

**DRAFT**  
**Oak Meadows Homeowners Association**  
**Annual Meeting**  
**April 9, 2008**

The meeting was called to order by David Pendleton at 6:39 p.m.

A quorum was established with 93 proxies or homeowners present.

**Approval of Minutes:** A motion made to approve the minutes by Emil Cima and a second by Beth Moravek. The vote was unanimous.

**Board Nominations** OMHOA Board President, David Pendleton, announced that he would be stepping down. Nominations were then opened to the floor. Chris Adelman thanked him for his many years of service.

Greg Beightel nominated Patsy Hernandez. John Fetzko nominated Chris Adelman. Brian Steele nominated Cliff Colia. Jeff Houpt nominated Martha Fredendall. Brian Steele was nominated by Chris Adelman. George Blocker nominated Greg Beightel. Jim Austin nominated Richard Scranton. Ginger Pendleton nominated Heath Gerstner. Patsy Hernandez nominated Patty Austin. Patty Austin nominated Amy Levinson. Amy Levinson declined the nomination. Andy Teitelman nominated Terry Glasenapp. Terry Glasenapp declined the nomination. Rachesky nominated John Fetzko. Charlie Miller nominated Brent Israel. Brent Israel declined the nomination. Ginger Pendleton nominated Randy Walther.

Jim Fausnaught requested that potential board members share a little of their vision for the future of the homeowners association. All potential candidates responded individually.

Ballots were counted by Amy Levinson and Lynn Astrach.

**Financial Report** David Pendleton gave the financial report. The dues by area did not change. Legal fees totaled \$11,990. This included our fees for the water lawsuit and for miscellaneous legal fees. Property assessments were raised last year from \$23 to \$25 dollars. This kept us in the black this year. Snow removal costs vary from year to year. Our interest income was up because of the establishment of the \$25 late fee. Bookkeeping and accounting fees increased. Some of the cost was offset by Nan Walther. There is a new person at Dalby Wendland since Kathy W. left. Cost for accounting increased from \$125 to \$150. George Blocker wanted to know Nan's fees. It was reported that her hourly rate increased from \$25 to \$50. Greg Beightel wanted to know the amount of the Filing 3 road fund. David Pendleton responded that it was \$15,542. David Pendleton said that the fund had been managed well and we do not need to increase dues.

David Pendleton asked for additional questions from homeowners. He then noted comparisons of expenses to other years. He also noted that the net income dropped this year due to additional bookkeeping expenses. George Blocker asked which fund covered plowing for the overflow parking area, which is covered under the general maintenance fund. Chris Adelman asked if the general assessment carryover was the same as the general fund. David Pendleton noted that insurance costs increased because we have less open space and more homes. This has increased our liability. Jim Fausnaught asked if the landscaping fees were for the new sign at the first entrance. David Pendleton responded that it was for landscaping and berm near the Filing 3 dumpster. It was also used for beautification near the town homes in South and North Meadowview Courts. Patsy Hernandez asked where landscaping took in

South and North Meadowview Courts. David Pendleton responded that in was in the center of the cul-de-sacs and around the mailboxes.

A motion was made to accept the financial report by Patsy Hernandez and seconded by Richard Scranton. The vote was unanimous.

**OMSCO** The OMSCO report was presented by David Pendleton. The lawsuit was dismissed from District Court and re-filed in Water Court. David remarked that this was a frivolous lawsuit and expected it to be slower. He noted that the courts had more important issues and that he expected the suit to drag on for two to three more years. He also noted that they tried mediation with Filing 2 and that Filing 2 didn't like mediation. Rachesky asked if the \$50,000 limit was still in affect for the lawsuit and David responded that it did.

Les Schaub asked why the web-site was leaving. David noted that Ralph Delaney was resigning from the OMSCO board. Pitkin Iron Ore owned the domain name. By Colorado law the homeowners association is required to have a web-site.

John Reeves also submitted his resignation from the OMSCO board. David Pendleton read John Reeves' letter aloud. John will continue to maintain augmentation ponds for the 4-mile well which Pitkin Iron Ore owns the rights to.

George Blocker wanted to know if new board members would be appointed to the OMSCO board. Ginger Pendleton wanted to know if we needed a new venue for OMSCO meetings. Blocker wanted to know when the next OMSCO meeting was.

### **Old Business**

Building a playground was brought up by Chris Adelman. He noted that a location has not been found although near the tennis and basketball courts seemed most appropriate. He expected the cost of the equipment to be under \$20,000 not including site preparation. He asked for volunteers to share time, resources and any special skills they might have. Fausnaught asked if that would require additional insurance for liabilities and indemnification. Richard Scranton noted that there used to be a swing set in that area. Brent Israel noted that a lot now butts up against the court area. George Blocker proposed that a committee be formed to research insurance costs, suitable sites and equipment costs. Brian Steele asked about the status of the playground web-site and email. Chris Adelman noted that he had been too busy to maintain it. Greg Beightel asked about the time frame of the project and wondered if it had been included in the budget for this year. Chris Adelman responded to a question on the approval process for spending of homeowner's money.

David Pendleton noted that the cracks will be repaired in the tennis courts this spring.

### **Election Results**

Elected to the OMHOA were Patsy Hernandez, Chris Adelman, Cliff Colia, Martha Fredendall, Brian Steele, Greg Beightel, Richard Scranton, Patty Austin and John Fetzko.

### **New Business**

Chris Adelman brought up the walking trails being in the plat. Brent Israel noted that the original development included trails. David Pendleton noted that Michael Guierra, who serves on the Architectural Control Committee, has worked on it from time-to-time. Charlie Hill noted that he thought the developer had set aside money for the development of a trail system.

Patsy Hernandez wondered about the status of the dog excretion stations on Old Midland. David Pendleton noted that the expense had been approved at the last board meeting. Wendy Harrison and Chris Adelman agreed to install them at a previous board meeting.

Sarah Murphy requested a spring cleanup day. This was referred to the social secretary.

Tim Gay inquired about the status of the waiting list for the parking area. Chris Adelman noted that new regulations had been drafted, but he wasn't sure if they had been formally adopted. He offered to check into that. Andy Teitleman wondered if we could plot it better. Cliff Colia explained that the board had spent between four to six months cleaning and measuring the area. David Pendleton noted that a significant amount of room was needed for plowing and a turning radius. Jennifer Gerstner maintains the wait list and also noted that many vehicles that are in the lot are not registered. Removing unregistered items becomes a legal issue and can take between sixty to ninety days to complete when working with the police department. Glenn Underhill inquired if there was room for expansion of the parking area. The lock on the gate also caused some gentle discussion. Cliff Colia, Richard Scranton and Jennifer Gerstner will continue to work on the parking area issues.

Jim Fausnaught inquired about the process to release damage deposit money for new construction. He also noted that the construction on Beaver Court is causing damage and excessive mud buildup. David Pendleton explained that the ACC checked the sight before any deposits were returned. Chris Adelman noted that a special assessment is possible for additional damages. He also noted that the roads are not solid. In addition the lots are tight on Beaver Court and some tolerance is necessary.

Greg Beightel wondered about the ownership of the "teardrop parcel" off of upper Sun King Road. After much discussion, it was determined that it is unknown who owns the land.

Rachefsky wondered how the board was going to address the web-site issues. Chris Adelman offered to talk to Ralph Delaney regarding acquiring the URL.

Sarah Murphy inquired about the status of painting of the town homes. David Pendleton noted that painting will commence as soon as the weather is clear. On or near May 1, three color samples will be painted on the fence near Jim and Patty Austin's fence. One color will be chosen. Chris Lehrman question how the color was chosen and what happened with the survey of town home owners regarding the color. Pendleton noted that keeping the same color minimized the cost.

Terry Glasenapp wanted to know who he could discuss his snowplowing bill with. It was noted that Nan Walther is no longer doing the billing for OMHOA. All financials have been turned over to Dalby Wendland and Company.

Charlie Miller wanted us to please make a big issue out of our trail system. He noted that there is a lot to consider such as tread and water bars. He offered to help with this project.

Terry Glasenapp thanked all of the board members for their service.

A motion was made for adjournment by Chris Adelman and seconded by Cliff Colia.

Respectfully submitted,  
Martha Fredendall  
Acting Secretary