

*West Fork Village
HOA Board Meeting Minutes
May 16, 2013*

Roll: Board Members Present: Dylan Reed—President
Jamison R. Walsh—Vice President
Bryan Lee—Treasurer
Cathy Bohannon—Secretary
Steve Hooton—Voting Member

Travis Ryan—On-Site Manager

Bruce J. Lichtenberger, CPA

Others Present: Staci Emmons, DJ Emmons, Donna Cheek, Rodney Cheek, and Tara Massey

Financial Report for 2012—Bruce J. Lichtenberger, CPA:

Our accountant, Bruce Lichtenberger, distributed a summary of our financial information from January through December of 2012, financial information from January through March of 2013 and tax returns for 2011 and 2012.

2012 Summaries follow:

Total Liabilities and Equity: \$448,435.75
Total Income: \$328,294.66
Total Expenses: \$296,912.31
Net Income for 2012: \$31,382.35
Cash at the end of Period: \$290,631.72—This is a trend we are trying to maintain.

2013 Summaries to Date:

Total Liabilities and Equity: \$468,848.40
Total Income: \$83,209.16
Total Expenses: \$58,189.90
Net Income: \$25,019.26
Cash at the end of Period: \$317,991.28

Bruce used last year's actual expenses as the projected budget for this year.

Cash has increased to \$31,815.37 in the first three months of this year.

DJ Emmons: What is a good cushion for our HOA?

Dylan: *He believes the State wants us to have a cushion on hand to cover major repairs.*

Jamison: *He believes we should never have less than \$250,000 in cash reserves.*

Dylan: *This should be added to our July agenda for discussion at our annual meeting.*

Travis: *Can Bruce do our payroll?*

Dylan/Bruce: *Yes, he will take care of it.*

West Fork Village Minutes, May 16, 2013, Page 2

2011 Tax Return:

Bruce stated that 90% of our repairs are tax exempt.
Non-member rentals are taxable.

Total exempt function income: \$327,967

Total expenditures made for purposes described in 90% expenditure test: \$299,821

Association's total expenditures for the tax year: \$304,885

Total taxes paid in 2011: \$260 (30% of the taxable income)

2012 Tax Return:

Total exempt function income: \$334,544

Total expenditures made for purposes described in 90% expenditure test: \$291,144

Association's total expenditure for the tax year: \$296,912

Total taxes paid in 2012: \$114 (30% of taxable income)

Minutes for March 21, 2013:

There being no corrections to the March 21, 2013 minutes, they were approved as submitted.

Open Discussion:

Donna Cheek: Requesting their tenant, Tara Massey, be permitted to place a satellite dish on the roof because her balcony is on the north side of building 15 and the dish will not receive a clear signal on the balcony.

Tara Massey: She is the renter referred to in Donna Cheek's unit.

Travis: *The law states that tenants/residents may not place personal, individual satellite dishes on common elements of the Association of which the roof is included as a common element.*

Dylan: *Cardinal Broadband owns the rights and the wiring for Direct TV and the internet. We need to establish consistent rules as to where personal dishes may be placed on the building. Anyone wanting to place his/her own satellite dish on the roof must receive the approval of the Board. This discussion will continue as Cardinal Broadband is on the agenda under "New Business."*

Dylan: *The temporary resolution to this problem is as follows: You, Donna and Rodney Cheek, and your tenant, Tara Massey, are granted temporary permission to attach a satellite dish to the north-west corner of building 15 (where you previously attached it). Once the Board finds a viable solution will ask you to remove the dish and to repair all damages caused by installing the dish at your expense.*

Reports:

A. Owner/Non-Owner Ratio—86/94

We are still waiting for the FHA requirement to change negating any concern over the ratio between owners to renters.

B. Unpaid Charge Summary--\$6,795.95

Travis: *The first one (\$2,820) has been sent to collections since Lisa (our attorney) has not been able to reach the person to discuss the issue. The second one (\$1,554.84) has been playing phone tag with Lisa to negotiate a payment plan.*

Dylan: *It's not enough that the second person is trying to negotiate a meager payment plan. Go to court on both and request a "delayed judgment." If the amount owed is paid in full within a set deadline, the judgment will go away.*

DJ: Would it make sense to quit paying the lawyer and put a lien on the property?

Dylan: *No, because if the owner is foreclosed on, we would receive only 6 months of what is owed; this way we could receive the entire amount should that occur.*

Jamison/Dylan: *Just go to court, if the owners sell, we'll get our money.*

Dylan: *Create a form for a payment plan enabling us to work with individuals having problems. This form should require payment in full within three months; after that, we go to court.*

C. Accounts Payable Report—April through May 16, 2013

The total is \$58,046.14.

Travis: *Six decks are finished, there are ten remaining. Buildings 14 and 15 haven't been checked yet.*

Waste Management—Send a bid to three vendors including Waste Management. We pay for and receive new trash bins every year. If you notice a problem with any of the bins, contact

D. Pending and Resolved Complaints & Other Issues

1. Excessive noise---Bodwell's—The tenants are moving out for the summer, but will return in the fall.
2. The peace sign has been removed from the deck of unit 311.
3. Unit 1506—The garage has been cleaned out.
4. See #1 above.
5. Unit 910—The deck has been cleaned.
6. Unit 908—James Pest Control has administered poison in the attic twice. Since access has been denied to unit, tenant was told that if the problem persists, tenant will be billed for pest control to be re-administered for the entire building.
7. See #1.
8. Unit 1209—Unregistered dog and dogs off leash—Travis will send a second letter indicating that the tenants will not have access to the club house until the second dog is registered.
9. Unit 1009—Letter has been sent regarding cleaning up the deck, we've received a reply letter from her lawyer who will be looking into the CC&R. Builder Bob will be working on the deck next week.
10. Unit 410—received money for damages to sign post.
11. Unit 1108—Damage to deck from charcoal grill—the deck has been sealed.
12. Unit 402—Baby gates—not resolved.
13. Building 9—Letters to owners regarding mouse problem. Checked all units with the exception of 910. Letter sent to the owner of 910 was returned and problem is unresolved until we can access unit 910 to inspect for mice and administer poison.
14. Building 15—Parking in rock bed—second time they were parked in the rock bed, a warning regarding the vehicle being towed and a ticket were submitted.
Jamison: *Post signs regarding towing vehicles in violation of parking regulations—include the telephone # of the towing company on the sign..*
Dylan: *Contact the towing company first to be sure we have the facts straight.*
15. Unit 1404—Man appeared naked in the club house. DA refused to Travis filing charges. Our attorney has send letters to owner and tenant. Removed access to the club house—will not regain access until he meets with the Board regarding the issue.
16. Building 15—Dog complaint—letter sent indicating I need more details and proof; e.g., what the dog(s) look like and time of violation.

West Fork Village Minutes, May 16, 2013, Page 4

Surrounding fields have not always been maintained appropriately. Continue to complain to the City of Greeley whenever problem persists.

- E. Deck Repair Summary—see letter C above.
- F. Pool Opening Day—Saturday, May 25.
Post pool rules around in multiple places, also include a large sign around the pool with the rules.
- G. Update on SB 100 Compliance—we should hear from our lawyer by May 23.
- H. Update on Association's Audit—Checking on possibilities. A quarterly report must be provided—the full nine years of our existence will cost ~ \$13,000 (this will be required in order to be fully compliant with SB 100). Add this to our agenda for the annual meeting in July.

Old Business:

- A. 2013 Budget—can Bruce do this? Bryan and Travis will meet and tweak last year's actual report and create this year's budget.
- B. Revision of Club House Rules—have not been changed since draft copy was submitted. They will be posted by the time the pool opens.

New Business:

- A. BBQ Grills on Decks—City Code, Insurance Policy, and Problems
The Greeley Fire Department has submitted new regulations on propane tanks and BBQ grills. These changes will hinder the legal use of grills on any of the decks/patios. While at the current time, our insurance policy covers the use of grills, it is anticipated that this will change with the new regulations coming out. Also submitted were pictures of damage done to a deck with a charcoal grill. These new regulations will be sent to all owners and addressed at the annual meeting—NO EXCEPTIONS!
- B. Cardinal Broadband
Cathy: Several problems exist with their service policy—they service Greeley two afternoons a week—Tuesday and Thursday. What is their history and is there a way to get rid of them?
Dylan: As was stated earlier, they own the wiring for West Fork Village, Mountain View and Pinnacle.
Following much discussion, DJ volunteered to call and talk with John Bartlett from Cardinal Broadband to see what it will take to get rid of them.
- C. Baby Gates
Cathy: Is the use of stand-alone baby gates banned on the ground-level patios? There are several circumstances in which they could be a solution to several problems. With heavy, blowing snow, it can be dangerous to take your pet out front when there is one or more steps to contend with. Those with young children could use them to let their children play in a safer environment than their driveway.
Dylan: Not everyone will be responsible and take them down after each use. In some cases they will be left up 24/7 which negates their "temporary" status. Responsible usage should not create a problem.

Private Meeting with the Board—Donna Cheek did not feel their meeting needed to be private so this issue was addressed earlier in the meeting.

Next Board Meetings:

July 18, 2013, 6:30 pm; September 19, 2013, 6:30 pm; November 21, 2013, 6:30 pm.

***Jamison:** We need to meet before the annual meeting to set the agenda, decide how we are going to deal with elections of officers, etc.*

Discussion ensued. The following topics will be included on the agenda for the annual meeting:
HOA selling garages vs. renting them; cost of an audit; volleyball court/playground;
Cardinal Broadband; SB 100

We may want to consider moving the annual meeting to a Saturday (we cannot do that this year). Invoke parliamentary procedure this year—if someone wants to speak at the meeting, they must be on the agenda.

Mail a copy of these minutes with the annual meeting notification, proxy for owners, request for adding agenda items to the agenda, and the new fire code regarding BBQ grills.

Special Meeting: June 20, 2013, 6:30 pm

Respectfully submitted,

Cathy Bohannon