

**Sun Mesa Townhome Owners Association**  
**Thursday, May 7, 2009**  
**General Membership Meeting**  
**Antelope Trails Elementary School**

A. CALL TO ORDER: President Phil Book at 7:00PM

1. Roll Call: Bill Roche, Vice President  
Coleen Abeyta, Secretary  
Al Schwecke, Treasurer absent due to planned travel  
Bob Dyster, Bob Haubrich, and Dale Meeseey Board members at large  
Kerry Cantrell, Z&R Manage Representative

2. Kerry certified the proxies as complete and valid (46 owners present or represented by proxy versus 27 required for quorum).

3. The minutes of the previous General Membership Meeting held on May 14, 2008 had been included in the information package mailed to all Association Members. A motion to accept the minutes as written was made by Roger Browne and seconded by Loren Lorenzen; no objections were voiced so the minutes were declared approved as written.

4. Phil introduced the members of the Board of Directors.

B. REPORTS

1. Financial Report: Kerry Cantrell gave the report due to planned vacation by Al Schwecke.  
As of April 09, the net income for the year was \$9140 and the total assets were \$329,900. At the end of each month we are transferring about \$4,000 to reserves.

Question on what taxes are paid. As an HOA, SMTOA is earning money on the investments, which is taxable.

Question how often do you audit. Each year in early spring an outside firm does an annual review. Copy available on request.

2. Presidents Report: Phil Book, President  
Phil began his report by reiterating that Sun Mesa's financial status was good for 2008 and for 2009 through April. He noted that short-to-intermediate term CD interest rates have declined to 1 to 2 percent over the past year or so, and that we are now realizing a lower return on our reserve accounts. However, due to our conservative investments as required by CCIOA (Colorado Common Interest Ownership Act), we have not experienced any loss of principal in recent turbulent financial circumstances.

Phil then pointed out that our maintenance needs are increasing as our property ages. He cited stucco repair, concrete replacement, and irrigation system maintenance as specific areas that will require more attention in the future.

The President next noted that some of our other expenses are increasing for various reasons. The insurance package, comprised of 5 different policies, with CD (formerly Van Gilder) is expected to increase \$3482 (about 17%) over the 2 years from 2008 to 2010 as a result of increased valuation of the units. He added that irrigation water rates had increased another 10% for 2009, and our total irrigation cost would likely continue to increase unless we reduce the amount of grass we water. Additionally, our landscape maintenance contractor increased his monthly fee by 3% effective 4/1/09. As a result of increasing maintenance needs and rising costs for supplies and contractor services, Phil speculated that dues would most likely need to increase over the \$155/month rate where we have been for 3 years.

As a matter of general interest to Association Members, the President commented on the recent foreclosure sale of unit 12. According to El Paso County public records, the mortgage holder purchased the unit for \$254k. Because of the favorable selling price, Phil added that he expected we would receive Sun Mesa's total lien amount of approximately \$5k. The lien is comprised of unpaid dues, fines and legal fees. In response to a question, Kerry responded that the Management Company had followed all proper collection and legal procedures.

As a follow-up to the 2008 Presidents report, Phil noted that we still need to update our DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF SUN MESA TOWNHOMES to be consistent with recent legislation governing HOAs and to modify obsolete provisions of our current 1993 Declaration. The Colorado Legislature passed bills in 2005, 2006 and 2008 that directly affect CCIOA, which is the overarching statute that governs how HOAs must operate. Roger Browne added that he has been continuing his effort to analyze the deficiencies in our 1993 Declaration and to recommend needed changes, but that the effort has been delayed as a result of family emergencies.

In conclusion, the President reported that Sun Mesa is a member of NEPCO, a coalition of North El Paso County community associations. The broad purpose of NEPCO is to represent the common interests of Home Owners Associations in this region. Bill Roche is Sun Mesa's representative to NEPCO. Additional information about the organization can be obtained from their website, [www.nepco.org](http://www.nepco.org).

## C. NEW BUSINESS

### 1. Election of new Directors (2 open positions)

Frank Chuba was nominated by Dale Meeseey. Frank spoke and introduced himself to the group. The other announced candidates for the open positions were Bob Dyster and Coleen Abeyta. No other nominations were made by attending Association members or

Board members. A motion was made from the floor to cease further nominations and was passed unanimously.

The ballots were collected and counted by Kerry and a group of volunteers from the Association members. The new Board Members for 2009-2010 are Bob Dyster and Frank Chuba.

#### D. ANNOUNCEMENTS

1. There will be a meeting on May 19 regarding the proposed Gleaneagle Golf Course townhome development – location uncertain. Question whether SMTOA has taken a formal position. Not at this time.
2. Question about home building behind or east of Sun Mesa. No building permit has been issued so status quo is likely to continue.
3. Question about the number of Sun Mesa units being rented. Board cannot restrict number without a revision to the Declaration.
4. Question about whether a super lean was filed on the unit 12 foreclosure. Answer yes. Should receive from the mortgage company within the 6 months allotted period. Remaining debt is an obligation to the former owner. Question about why the former owners was allowed to get so far behind. Kerry explained that appropriate foreclosure and collection procedures had been followed and would continue to be followed.

#### E. ADJOURNMENT

Spike Briggs expressed thanks to the Board for the work they have done. A motion for adjournment was made by Mr. Lorenzen, seconded by Ron Anderson, and passed unanimously. The meeting was adjourned about 8 PM upon completion of all business.

Respectfully submitted by  
Coleen Abeyta  
Secretary

