



Vista Point Owner's Association
Board of Directors Meeting
November 13, 2010 – 10:00 am
Kathy Chisholm's Home at 151 Rachel Lane

- ❖ Call meeting to order: The meeting was called to order at 10:16 am. The following members were in attendance: Ken Sauerberg, Jeffrey Bergeron, Kathy Chisholm and Jennifer McAtamney the association administrator.
- ❖ Statement of compliance with procedures for notice of meeting or waiver of notice – completed.
- ❖ Public Comment Session: None
- ❖ Approval of Minutes: /M/S/P: Jeffrey, Ken, 3 - 0
- ❖ Report of Officers: None
- ❖ Report of Committees:
 - Work Day/Landscape Committee: no report
 - Finance:
 - Waste Management - \$129.65
 - Timberline Disposal - \$1257.00
 - Community First Association Management - \$1850.00
 - Richmond Sprouse & Murphy- 24.00
 - ALLPhase - \$1600
 - Visor Construction - \$1250.00
 - Adams – \$87.97 – water reimbursement
 - Jennifer Ladieu \$23.92 – water reimbursement
 -
 - Review and accept actual to budget statement: Accept updated statement from August Meeting as well as Thru October 2011. M/S/P: Ken/Jeffrey – 3-0
 - Ken also signed contracts from ALLPhase and Visor Construction for our winter snow removal.
- ❖ Unfinished Business:
 - Look at amending our collection policies to collect funds from Landis at closing on 125 Rachel Lane. Jennifer will put something together for the board to review at our next meeting.
 - Architectural Review Board Committee: 1st Draft of the Design Document please review and send comments to Jennifer. Once received comments will be incorporated and then we will post it on the website for use this summer. Following a summer of testing we will make any necessary adjustments and formally adopt it. Tabled waiting for comments.
- ❖ New Business
- Association Hot Issues:
 - Management Report: Since our last meeting we have resolved the debt remaining on the vacant lots on Rachel Lane and Sheppard Circle. We have also executed the agreement with the town to terminate the subdivision improvement agreement and release those funds. Native Landscaping (aka Ken) was selected by the town to



complete this work. Irrigation is now installed and working and Ken will give us an update on how things are with the trees and shrubs he was working on planting. Trego Wakeeney Bank withdrew their request to separate those lots from the HOA so this is also complete. ALLPhase and Visor construction have been hired for the 2010 – 2011 snow removal season. Plowing is from Nov 15 – April 30th, shoveling is from Nov 1 – April 15th. By shortening the contracts we save over \$1000 and we have found that this works well as spring snows do not need shoveling as they melt so quickly. Mark Swanson or AllPhase will also do some extra plowing if needed before our contract begins. He does this for free. (What a great guy!) I have also met with two new landscaping companies in seeking bids for next year. Ken would like to note that while Darryl is a little spacey he does know what he is doing. Any new contractors we use references will be very important. We can also have very specific terms in our contracts. In order to make things on the river and common area works we need someone who really understands irrigation. We will have to weigh these decisions carefully.

We have had a request to adopt a quiet hours policy for the neighborhood: A Steve Greenwood has concerns about the proximity of the homes in the neighborhood – particularly duplexes and would like to look at a rule regarding quiet hours and submitted the following comments. He would like to see an 11:00 designated as a quiet hour, and use peer pressure and implement an escalating fine schedule for violations for repeat offenders.

After an extensive discussion, referencing our documents, town ordinances, and discussing the challenges of enforcement including late night nature of the issues and the many rental homes we have here the board determined that we do not have effective means to enforce a policy regarding late night noise because of the constraints of verifying to complaints and also pointed out that the town has a very good ordinance that goes into effect at 11:00 pm. Although we cannot effectively address complaints as we do when someone has an improperly parked vehicle or weeds in their yard the board did feel that it was important to provide neighbors a means of addressing this issue within the HOA. With this in mind they would like to take the following action: The first step is to send periodic reminders to neighbors in our email new letters reminding people of the close quarters of our homes and that is important to respect the town's quiet policies which start at 11:00 pm. The second tool will be to have neighbors who are experiencing difficulties contact Jennifer and the HOA will send a gentle reminder to the neighbors to specifically address the issue. If there are additional issues beyond that the next remedy would be for the neighbor experiencing the issue to call the police who can follow up and verify and measure the noise based in the town's ordinances when they are occurring. They have decibel meters which can measure the sound and if it is above the 50 decibel level per their measurements they would have legal remedies for the problem. Examples of what 50 decibels are found below:

Moderate rainfall	50 dB
Inside an urban home	50 dB
Light traffic	50 dB
Normal conversation	50-60 dB

Budget input is needed for 2011. Steve Graham and Sue Todd have offered to be part of a finance committee. How do you want to handle creating the budget for 2011? The budget will be adopted at our meeting in the spring and will need to be adopted only 45 days out from that meeting date. Any increases in dues will take place subsequent to that meeting. Regarding the budget for 2011 - Jennifer will contact Steve and Sue and see if they want to meet with Jeffrey and Jennifer to work on the budget. Jeffrey will participate on behalf of the board.

- Board of Directors Issues & Topics



- Schedule a walk through to look at landscaping for spring. – table until spring
- Dates for AGM and BOD meetings in 2011. – Saturday April 2nd for the AGM, for board meetings we are going to suggest that the 2nd Thursday of the second month of the quarter (e.g. Feb, May, August and November) We will throw these out to Karen and can amend if needed.
- Memorializing water reimbursements and watering agreements . All board member were in agreement that this is something we need to do for the health of the neighborhood. We need to identify all the places this occur, contact those neighbors. We believe the systems are hooked up to the following houses: David Neihart, Jeffrey Bergeron, Karen Adams, Steven Standing, Jennifer Ladieu, Sam Murray. We would like to create a policy that the HOA will reimburse homeowners when they go over their standard water allotment for their home. They will need to submit bills to the HOA for reimbursement in the year that the expenses incur. We would like to also memorialize an agreement for each piece of property where it occurs. We will need to consult with Mark Richmond on how to proceed with this.
- Address any questions pertaining to the comments made at the opening of the August meeting regarding neighborhood policies and procedures. Jeffrey reviewed the documents and does not concur that there are term limits specified in our bylaws. Ken also had a brief conversation with the attorney who has been working with the HOA since it's inception and he concurs that the board has acted within it's powers.
- Policy Decisions:
 - Determine a long term policy for handing start up and winterization of irrigation systems. – we will table until all board members are here since this is such a broad issue for the neighborhood. We are finding a quite complicated landscape out there and a huge variation of types of systems. – Renate had a suggestion that we 1)Switch contractors – our current vendor is not a good service provider. Other suggestions included: 2) a check off list for the contractor. 3) We could install timers in the spring, remove in the fall, any other work is the homeowner's responsibility. The discussion continued and in the interest of our constrained time it is clear that this still needs more work because we need to deliver services equitably across the neighborhood. Pop up, rain bird and extensive drip systems need more attention that those neighbors who have a single drop system initially installed by the developer.
 - The board will be interviewing contractors for the 2011 season. They will be balancing cost vs. service requirements. Ken will work with Jennifer to create a check list for our contractor to use when doing the installs. We also need to document what each neighbor has if we are going to proceed with this.
 - After an extensive discussion the board decided the following to address the equality issue: The HOA board will choose a contractor. The board will budget for one zone for each house for start up and blow out. In the spring we will let everyone one know who has been chosen and a range of dates they will be hooking up irrigation. The contractor will then start up all systems unless a neighbor specifically opts out. Each neighbor will receive a credit for a single zone for start up. Any additional work/zones would be billed directly to the homeowners. We would also offer neighbors who want to use their own contractor an opportunity to do so. For home owners who water common areas the HOA will pay for the start up and blow out of the common area systems plus one zone. If an homeowner opts to use their own contractor no credit will be received.
- ❖ Final Board Comments: Jeffrey has to go!
- ❖ Adjournment: 11:58 pm – M/S/P:Ken/Kathy 3-0



Vista Point Owner's Association
Board of Directors Meeting
August 24, 2010 – 10:00 am
216 Rachel Lane

- ❖ *Call meeting to order: Calling the meeting to order at 10:04.*
- ❖ *Statement of compliance with procedures for notice of meeting or waiver of notice – completed.*
- ❖ *Public Comment Session: Sue Todd – 5.5 of the bylaws says there will be term limits. People have been succeeding themselves. 4.3C of the Declarations says there will be one deed restricted owner and one non-deed restricted. They may change – they may change the number but may not change the make up of the board. The board may not amend the declarations but may amend the bylaws. 23.2 in case of conflicts between bylaws and the decs control. 5.14. – No trailers, motor homes, etc... shall be parked or stored within the community except within the garage or other structure approved by the boards. She has concerns about the change to the rules regarding parking of recreational vehicles as well as the other items above.*
- *Some notes from the board's response: The board has tried to create specifics standards to apply to all members of the neighborhood to deal with exceptions like guests with motor homes or owners who are staying in their motor homes while doing work in their homes. We also wanted to policy to allow neighbors here to enjoy their toys since they are relatively common here. The outcome here was the 72 hour policy for trailers and boats. A note on the issues of term limits both Karen and Kathy who have served for a long time have solicited other members to take their positions and have not found any volunteers. We do not believe there is any issue with a member succeeding themselves especially in when a seat is unopposed. Initial terms were staggered as specified in our bylaws when the declarant gave over control. Jeffrey suggested if we do a neighborhood wide vote to amend the declarations he would like to have seasonal specific exceptions made for campers or boats in the summer or a snow mobile in the winter. Paul would also like the board to address the issues of succession of officers. To move forward Kathy suggested that the board and legal counsel work through these questions to make sure we are in compliance.*
- ❖ *Approval of Minutes: /M/S/A – Jeffrey/Paul/5-0*
- ❖ *Report of Officers: None*
- ❖ *Report of Committees:*
- *Work Day/Landscape Committee: Renate thought that the work day went really well. The neighbors worked well together and Sue is watering them regularly. Ken noted that native dug trees can struggle in the first year or two and will turn earlier as a result of stress. Todd Barson hired one of his friends to spread all the mulch on the property. Bob across the way has also done a great job by the bridge. Jennifer will send them a thank you. Kathy said thank you the Committee and everyone who participated to make it a great day! Renate also noted that the pizza worked well after the day of work. A BBQ or ice cream social should be scheduled at a later time.*
 - *Finance:*
 - *Waste Management - \$129.65*
 - *Timberline Disposal - \$1257.00*
 - *Community First Association Management - \$1850.00*
 - *Richmond Sprouse & Murphy- 417.79 –*



- *Review and accept actual to budget statement: Finance: Jennifer will report back to the board to see why the income received from bank got booked in such and odd day. * This has been corrected. The item it was received against was set up in the wrong category and mixed this up. A new statement is attached*
- ❖ *Unfinished Business:*
 - *Look at amending our collection policies to collect funds from Landis at closing on 125 Rachel Lane. Tabled*
 - *How to precede with WSG and vacant lots- this is in process we are going to offer them the chance to pay up within the next 45 days or we will start to implement late fees and interest. Jennifer will convey this to Mark Richmond so he can follow up with JJ Mak.*
 - *Architectural Review Board Committee: 1st Draft of the Design Document please for review and send comments to Jennifer. Once received comments will be incorporated and then we will post it on the website for use this summer. Following a summer of testing we will make any necessary adjustments and formally adopt it. Tabled waiting for comments.*
- ❖ *New Business*
- *Association Hot Issues:*
 - *Management Report: Since our last meeting Jennifer has been working on both of the SIA issues as well as the foreclosure on lots 1,2 3 and the subsequent requests to separate from the HOA. We have also been dealing with the lots owner on poisoning the weeds there. They now have engaged Bio Balance for weed control on those lots, have put rocks to prevent parking as well.*
 - *The Town has been contacted by WSG/JJ Mak holdings and WSK/JJ Mak has tentatively agreed to the town releasing the funds to complete the landscaping, the irrigation and the drainage issues on the pathways. Last week the board received a request from the Town of Breckenridge to affirm that they are in agreement with the town releasing WSG from their Subdivision agreement so they can put the remaining \$\$ into the completion of the improvements. The board unanimously agreed to this release based on remaining funds being used to complete the outstanding landscape, irrigation and drainage issues. As part of this they had also requested that the HOA release the liens on the 2 vacant lots they hold. We held firm on this issue as it is completely unrelated to the SIA issues.*
 - *How to proceed with WSG and the subdivision agreement: See notes above. The board has given sign off to the town that they are comfortable with the remaining list and would approve releasing WSG from their commitments so the town can contract the completion of the improvements.*
 - *Board of Directors Issues & Topics*
 - *Richard Jensen from Trego Wakeeney Bank in Kansas has foreclosed on the three vacation lots across from Little Red. They are now requesting to separate from the HOA and they will need an affirmative vote of 67% of the neighborhood for the vote to succeed. Kathy Chisholm suggested that we should discuss this further at our meeting.*
 - ◆ *We are going to adopt this suggested special election procedures specifically for this election. Jennifer made changes to the documents per the instructions at the meeting.*
 - ◆ *We are shooting for a mailing of September 1, 2010 pending review and approval of the letter of introduction and secondary documents. Once the mail goes out members will have 21 days to receive, vote and return ballots. The ballots will be counted by two members of the board randomly chosen.*



Once suggestion was made by Renate to include a signature sheet inside to verify the vote instead of on the envelope. This can be considered or we can just ask people to print or hand write their info and if there is a question do verification of the envelope later.

- ◆ *Can we change the order on the ballot – Jennifer drew the yes and no from a hat to determine ballot order. The letter from Trego Wakeeney is the official question and has also been included as part of the ballot.*
 - ◆ *The board also decided unanimously to recommend against the separation in their letter of intro.*
 - *Schedule a walk though to look at landscaping. We would like to address lots where there is neglect of the landscape. – Let’s schedule this via email.*
 - *Review request from Mark & Heather Roberts to change the color of their home. They have provided swatches to be reviewed in person since these colors are not incorporated into the neighborhood currently.*
 - *Discuss subdivision landscape that will be completed with the bond monies. This are approved.*
- *Policy Decisions:*
- *Determine a long term policy for handing start up and winterization of irrigation systems. – we will table until all board members are here since this is such a broad issue for the neighborhood. We are finding a quite complicated landscape out there and a huge variation of types of systems. – Renate had a suggestion that we 1)Switch contractors – our current vendor is not a good service provider. Other suggestions included: 2) a check off list for the contractor. 3) We could install timers in the spring, remove in the fall, any other work is the homeowner’s responsibility. The discussion continued and in the interest of our constrained time it is clear that this still needs more work because we need to deliver services equitably across the neighborhood. Pop up, rain bird and extensive drip systems need more attention that those neighbors who have a single drop system initially installed by the developer.*
- ❖ *Final Board Comments:*
- ❖ *Adjournment: 12:17 pm – M/S/P : Karen, Kathy, 5 - 0*