



Vista Point Owner's Association
Board of Directors Meeting
June 9, 2010 – Noon
Place 90 Sheppard Circle in the sunshine
Minutes

- ❖ Call meeting to order: The meeting was called order at 12:12 pm. The following members are in attendance: Ken Sauerberg, Jeffery Bergeron, Karen Adams, Kathy Chisholm – was late. Paul Cusmano was not in attendance. We also had Theo & Renate Fleisch, and Larry Wisniewski from our landscaping committee were also in attendance. Jennifer McAtamney was in attendance and taking minutes.
- ❖ Statement of compliance with procedures for notice of meeting or waiver of notice. - Completed
- ❖ Public Comment Session: Completed
- ❖ Approval of Minutes: Motion to approved –M/S/P Jeffery, Ken – 4-0
- ❖ Report of Officers: Nothing specific now but there will be items under various business items below
- ❖ Report of Committees:
 - Finance – We are pacing well this year. Dues collections with the exception of the vacant lots on pace with our expectations. Our only expenses that are above budget to date are legal fees which are associated with our issues with WSG and Lots 1 – 3. Some of those expenses may be recouped depending on how things resolve with Lots 1 – 3 with their foreclosures.
 - Landscape and Work Day: Selections of the areas for work day were selected by Theo and Larry. Tract F is really awful and the other end of the neighborhood Tract H could also benefit from some more bushes and work as well. Jeffrey also suggested that we throw some mulch and water on the far side of the bridge as well. They are also planning to hand water plants that do not have irrigation currently. Clean and spiff up the drainage area at the bottom of the path at the bridge. Larry has created a plan and will give it to Mark to give to planning for the proper permit. There was also a suggestion to ask for part of the bond released to buy and plant 7 aspens on Tract F. We could ask to have some bond money released – that will be up to the town to do this and we are not sure of their ability to do this. We will need to buy flowers and shrubs. Jennifer's family will help plant some of the early purchased flowers. The town is walking the property next Tuesday to assess the remaining work to continue with the notice process to release the bond or have WSG complete the work. Ken can get the trees at cost for the HOA for \$40. We could do this for work day, and work with the Town to be reimbursed or have them plant 7 additional trees. elsewhere in the subdivision. A motion was made that Ken purchase 7 aspens. M/S/P – Kathy, Jeffrey - Approved
 - The board is setting a budget for work day using an allocation of our reserve funds. For 3 hours of work the non-participation fee will be waived.
 - To date \$ 263 dollars have been spent on flowers. 10 shrubs will be purchased and planted for work day will cost \$200. They will be allocated 4 in tract c, 3 in tract d and 3 in Tract F. We will also allocate \$ for additional irrigation for tract C & D. Ken will have this work completed at cost prior to work day.
 - Karen will be purchasing fertilizer sticks for the trees where we have cleared grass, mulched and put rock borders in. We need to be very conscientious of only purchasing material that can actually be planted on work day.



- Since it looks like Karen will be gone on work day Ken is going to organize and coordinate work. At this time we do not have a house for a BBQ. If we do not have a volunteer we will not be able to hold the BBQ.
- ❖ Unfinished Business:
 - How to precede with WSG and vacant lots- this is in process and there are no new updates.
 - 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: Our biggest efforts have been expended on sorting out the various WSG items. Both parties have been billed and we are actually in the process of lining the two vacant lots for the outstanding sums as well. Hopefully this will be collected shortly and we will be able to close the book on this chapter. Jenn Cram is back in town and going to walk the neighborhood shortly. Once they do that they will meet with Ken and I to go over the remaining items. Irrigation and clean up has almost been completed at the time of writing this.
 - Sam would be interested in taking out tree stakes if we are interested in hiring people to do this. – We will give him name as a suggestion to neighbors who need this taken care of. If he is interested in we can put his info on the website.
 - Look at amending our collection policies to collect funds from Landis at closing on 125 Rachel Lane. – We have used this mechanism in the past and we will try and do it again if possible.
 - Policy Decisions:
 - Board of Directors – size and make up. Based on the outcome of this discussion we will update the bylaws to memorialize this as well as the new rule regarding resignation when you put your home on the market. Alternative to expanding the board also include forming committees for projects. We are going to leave the board as is. M/S/P Ken, Karen - approved
 - Determine meeting dates for the remainder of 2010. We need to set up meetings for 3rd and 4th quarter. August 25th at 3:00 pm. November 13th at 10:00 am. (Note: August Date has changed to the 24th at 10:00 am)
 - 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.
- ❖ Final Board Comments:
 - Jeffrey mentioned that the three vacant lots were going into foreclosure and for any change in development the owner would need permission of the Association.
 - Karen wondered if the town considers dandelions noxious weeds? A. No.
 - With the shrubs that we are putting in should be rocking and mulching them. A. It would be nice but not necessary.
 - Where is the permit for Gosnell's. – Their grading plan has been approved and they need to specify plantings and locations.
 - Zimmer's dead trees can we address that. Let us know what the intentions are. Currently the dead trees are an eye sore.



- ❖ Adjournment: 2:17 pm – M/S/P : Karen, Kathy, 4 - 0

*Vista Point Owner's Association
Board of Directors Meeting
April 7, 2010
Minutes*

- ❖ *Call meeting to order: The following members were in attendance: Kathy Chisholm, Ken Sauerberg, Jeffrey Bergeron, Paul Cusmano. (And Karen Adams by Phone)*
- ❖ *Statement of compliance with procedures for notice of meeting to Board or waiver of notice - completed.*
- ❖ *Public Comment Session: No comments:*
 - *One note due to the last minute nature of this meeting Jennifer did not have time to post it on the website. We need to schedule them for the rest of the year, post them so neighbors who are interested can attend.*
- ❖ *Approval of Minutes: A motion was made to accept the minutes. M/S/P Paul Cusmano, Jeffrey Bergeron 5-0.*
- ❖ *Report of Officers: None*
- ❖ *Report of Committee: None*
 - *Finance*

The finance report was reviewed at our last meeting there are no changes since then. New financials will be available at our June meeting or at any time in between for those interested.

All our contracts that are auto paid for the duration of the contracts. Any expenses outside of the usual contracts are paid by check and signed by both Kathy and Ken. Jennifer does not have the ability to spend any money without the permission and sign off of both the President and the Secretary of the Board.
- ❖ *Unfinished Business:*
 - *How to proceed with WSG and vacant lots: Jennifer reviewed the options presented by Mark Richmond for pursuing payment on lots that were owned by WSG. Choice 1) Request payment for all common area assessments up to the statute of limitations on the two vacant lots as well as completion of subdivision improvements. The letter for this request is completed. We have very straight forward claim here. Choice 2) Assess WSG for all neighborhood lots while they were unimproved through the statute of limitations. This could be protracted and expensive with*



uncertain results. 3) Choice 3 – Only assess the dues from the time of the quick claim deed when the ownership changed from the developer to a new entity.

- Paul had a question regarding the transfer tax. – A. Jennifer was able to verify that Transfer tax was properly processed and paid on these lots.
- Paul also had questions about whether they were paying property taxes on these lots. A. Property taxes are collected by Summit County Govt. Vacant lots are assessed at 2 – 3x that of improved lots. Jeffery knows the county treasurer and will follow up.
- An extensive discussion ensued regarding the pros and cons of each option. One major concern that was noted is that WSG has very good legal representation. It is also a concern that we are dealing with WSG Breckenridge LLC and it is unknown if they have any assets that could pay out a settlement.
- A motion was made to move forward with option 1 which will include assessing the two lots for common area expenses from 2004 forward, requesting the completion of the subdivision improvements. M/S/P Jeffrey Bergeron, Karen Adams – Passed 4 - 1.
- In taking action. We will be moving ahead with option one. Jennifer will begin calculating the common area assessments for each calendar year for assessments for Mark to include in his letters. We would also like the letter to indicate that we could go after them for a much larger settlement that we are legally entitled to if they do not pay. We will also address lots 1- 3 and adjust those assessments as well. Jen will report to the board once this is completed so we know the potential implications of both actions to our budget and financials.
- Architectural Review Board Committee: Draft of the Design Document is completed. Please review and send comments to Jennifer. Jennifer had sent them out again in early March so they would be easy to find. 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*

- *Election of new officers: President, Vice President, Secretary, Treasurer – The offices remain the same.
Ken Sauerberg – President, Karen Adams – Vice President, Jeffrey Bergeron – Treasurer, Kathy Chisholm – Secretary.*
- *Creating new committees.*
 - *Social Committee; Karen will craft an email asking people for updated info for opt in email and what they would like to discuss. The association should send out initial email to the entire neighborhood. It also sounded like Sara was willing to head this up.*
 - *Work Day; Karen is willing to head this for 2010. She would love input and help! Ken had been thinking about the AGM comments and while we don't want to make significant investments until the landscaping is completed he did suggest that we could put shrubs in on the current irrigation*



system - these would add interest and variety in these areas. We could also use logs and rocks to create additional visual interest. Karen may have rocks and other things from their lot in the Highlands. She and Ken will look into this. How can we increase this budget? We could take the voluntary donation for those who could not attend. The voluntary fee did not raise much money last year. Let's look at making it a requirement. Karen suggested a "None participation fee of \$50" be assessed for each household. The fee can then be waived for all who participate or do a project that they coordinate with the committee. It is important that we also make projects available for those who cannot attend on this weekend. We will be using our landscape reserve on this year's work day + the non participation fee we hope this larger budget will make a bigger visual impact on the work completed.

- *A motion was made to assess a non participation fee of \$50 for each household which is waived if you attend or do a project coordinated by the committee. M/S/P – Karen Adams, Jeffrey Bergeron – Passed 5-0*
- *Finance Committee: We would be interested in getting more people involved in this and will advertise it especially important for 2011 budget.*
- *Association Hot Issues:*
 - *Management Report: Most intense work has been on archiving 2009, streamlining 2010, creating mailing and meeting materials, updating web site, SB 100 mailing and meeting preparation along with shepparding questions on WSG findings. I also checked in with Jennifer Cram. She is in the process of notifying WSG of their outstanding obligations subsequent response to these. She has tried to contact Mike but like the rest of us has not had any luck for months. Jennifer M is sending her both WSG as well as their legal agents contact info. We also had an ice dam at the Town homes which caused a small leak at Kathy and Jim's house. The dam was taken care of and fixed the problem. Jim was going to put some paint on the spot and see if it bled through. If so we will look into repairing that. Note: Jennifer also spoke to Rob Weeks who she learned at the AGM was having similar issues. He has taken care of the ice build up and said the water stain was small and he would repaint it. As spring comes we should look into gutters and heat tape for these trouble areas as it is a better long term solution.*
 - *Meeting re-cap: Jen will update the financials to post to the website. Let's have a board meeting just prior to the AGM even if we need a special meeting so as requested the board is prepared to run the meeting and present their reports. There was a request for a Presidents report when we have news to share. Ken will be writing a follow up letter from the meeting. Ken will also address the issues of the three vacant lots. Ken also noted that since we we are more comfortable with this than some members.*
 - *How can we get minutes posted more quickly. We don't want to post real drafts. So in the mean time Jennifer will do the minutes and send them out for approval then we will post them as*



provisionally approved. They will then be formally approved at our meetings as we currently do so they are a part of our meeting record.

- *Meeting dates for board meetings. Having dates for the rest of the year would help to have them published on the website. If the entire schedule can be posted people should all have a chance to plan to attend. Karen suggested that June 9th could work for our 2nd quarterly meeting. Because Karen has the most challenging schedule she will look at the remainder of the year and then email dates that will work for the rest of the meetings. Once we have them completed we will post them on the web site. Lunch time meetings and Skype seem to work well for everyone. Note on Skype for video conferencing: We will need network access at the house of the meeting to make this work.*

➤ *Budget Decisions:*

- *Light – we are having a challenge meeting new dark sky lighting standards from town with many of the solar solutions they have spec'd (both wattage and possible installation are a challenge). We need to look into more complicated and possibly expensive options on this. It is important to note that we may have to spend more \$\$ than we have budgeted to make this possible. Both contractors are going to look deeper for a solution for this spring project. As always if you have a contractor who is great please send them Jennifer's way.*

➤ *Policy Decisions:*

- *Board of Directors – size and make up. Based on the outcome of this discussion we will update the bylaws to better clarify this as well as create a new rule requiring resignation when you put your home on the tabled again until our next meeting.*

❖ *Final Board Comments: None*

❖ *Adjournment: A motion was made to adjourn: M/S/P: Paul Cusmano, Ken Sauerberg – 5 -0*

❖ *Adjourned at 2:52 pm.*