

Victoria Village at Colorado Springs HOA, Inc.
Board of Directors Meeting Minutes
July 15, 2008

The Victoria Village HOA Board of Directors meeting was held at the Knights of Columbus hall on July 15, 2008. Board President, John Smith, called the meeting to order at 7:25 p.m. (The meeting was delayed because the Knights of Columbus representative didn't arrive to unlock the building until 7:20 p.m.) In attendance were John Smith (President), Betty Johnson (Secretary), Iwan Biereichel (Director at Large), Sydne Ebel (Director at Large), Lenore Morales (Director at Large), and Kerry Cantrell (Z&R Property Management). Rick Poole (Vice President) and Frank LoBosco (Treasurer) were absent.

Open Forum

John announced that the open forum will be limited to 15 minutes. He also stated that only recordings made by the Board of Directors will be acknowledged and used if needed to clarify meeting minutes. The written minutes of the meeting are the only official record.

An owner (3418) asked where the additional pages listed on the meeting agenda are. Kerry said the pages are in the packet distributed only to the Board of Directors because of confidential information contained in the packet; the agenda is available to meeting attendees so they can see the topics to be discussed. This owner also stated the split-rail fence in his back yard is deteriorating. John said he is already aware of the problem and is working on getting it fixed.

An owner (3502) asked about the cost of the full fence repair. Kerry reported this cost \$5,610. She also asked about the bad debt amount listed in the budget comparison on the June financials. Kerry said this is the amount that Frank, the Board treasurer, instructed him to write off.

An owner (3316) asked about mudjacking, curb repair, and handrails. These topics are on the agenda to be discussed later in the meeting. She also asked about the status of bushes. Kerry plans to walk through the property this Thursday to determine which bushes to remove and which to trim.

Meeting minutes

The June 17, 2008 minutes were read and corrected as follows:

- The yard sale days and dates listed on page 2 should read "Saturday and Sunday, July 19 and 20."

Motion made by John Smith (seconded by Betty Johnson) to accept the June 2008 meeting minutes with the correction listed above. **Vote:** All voted in favor of this motion except Sydne Ebel and Lenore Morales (both abstained).

President's report

Bush trimming is scheduled for this Friday and Saturday, but this will conflict with the yard sale on Saturday. Kerry will contact the landscape company about rescheduling. **Motion** made by Sydne Ebel (seconded by Iwan Biereichel) to authorize Kerry to instruct the landscape company to do all the bush trimming this Friday if possible or to do the trimming on 2 consecutive days except this coming Saturday and Sunday if the trimming can't be completed on Friday. **Vote:** Motion passed unanimously.

Finance report

John presented a brief finance report on behalf of Frank. There were some write-offs in June. Kerry confirmed that the June write-offs had been incurred earlier. The charges for pest control were to deal with a beehive under a porch and with ants chewing siding and entering a house. **Motion** made by John Smith (seconded by Iwan Biereichel) to accept the financial report as submitted. **Vote:** Motion passed unanimously.

Manager's report

Legal update: Betty had numerous questions about various cases that are in different stages in the legal process and wants more information to better understand the process. Kerry will contact Orton Cavanagh Richmond & Holmes for more information regarding the following:

- p. 11 (3321): Why did we receive so much (\$3901 instead of the usual \$800-900)?
- p. 12 (3453, 6/16 entry): How will the lender "bring the account current"? Kerry said by possibly adding the amount due onto the loan for payoff.
- p. 13 (3347): When a lien is assigned, what portion of the amount do we actually receive?
- p. 14 (3455, 5/15 entry): Shows that homeowner filed bankruptcy in Jan. 2007. If the owner has not been paying Victoria Village HOA dues since then, a demand letter should have been filed long ago.
- p. 14 (3439, 3/3 entry): Is it normal to take this long for a default judgment to be granted?
- p. 17 (3318, 6/30 entry): Demand letter was returned ("unable to forward"), but owner is listed as Secretary of Veterans Affairs, so why can't a valid address be located?
- p. 18 (3635, 7/2 entry): We get superlien regardless of filing if there is a foreclosure.
- p. 20 (3539): has actually been in the legal process since 2006.

Betty also had questions about whether we can start foreclosure proceedings if an owner is behind in paying Victoria Village HOA dues but isn't behind in paying the mortgage. She also asked whether we can force a lender to pay HOA dues. Kerry asked her to draft these questions in an email that he can forward to Annette at OCRH.

Curb repair and handrail bids

- Rocky Mountain Concrete bid only on concrete curb repair (pp. 22-24).
- Holladay Grace bid on both the concrete curb repair and the handrails (pp. 26-30).
- CM Robinson bid only on the handrails (pp. 32-34).

Discussion of curb repair: The garbage truck often runs over the corner of curbs and damages them. Could the corners be moved in about 2 ft. or sloped to reduce damage? If we can prove (by photographs or film) that the garbage truck is damaging the curbs, can we ask the garbage company to take responsibility for (or at least share) the cost of repairing the curbs? The bids are

difficult to compare, because they address different locations. Iwan and Kerry recommend using Holladay Grace for the curb repair because of their previous experience with the company on roofing. Kerry will ask Roger Grace to come on Thursday and walk through the property to identify specific curbs to be repaired or possibly “shortened.” **Motion** made by Iwan Biereichel (seconded by Betty Johnson) to accept Holladay Grace’s bid for concrete curb repair and miscellaneous concrete repair. **Vote:** Motion passed unanimously.

Discussion of handrail repair: The bids again list different addresses, so it’s difficult to compare bids. If we go with Holladay Grace for both the concrete repair and handrail repair, we may be able to ask them for their “best offer” and get some sort of discount from the bids. **Motion** made by John Smith (seconded by Lenore Morales) to accept Holladay Grace’s bid for handrail repair, subject to negotiation at this Thursday’s walk-through. **Vote:** Motion passed unanimously.

Mudjacking: Kerry received an estimate from A-1 for \$1,800. He requested a 2nd bid from Summit Concrete Leveling but has not received their bid. Kerry has used A-1 before and is satisfied with their work. The owner of 3316 asked whether we’ve considered replacing concrete instead of mudjacking. Betty explained that mudjacking is concrete repair “from the bottom up.” **Motion** made by Iwan Biereichel (seconded by John Smith) to accept A-1’s bid for mudjacking unless Summit’s bid is at least 10% (\$180) lower. **Vote:** Motion passed unanimously.

Pool heater (pp. 37-38): Pool heater was leaking but has been repaired.

Miscellaneous discussion:

- Various back patios are filled with junk and look unsightly. Iwan, Lenore, and Kerry will walk the property to survey the patios and will notify owners. One of these is 3534, but we’ve learned that the owner is deceased. We have to hold a hearing before we can fine, so we need to find out who the executor of the estate is and asses any fine to the estate. The current residents have no written lease.
- Problem with dog at 3420 destroying lawn: According to our Rules and Regulations, it is the responsibility of the pet owner to replace any lawn damaged by the owner’s dog. John recommends repairing the lawn and billing the owner.

The meeting was adjourned at 9:15 p.m. The next meeting will be held August 19, 2008.

Submitted by Betty Johnson, Secretary, and Sydne Ebel, Director at Large.