibility of owners vs. the HOA when leaks occur from hot water heaters, refrigerators, etc.

OLD BUSINESS:

- A. Resident Manager's Office Security/Privacy
Travis would like to be able to lock up the Clubhouse office or make it less accessible to unauthorized personnel. The office needs to be more secure.
Jamison—*What do you need to make the office secure?*
Travis—*Wall it off or install a gate and place a sign indicating the area is for authorized personnel only in addition to a security camera for surveillance.*
Jamison—*Install the gate and place an "Authorized Personnel Only" sign along with the surveillance camera.*
- B. Add to Clubhouse Rules: Access to the Clubhouse is permitted only if you are a resident of West Fork Village or an off-site owner. You need to be prepared to show proof of eligibility by showing a lease, utilities bill, or warranty deed. Anyone else must receive permission for an owner in writing if the person(s) are not on the lease. Six people per unit can have access. Should anything else be added?

- C. Allowing Alcohol in the Clubhouse: Due to recent problems with watching the TV and drinking alcohol in the Clubhouse during regular office hours, the TV will be unavailable during those times. The following motion was made with regard to alcohol use in the Clubhouse:
MOTION: It was moved and seconded to ban all alcohol from the Clubhouse unless the Clubhouse has been reserved for a party—Motion Passed.
- D. Closing Date for On-Site Manager's Purchase of a Condo: November 25, 2013 is the closing date for Travis and Zulema's condo. Travis's contract needs to be changed effective 12/12/2013 resulting in his first adjusted paycheck on 1/12/2014. Jamison will take care of the contract revision.
- E. Camera System in the Clubhouse: Budget in 2014 for an 8-camera system with a DVR system allowing for future expansion. Address the outer area camera system at the Annual Meeting in July.

NEW BUSINESS:

- A. Purchase a Golf Cart or a Small Vehicle for Complex Maintenance in 2014—Check on price/availability (both new and used) of a golf cart/gator with a truck bed on the back including the price of insurance.
- B. Guidelines for C, C, & R Paragraph 15.15 *Miscellaneous Restrictions*-per attorney's request. Can the Preservation Committee assist management in setting up some guidelines or a protocol for dealing with all complaints.
- C. Rosann and Zulema could do another newsletter.
- D. Betty Carlo Letter—see confidential minutes.

NEXT MEETING: Thursday, January 16, 2014, 6:30 pm

UPCOMING MEETINGS:

Thursday, March 20, 2014, 6:30 pm
Thursday, May 15, 2014, 6:30 pm

Meeting Adjourned at 8:30 pm.

Respectfully submitted,

Cathy Bohannon, Secretary

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Betty Carlo Letter:

Betty submitted a sealed letter addressed to Jamison registering a complaint she had with Travis, She asked him for some assistance during his time off to change a battery in her smoke alarm. When Travis was not available to help her she asked to borrow the extra long ladder so she could do it herself and he refused that also. She requested that the Association pay the \$50 she paid to have her smoke alarm battery changed.

Due to the Association's liability, Travis cannot assist residents on the HOA's time clock or loan association equipment to residents. It is at Travis's discretion (or any Association employee) as to if he is comfortable helping residents.

She had also mentioned some repairs that she paid for a couple of years ago—at that time the Association did not pay for what she feels we are paying for now. She would like the Association to pay the bill from the plumber in repairing a leak. Jamison indicated that the Association does not determine negligence, the insurance company makes that decision in a timely manner.

Respectfully submitted,

Cathy Bohannon