

SODA SPRINGS RANCH - FILING II
Homeowners' Association
MINUTES OF BOARD MEETING
Soda Springs Ranch Restaurant Building
September 16, 2006

Present: Bob Costello, Kurt Ostrow, Mark Baxley, Tom Evon, Gary Windsor, Mark Lewis, Rich Olivo, Jack Stout

Also Attending: J. C. Cavallera, Manager; Mark Krieg, Accounting Representative; Regina Fowler, Management Office; Gerry Johnston, "Rancher" Editor

Absent: Jean Hecht

Open: Bob Costello, Board President, called the meeting to order at 9:03 AM.

Approval of Minutes: Minutes from the July 15, 2006 Board Meeting were presented for review. **Motion was made by Gary Windsor, seconded by Jack Stout, that the Minutes be approved as written. Motion passed.** A signed copy of the Minutes was given to Regina Fowler for filing in the management office.

Board Management:

Policy Statements: Seven policy statements required by SB 100 and one policy statement required by SB 06-089, all conforming to the August 23, 2006 e-mail from Rod McGowan, Esq., were presented to the Board for approval. Regarding the policy statement entitled "Enforcement of Covenants and Rules Policy", an additional item was added to the listing of fines at the end of the document, to read: "3. Other Rules Violation(s): \$100 for each occurrence, or as determined by Board". The prior Item 3 now becomes Item 4. **Motion was made by Jack Stout, seconded by Gary Windsor, that all eight policy statements be approved, as revised, by the Board. Motion passed unanimously.** The policy statements are to be posted on the HOA website, and mailed out to all owners.

Bylaw Amendment and Amendment to Declaration: A Bylaw Amendment and an Amendment to Declaration, both prepared by Rod McGowan, Esq. were presented to the Board for approval. The amendments were made necessary to bring our Bylaws and Declaration into conformity with SB 100 and SB 06-089. The Amendment to Declaration covers owners' placement of political signs, which may be displayed starting 45 days before an election, and must be removed within 7 days after the election. Amendments to our Declaration must normally be approved by vote of owners, except when suggested changes are administrative in nature, such as in this case where approval of the amendment is required by law. There was discussion to clarify allowed placement of signs only on the exterior of an owner's unit, not in open space areas. Open space is defined as ground area outside the perimeter of an enclosed building.

Motion was made by Gary Windsor, seconded by Jack Stout, that both Amendments be approved. Motion passed unanimously.

Allocation of Legal Expenses: Tom Evon stated with reference to the Fielder water damage case, that the matter of allocation of legal expenses to the tract or to the HOA should be resolved for this case, and for similar future incidents. There was consensus agreement to table the discussion until our November 18th Board meeting.

Financial: Bob Costello referred to the financial statements for two months ending August 31, 2006, and stated that any questions regarding the statements could be brought to him after our meeting, but that his review would be brief to comply with our one-hour meeting time schedule. Bob pointed out that the negative fund balances shown in the Reserve Replacement Balance Sheet by Tract for Meadows and Meadow View will increase in the near term because of recent deck repairs. Rich Olivo stated that the fund balances would soon be corrected because of the light repair requirements through the winter months.

Regarding the Accounts Receivable Aging Summary dated September 13, 2006, Bob commented as follows:

- for MB-11, the title company has mailed the check for \$530
- TC-33 is for sale, priced at \$11,000 less than other Tennis Cottage listings. We will collect most of the outstanding amount when the unit is sold and closed.
- TC-35 is a foreclosure, and the HUD representative has authorized payment of the delinquent dues.
- The delinquency for MV-B4 of \$37.23 is a fine for failure to submit insurance information. Gary Windsor stated that the offending owner is no longer in title, and that the fine should be written off. Bob Costello agreed that this would be done.
- CC-D3 is for sale, and the delinquent \$37.23 will be collected upon sale and closing.

Property Management:

Master Keying: Gary Windsor and J. C. Cavalera reported that they have been unable to find a supplier for lock sets to match the locks currently being used in Filing II. Jack Stout commented that we should check with Dire's Lock & Key in Denver. There was discussion that owners should pay the cost of replacing dead bolt locks, but that the HOA should pay for the main lockset (approximately \$100 per lock). Bob Costello commented that there is no money in our current budget for this work, and he suggested that we include the cost in next year's budget, and perform the work next summer. J. C. will solicit bid(s) for future consideration.

Trex Decking: An owner had suggested that we revise our policy regarding deck replacements, and agree to pay for one wood deck replacement prior to requiring replacement with Trex. There was consensus agreement to not revise the existing policy.

Athletic Club: J. C. reported that the hot tub has been installed, however Tom Evon and Gary Windsor reported that the jets are not working properly. Bob Costello requested that Mark Krieg not pay the final invoice until the necessary service work is completed. Bob commented that the money for the hot tub is being borrowed from the R&R fund.

J. C. reported that we have not been able to find a suitable used treadmill as yet.

Jack Stout commented that there is a high likelihood of unauthorized use of the Athletic Club facilities, with persons entering during off hours through the back gate. Gary Windsor stated that he and Regina Fowler would have the lock changed. It was agreed that we should further discuss the issue of Athletic Club liability and security at our November meeting.

Gary commented that the cost of building a roof over the hot tub would be about \$1,600 for materials and labor. There was agreement that we would table approval of the work until money was available in the budget. Gary further reported that a Denver contractor is refurbishing tennis courts in Grand Lake, and quoted us a cost of \$16,000 to resurface our two courts. Gary recommended that we consider approving the tennis court refurbishing for next summer. Gary also reported that the water loss from leaks in our swimming pool had been as high as 5,000 gallons per day. Gary stated that we should consider installing a new fiberglass pool next spring, even if it requires a special assessment to do it. It was agreed to place this item on the agenda for our November meeting.

Kurt Ostrow commented that J. C.'s office should be more involved in obtaining bids from contractors, and that Gary and Rich should not be asked to head up these projects on their own. J. C. commented that his office normally solicits bids, and that the tennis court proposal came about through information given to Gary after a conversation, not through a formal solicitation.

Gary Windsor and Bob Costello suggested that we allow a non-owner's two horses to graze in our meadow for two weeks to graze off the high grass. Bob stated that the horse owner has a one million dollar liability policy. Mowing of the meadow is very difficult because of the large rocks. Mark Krieg commented that two weeks of grazing wouldn't accomplish much, and others stated that the meadow should be left the way it is. Kurt Ostrow stated that there is little benefit to the grazing, and the potential for unwanted liability is significant. Bob called for a vote, and three Board members voted in favor, six against.

Gary Windsor commented that the vehicle storage yard fencing and the buck/rail fencing were complete.

Rules and Regulations: There was brief discussion regarding an owner's violation of our sign policy during a recent garage sale. **Motion was made by Bob Costello, seconded by Mark Baxley, that a \$100 fine be assessed. Motion passed.**

Insurance: Bob Costello reported that our insurance carrier has verbally advised that reducing the deductible amount from \$10,000 to \$5,000 would result in an annual premium increase of approximately \$1,800.

Maintenance and Architectural Control: Gary Windsor requested Board approval for a deck extension by an owner at Ranch Club. The entire deck extension would be built in open space adjacent to the building and existing deck. Gary stated that our approval should require that the owner obtain the necessary permit from the County. There was agreement to postpone further discussion until after the Annual Homeowner' Meeting, that was scheduled to start immediately.

Remaining Agenda Items: Time did not permit further discussion. The next Board meeting will be held on November 18th at 9:00 AM. The meeting was temporarily adjourned at 8:59 AM.

Continuation of Discussion Regarding Ranch Club Deck Extension: Discussion continued starting at 11:30 AM. Gary passed around a drawing of the proposed project. Tom Evon asked if open space availability was a concern at this point. Rich Olivo stated that the recent survey has increased available open space by approximately 10% of our total land. Mark Baxley stated his concern that we not establish a precedent for automatic approval of building additions into open space. Gary Windsor stated that our policy would be to seek Board approval for each request involving open space, irrespective of whether or not the request is similar to prior project(s). **Motion was made by Jack Stout, seconded by Rich Olivo, that the request be approved subject to County permit. Motion passed.** The meeting was adjourned at 11:36 AM.

Respectfully submitted,

Mark A. Baxley, Board Secretary

Approved by Board Members _____:
Date

_____ Bob Costello	_____ Kurt Ostrow	_____ Mark Lewis
_____ Jean Hecht	_____ Jack Stout	_____ Rich Olivo
_____ Gary Windsor	_____ Tom Evon	