

# OAK MEADOWS HOMEOWNERS' ASSOCIATION

## Annual Meeting Minutes

### April 11, 2007

**Quorum** – A quorum was established with 74 of the 136 owners represented in person or by proxy.

**Call to order** – David Pendleton called the meeting to order at 6:27 pm on Wednesday, April 11, 2007 at the Ramada Inn, Glenwood Springs, Colorado.

**Introduction of Attendees** -- OMHA members in attendance introduced themselves by name area of residence in Oak Meadows.

**Approval of minutes** – The minutes from the 2006 Annual Meeting were reviewed. Jim Austin moved to approve the minutes as presented and the motion was seconded by Ralph Delaney. The motion passed unanimously.

**Nominations for Board of Directors** – David Pendleton asked for nominations for the Board of Directors. Patsy Hernandez nominated Martha Fredendall. John Fosnaught nominated David Pendleton, Greg Beightel, Nan Walther, Charlie Hill, John Fuller, Jeff Sellers, Patrick Raab, Cliff Colia, and Michael Gueriera, with Michael Gueriera respectfully declining his nomination. John Fetzko nominated Chris Adelman. OMHA Articles of incorporation state that the Board of Directors shall consist of from three to nine persons. Since there were ten nominations, the nine nominees with the most affirmative votes would be elected. Nominations were closed and Jeff Sellers prepared the ballot.

**Treasurers Report** – Nan Walther reviewed the financial statements for 2006, the proposed operating budget for 2007, and the proposed monthly assessments per area for the period May 1, 2007 through April 30, 2008. The OMHA Board of Directors has recommended that the general assessment be raised by \$2 from \$23 to \$25 per month.

Nan Walther explained that a \$2 increase in general assessments would offset the increased cost of insurance due to an increase in the number of homes built. It was also mentioned that the administrative cost for Treasury and Secretarial services is expected to increase with more accounting and general correspondence required as the homeowner base continues to grow.

A question was asked about why road reserve funds have been established. Reserve funds are created for major projects and accrue interest, thus making funds available when replacement or substantial repairs are required. The monthly reserve fund assessments for roads are based on a seven year life-span for the resurfacing of the private roads within the subdivision. It was also noted that road damage caused by construction is not paid for from the Road Reserve Funds. Lot owners are required to pay a \$2,500 incidental damage deposit to OMHA through the Architectural Control Committee and this deposit is used to cover any construction damage done to our roads.

#### **Special Budget Items -**

> **Townhome painting** The reserve fund for painting the townhomes contains over \$130,000 and will be used to paint the townhomes on North and South Meadow View Court in 2007 or 2008.

> **Legal expense** – The maximum obligation to help pay for legal expenses related to the OMWA lawsuit was projected at \$50,000, or 25% of total cost, whichever is lesser, is now projected at \$10,000 or 25% of total cost, whichever is less.

- > **Vehicle Storage** - The Vehicle Storage area is scheduled to be cleaned up and improved later in the spring.
- > **Landscaping** - There is also a planned landscaping project near the dumpster area to be funded by the Filing 3 residents.
- > **Tennis Courts** - There are also some improvements scheduled for the tennis courts..

### **General Discussion**

Richard Uren questioned who inspects the roads when resurfacing is done and money is paid. David Pendleton mentioned that if road resurfacing is unsatisfactory, the contractor can be called back to improve the road.

Emil Cima asked about the possibility of have OMHA assessment statements emailed rather than mailed as a way of reducing administrative costs. Nan Walther mentioned emailing statements would actually be more expensive administratively and that although we have requested homeowner email addresses, we have very few email addresses on record. The Board may revisit the idea if we can get more homeowner email addresses.

Beth Jarabek asked if a management company had been considered and what it would cost to hire a company to handle the administrative operations of OMHA. Nan Walther stated the Board had sought proposals in the past and had interviewed several companies. The Board decided to reject one proposal because of cost (\$22 per household per month) and the other because the management company required that all OMHA financial resources be transferred to it as a condition of that company's bid.

Heath Gerstner moved to accept the proposed budget for 2007. The motion was seconded by Julie Young and passed unanimously.

**Election of Board of Directors** - Randy Walther tabulated the votes and reported that the following nominees had received the largest number of affirmative votes: Chris Adelman, Cliff Colia, Martha Fredendall, John Fuller, Charlie Hill, David Pendleton, Patrick Raab, Jeff Sellers, and Nan Walther.

Currently, the OMHA BOD meets on the 3<sup>rd</sup> Wednesday of each month. This presented a conflict for one of the board members. John Fuller moved to change the meeting schedule to the 2<sup>nd</sup> Wednesday of the month, seconded by David Pendleton, and passed unanimously.

**OMSCO Report** - Last year's OMSCO Annual Report indicated that there was a large increase in water use possibly due to a leak. It was discovered that this increase in usage was likely due to an incorrect meter reading and an incorrectly adjusted control valve. The lawsuit is ongoing with OMWA has continued and during a meeting last week the OMHA Board of Directors voted to reduce legal OMHA legal fee liability to \$10,000 or 25% of the total cost whichever is lesser. This agreement is between OMHA and OMDC and the agreement stipulates that no further interactions may take place directly between OMHA Board of Directors and OMWA regarding the ongoing lawsuit. OMSCO is still obligated to pay \$50,000, or 25% of legal fees associated with the lawsuit, whichever is lesser. Diane Delaney mentioned that Oak Meadows Filing Two is a separate subdivision and OMWA is a separate water service company.

Diane Delaney also gave an overview of the current Four Mile Well costs and sharing agreements. She also mentioned that fire protection for Filing Two, according to the OMWA lawsuit, is to come solely from Filing 3 and 4 water sources. She also indicated that OMDC would like to end the ongoing lawsuit but defending water rights for current and future Filing Three and Filing IV homeowners was the highest priority.

Many homeowners present expressed an interest in touring the OMSCO water infrastructure and facilities. John Fuller and Ralph Delaney offered to conduct the tours and two tours are currently scheduled. The first is on Saturday, May 12<sup>th</sup> at 10:00am, the second tour is on Wednesday, May 16<sup>th</sup> at 6:00pm. The meeting place for both days is at the tennis courts.

**Old Business –**

**1. Dry Park Road.** Tresi Houpt stated that Garfield County is not abandoning Dry Park Road and several homeowners present mentioned that Dry Park Road has been improved and is in better condition than in years past.

**New Business –**

**1. General Assessments -** Lynn Astrach moved to approve a \$2 increase in the monthly general assessments to homeowners, as recommended by the OMHA Board. The motion was seconded by Richard Scranton and passed unanimously. General assessments will now be \$25 per household/lot instead of \$23.

**2. Dogs at Large -** Jennifer Gerstner mentioned that she has seen several dogs running loose and is not comfortable walking her dog in the neighborhood. She suggested that the OMHA Board review the dog regulations for Garfield County and the homeowner's association.

Ginger Pendleton mentioned that there is a form available to document dog complaints and the form should be made available on the OMHA website.

**3. Towhome Painting -** Janet Sellers moved to create a townhouse painting committee to explore options such as when the townhomes can be painted, old vs. new color schemes, contractor pricing, etc. Motion was seconded by Jacque McMillan, and passed unanimously. The committee currently consists of Janet Sellers, Jacque McMillan, Patti Austin, Patsy Hernandez, and Lynn Astrach. Other homeowners may join the committee if they would like. The painting committee will make non-binding painting recommendations to the OMHA Board.

**4. Bears -** Martha Fredendall mentioned that bears are coming out of hibernation and this should be considered when putting out trash for pickup.

**5. Late Fees & Penalties -** Patrick Raab moved to change the \$25 late fee for past due assessments. He proposed to change the late fee interval from 90 days to 60 days. This would provide an incentive for homeowners to pay their assessments on time and offset administrative costs associated with generating past due notices and demands for payment. Homeowners would now be charged a \$25 late fee if assessments are past due by more than 60 days instead of 90 days. The motion was seconded by Greg Beightel and passed unanimously.

**6. Playground -** Chris Adelman proposed that a new playground be constructed near the tennis courts.

**7. Fire Mitigation -** Lynn Astrach requested that fire mitigation efforts for the subdivision should be revisited.

Jim Austin moved to adjourn, seconded by Patrick Raab and passed unanimously. The meeting was adjourned at 9:20 pm.

Respectfully submitted,

Jeff Sellers  
OMHA Secretary