

Victoria Village at Colorado Springs HOA, Inc.
Board of Directors Meeting Minutes
May 20, 2008

The Victoria Village HOA Board of Directors meeting was held at the Knights of Columbus hall on May 20, 2008. Board President, John Smith, called the meeting to order at 7:02 p.m. In attendance were John Smith (President), Rick Poole (Vice President), Frank LoBosco (Treasurer), Sydne Ebel (Director at Large), Lenore Morales (Director at Large), and Kerry Cantrell (Z&R Property Management). Betty Johnson (Secretary) and Iwan Biereichel (Director at Large) were absent.

Open Forum

An owner asked if there are any restrictions on sound or noise during daytime hours. This owner and another owner in attendance reported ongoing noise problems with the owner/resident between them during both daytime and “quiet” hours. The Board responded that there are no daytime sound restrictions, but sound/noise should not be a nuisance to neighbors at any hour. Z&R has already sent one letter to the owner/resident creating the noise, but each infraction has its own protocol. The Board asked the owners raising the question to send a complaint in writing to Z&R so that Z&R can follow up either with a 2nd letter on the previous complaint (which may lead to a hearing if the complaint is not resolved within 10 days) or with an initial letter if this is a new complaint.

Another owner (3349) raised several questions and comments:

- Why is there yellow “caution” tape on the back fence? The Board responded that this was done by a contractor who has given an estimate on repairing the fence in order to mark problem spots on the fence.
- If dogs are ruining grass in certain areas, who is responsible to fix the grass? The Board responded that if it can be identified whose dog is ruining the grass, and that the damage is being caused only by that dog, then the owner would be responsible to fix the grass in that area. The owner raising this question provided photographs of several units where grass has been ruined. The Board commented that there are certain areas in Victoria Village where shade is actually causing lawn damage.
- There is an excessive amount of items being stored on the back patio of 3534. The Board and Z&R are aware of this. Z&R has sent letters to the owner and learned that the owner passed away 3/31/08. The executor of the estate is attending to storage on the back patio.
- If an owner is in arrears on HOA fees or in foreclosure, will the owner be allowed to use the pool? The Board responded that the owner should not be allowed to use the pool but that it’s difficult to enforce this since the owner in arrears/foreclosure could enter the pool area with a neighbor. The Board will ask Iwan to see if a card key can be “turned off” to try to limit pool entry.

Another owner (3502) asked two questions:

- Has Mountain High started spraying trees? Kerry responded that they won’t start spraying until June, but he will ask Mountain High to look specifically at the trees in this owner’s area earlier and to spray if necessary to avoid damage to the trees.

- Has the bad debt (\$2,267.32) on the April 2008 cash flow statement been written off? Frank responded that this amount has been written off. We have received the superlien and this is all we'll get, so we've turned over the balance to collections.

Meeting minutes

The April 2008 minutes were read and corrected as follows:

- The March 2008 minutes were read and approved, in addition to the February 2008 minutes.
- The information from the Van Guilder representative should be renumbered 1 through 5. Number 3 is missing in the minutes as submitted. The Board said this was a misnumbering, not an omission of information.
- In the Finances section, correct the spelling in the third item to read "...**assess** risk of problems of trees..."

Motion made by Frank LoBosco (seconded by Rick Poole) to accept the April 2008 meeting minutes with the corrections listed above. **Vote:** All voted in favor of this motion except Sydne Ebel (abstained).

President's report

1. **Watering:** Certain sections of lawn in John's area are not getting watered, because the sprinklers in those sections are not coming on. Kerry has reported this to All American. If the Board sees or hears of watering problems, report them to All American but keep Kerry informed.
2. **Yard sale:** John suggested having the annual yard sale on Sat. 7/19/08, but the Board agreed to hold the sale for 2 days (7/19-7/20). **Action items:**
 - Advertise the yard sale (the Board will decide at the 6/17/08 meeting where and how to advertise).
 - Order a 30-yard dumpster to be on site for one week starting 7/18/08 (Kerry will order this).
 - Print and distribute a flyer to owners/residents (Lenore will prepare this around 7/1, Rick will have it printed, then Lenore will distribute the flyer).
3. **Flower beds by Victoria Village sign:** The flower beds need attention. Lenore reported that Iwan and Sandy plan to plant flowers this week.
4. **Request by 3407 to replace sliding glass door with French doors:** The owner submitted a picture of the proposed replacement doors. The architectural review committee (Rick, Iwan, Ray Murray, Sheila Downing) should look at the proposed doors and the replacement plans (e.g., be sure the new doors would fit in the existing dimensions, etc.) and give a recommendation to the Board by the 6/17/08 meeting.
5. **Mudjacking:** This is the best time of year for mudjacking to be done. Lenore, Iwan, and Sheila Downing were to identify areas that need mudjacking. The owner of 3316 was in attendance and reported that the walkway near her unit needs mudjacking. Areas that need mudjacking should be identified and bids obtained before the 6/17/08 meeting.
 - **Motion** made by Frank LoBosco (seconded by Rick Poole) to authorize Kerry to go ahead with mudjacking after problem areas are identified and at least 2 bids are received as long as the cost does not exceed \$1,000. **Vote:** Motion passed unanimously.

Amendment wording

Pages 1-4 of the May meeting packet contain a revised letter to owners and proposed amendment. The only change from the previous letter is shown in **boldface** at the end of paragraph 3.

Discussion: In paragraph 2 of the letter, change the wording from “1-2 feet” to “several feet.” In the last sentence of paragraph 3 of the letter, replace “the presiding Board” with “the Association” and add “as determined by the Board” after “extenuating circumstances” at the end of this sentence. The concrete slab belongs to the owner, but where does the measurement of the proposed deck begin: at the back door of the unit or at the far edge of the concrete slab? Lenore suggested measuring existing decks so that the Board has an informed point of reference. She volunteered to do this and will start the measurement at the unit’s back door since concrete slabs aren’t necessarily all the same size. Frank commented that he doesn’t think “grandfathering” applies to common areas, so the Board will need to decide what to do if there are larger decks already in place. The Board discussed the possibility of setting a few allowable deck designs for owners to choose from. Owners would still have to submit specific plans to be reviewed by the architectural review committee. The Board’s goal is to finalize the wording for the letter and amendment by the June meeting, taking the size of existing decks into consideration. When a new letter and amendment are mailed to owners, the Board should consider instructing owners to disregard the letter and amendment sent previously.

Finance report

Frank reviewed total operating cash, reserve cash, and accounts receivable. He commented that the April 2008 net cash flow was negative, due primarily to the quarterly insurance payment.

Frank reported that he is working with Kerry to “ladder” the reserve CDs in order to maximize interest on CDs but still keep cash available for large expenses.

Frank would like to close the Wachovia account since it is not being closely monitored and move it to Citadel CDs.

- **Motion** made by John Smith (seconded by Sydne Ebel) to authorize Frank to close the Wachovia account and to move the funds from that account to Citadel CDs. **Vote:** Motion passed unanimously.

Manager’s report

Foundation leak: Kerry reported that 3512 has had a foundation leak in the basement each spring before the sprinklers are turned on for the past 2-3 years. The carpet has been damaged and needs to be replaced. Reconstruction experts couldn’t find the cause of the leak, so Kerry wants to hire a structural engineer to evaluate the cause of the leak before replacing the carpet since repair costs will be paid by the Association. Kerry estimates it will cost \$300-\$700 for an inspection and report. The Board approved Kerry’s plan.

Dummy security cameras: Kerry reported on several options for dummy security cameras and related signage. Several questions were raised: How many cameras and/or signs would be needed? Who would install them and where? Who would maintain the battery-operated cameras?

Would there be a liability issue if there were some sort of security incident and the signage wasn't true and there was no security camera tape? Kerry will check with the police department, the insurance company, or the HOA attorneys regarding possible liability.

Legal update: There were no questions concerning the legal update, however John wondered why foreclosure proceedings are still going on for 3539. He said he had expected this situation to be concluded by now.

Fence repair: Kerry requested several bids on 5/9/08 for fence repairs but has received only one bid (from CM Robinson Contracting) so far. Both Kerry and John have had good experience with Chris Robinson and his work. Lenore asked if homeowners on the other side of the fence are partially responsible for maintaining the fence.

- **Motion** made by Frank LoBosco (seconded by Rick Poole) to accept the bid from CM Robinson Contracting for fence repair unless other bids are received by Friday 5/23/08. If other bids are received by that date, Kerry will contact the Board by phone and email concerning the additional bid(s). **Vote:** Motion passed unanimously.

Narrow parking space: After the seal-coating was done last summer, the restriping of the parking spaces created too narrow a space for 3407. The owner has requested resolution in writing from the Board. Iwan was to follow up on this. Rick said he will call the striping company.

The meeting was adjourned at 8:45 p.m. The next meeting will be held June 17, 2008.

Submitted by Sydne Ebel