

# Wissler Ranch Annual Meeting

January 23, 2008

## Attendees:

**Board members:** Beth Gannon, Brian Sells, Brian Freese, Charlie Gage, Rod Malloy

**Residents:** Joe Mentek, Kathleen McCormick, Sandi Maurer, Pete Popp, Teresa Barnes, Kathleen Mc Cormick

1. Call to order/Welcome – 7:25 pm
2. Review/approve minutes from Nov. 2007 meeting – Minutes were not available. November's and January's minutes will be reviewed at the next meeting.
3. Treasurer's report – Treasurer was absent.
4. Committee Reports
  - a. Landscape & Maintenance (per presentation)
    - i. Bob Lindow is working on quotes for common area improvements and cleanup
    - ii. Beth is working on a grant from the Forestry Service
    - iii. Well report:
      1. The only well permit available for the common is commercial-only, not for irrigation
      2. Irrigation is limited by covenants to 1500 sq. ft.
      3. Paperwork involved will take nearly two years and be a long process.
      4. Cost will be much greater than for a residential well.
      5. Not feasible to do in 2008 and perhaps not in 2009.
    - iv. Water usage:
      1. All available water readings were submitted to the Denver Water Board.
      2. One reading is unavailable. House is for sale; Brian S (???) will contact the realtor.
      3. Beth drafted a fine notification letter.
        - a. Fine amount is noted.
        - b. 10K gallon grace limit (132K gallons allowed before fines are imposed.).

4. Rod Malloy inherited a water overuse problem because reading was not taken when he purchased his home.
5. Title company should read all meters and reconcile outstanding utility bills before house closing.
6. Wissler HOA was not contacted to take readings before Rod's house closed.
7. How can title companies contact HOA's to obtain meter readings? Phone numbers, email addresses should be on website.

**b. Covenants**

- i. Joe Mentek to draft a covenant violation letter
- ii. Covenant letter contents:
  1. State problem (with photos) and quote covenant violation.
  2. Expect acknowledgement of letter.
  3. Give a short but reasonable timeframe to respond.
  4. Give a resolution timeframe.
  5. If resident can't complete in that timeframe, they can come to the HOA with the reason so we have the opportunity to work with them.
  6. If no response to first letter, send a follow-up letter via certified mail. Certified letter will notify resident that an attorney will be notified if there is no response.
  7. Some residents have refused to accept certified mail when they see that it's from Wissler Ranch. FedEx packages have no sender address on it and do require a signature.
- iii. Covenant letter research
  1. Check to see if project or problem was covered by a design review request. Was there a request, an approval, and completion schedule?

**c. Design Review Committee**

- i. Approved one home on Twisted Pine and Lockridge.

**5. Old business**

- a. Website – Work will start on 2/18.
- b. 2007 Budget
  - i. Kathleen McCormick brought up the fact that the 2007 budget was not voted on.

- ii. Per the August (????) minutes, the board acknowledged this at that time and rectified it by immediately holding a budget approval session.

**6. New business**

- a. The Board welcomed Teresa Barnes as our new treasurer. Teresa has prior experience with HOA's and with HOA management companies.
- b. Kathleen McCormick questioned the informal December, 2007, HOA meeting. Were any rules broken by doing this meeting? She presented an excerpt from the Colorado Common Interest Communities and Open Meetings statutes.
  - i. Answers:
    - 1. This was not an official meeting. We wanted to obtain information for the January meeting so that we wouldn't have to take extra time this month getting the data and getting organized for 2008. We have a lot of work to do and we wanted to get an early start.
    - 2. It was a fact gathering session.
      - a. Results of water well studies were given to the board by Nick Dienes and Bob Lindow. These independent but identical results presented in 4.a.iii. of these minutes.
      - b. Some management company literature was given to the board, which was discussed at this meeting.
      - c. Charlie Gage presented compiled results from the November water reading, including individually calculated fines for residents who overused their water allocation. *Only a portion* of that material was discussed at this meeting because it is of a personal nature and, per Section 4e of the Statutes (Unwarranted invasion of personal privacy), was discussed after the residents at the December meeting had left.
    - 3. No minutes were taken.
    - 4. It was open to residents. Some board members were asked about location. We could not get Ray Kilmer, and had to manipulate personal schedules to hold it at a private residence.
    - 5. No decisions were made; no votes were taken; no delegating was done. (Per Section 6 of the Meetings statutes)

- ii. For future meetings: The Wissler Ranch HOA will assess all meetings per these and the rest of the Meeting Statutes and conduct the meeting accordingly. Minutes will be published unless the material discussed mandates privacy. In those cases, non Board members will be excused from the meeting.
  - iii. Thanks to Kathleen for bringing this material to our attention.
- c. Budget notification letter
  - i. Letter was reviewed and will be sent out the first week of February.
- d. Liens on properties
  - i. Liens will be placed on properties of those who owe back dues, including covenant violation fees and water overusage fees.
  - ii. Brian Sells presented literature from an investigation into legal services available to assist HOA's in collecting back payments. Teresa Barnes recommended and will get a second quote for next meeting.
  - iii. The budget may be adjusted for retainer fees or as-call basis legal services, depending on which option is best for Wissler Ranch.
- e. Management group
  - i. The management group literature mentioned earlier was presented. Per year cost is, for this example, \$12K. That works out to about \$90 dues increase per year.
  - ii. Pete discussed the merits and short falls of a management company. He said that the company representative would be happy to come out to talk to us.
  - iii. Can we negotiate a custom services suite?
  - iv. What about addition sheets? (Added costs per services rendered.)
  - v. Rod Malloy was assigned to get quotes and information from two more companies.
- f. Professional to bring to monthly meetings.
  - i. El Paso County Sheriff – Gerry Major will coordinate. We recommended that the visit be close to Summer when the Renaissance Festival is in Larkspur. Suspicion is that peeping tom sightings are linked to their workers camping in the area; we want added patrols during this time to prevent recurrence or catch those responsible.

- ii. Fire marshal – To discuss fire mitigation methods, slash removal benefits. June is a good time.
  - iii. Forest Ranger – To discuss tree health, noxious weeds, beetle problems. June or July
  - iv. Denver Water Commissioner – To discuss tightening water usage policies. Sometime before water reading season. Charlie to coordinate.
  - v. County Commissioner – To discuss general county matters. Anytime is a good.
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- g. Windbreak at the mailbox to prevent wet mail and blowing mail.
  - h. Clean/shovel the area around the mailboxes to prevent injuries.

**7. Meeting Adjourned: M/S: Brian F and Brian S.**