

**SMTOA Board of Directors Meeting Minutes  
July 21, 2009, 5 P.M.**

**I. Call To Order**

**Present:** President Phil Book, Vice-President Frank Chuba, Treasurer Al Schwecke, Secretary Bob Dyster, Bob Haubrich, Dale Meesey, Bill Roche.

**II. Approval of Previous Meeting Minutes (May 7, 2009)**

The minutes of the May 7, 2009 were given a final review. President Phil Book motioned for approval as amended and Bob Haubrich seconded the motion. The minutes received unanimous approval.

**III. Member Issues**

Glenn Magnus briefed the Board that he has been performing bush removal and trimming, tree trimming, rock movement and landscape work in his spare time. He asked if the Association wants him to continue even though we have a landscape company and arborist under contract. He addressed the question ... "what happens if something happens to me" specifically injury, etc. Dale Meesey brought up the liability questions with respect to the Associations responsibility if Glenn is injured. Kerry stated that the HOA liability insurance covers residents and guests. Dale Meesey asked about what our arborist's strategy/contract says about taking care of the SMTOA property. Kerry briefed that the HOA cannot have employees because there is a lack of control with respect to directing or re-directing contractor efforts. Bob Dyster asked Glenn if he had removed any bushes on the property. Glenn stated that he had removed a dead potentilla bush at unit #21. A replacement bush was not planted because Glenn didn't think one was needed. Bob Dyster asked Glenn if he had been paid to do this kind of work by SMTOA residents. Glenn said some residents have paid him. Glenn stated that some residents don't like what is being done by our landscaping and arborist contractors. Bob Dyster reminded Glenn that residents cannot make changes to the landscaping by themselves. We all own the property; the Board or ACC must approve any removals and replacements.

These issues took a lot of time at this meeting. Board may wish to consider limiting resident issues to the first 15 minutes of any meeting.

**IV Property Manager's Report**

Discussed Collection Report for units 12 and 32. We will continue with the attempt to collect the bad debt for the previous owner of unit 12. The concrete pad for unit 122 was examined and it was determined that there was no problem with deck-support integrity. The appearance issue needs to be

re-evaluated in the future when responsibility for this type of LCE maintenance has been clarified.

Phil Book stated that the maple or poplar tree that is leaning towards the neighboring townhome complex is dangerous and needs to be removed quickly. The Board reviewed the ULS quote to remove the affected tree and one other that had been struck by lightning. Frank Chuba moved to approve the proposal, Phil Book seconded and the motion was approved unanimously. The Board next reviewed the Robinson stucco proposal and cost estimate. This proposal was rejected due to lack of details in the proposed work, and cost estimates thought to be too high. The Board then discussed a second proposal for stucco work that had been submitted by APS Porter Lathing and Plastering. A suggestion was made to put this proposal on hold pending further information and a site survey to develop specific work scope. Phil Book motioned to go ahead with this approach, Bob Dyster seconded the motion and it passed, unanimously.

Kerry briefed that the annual backflow test was accomplished; we passed, and the results have been forwarded to Donala Water. Phil passed out copies of the AD&L legal proposal/estimate to review our Bylaws, Articles of Incorporation and Declaration. Kerry expressed a strong preference for a previous similar proposal submitted on 3/23/09 by Orten, Cavanagh, Richmond and Holmes (ORCL). Bob Dyster motioned to proceed with the ORCL proposal at \$1,050 for the review. The review will result in a report identifying recommended revisions and updates to our current governing documents. Al Schwecke seconded the motion and it passed, unanimously.

## **V Treasurer's Report**

We are doing great on the water expenditures, considering the rain amounts we have been getting. Our cash reserves are in good shape and we are getting comparatively good interest rates on our investments. If we wish, we may move the water timer expenses to reserves.

## **VI President's Report**

We have a list of needed concrete repairs and we have the money available to do the repairs. Bob Dyster motioned to approve the expenditure and proceed with Rocky Mountain Concrete to identify the most urgent work and provide a fixed price proposal. The quote will be submitted to the Board for consideration/concurrence. Phil Book seconded and the motion passed, unanimously.

The pipe leak near unit 278 was repaired.

ULS needs to re-stake the new tree near unit 154.

## **VII Vice President's Report**

Frank Chuba briefed that there is a potential for savings with a group buy of replacement windows for those owners needing to replace their windows and a tax credit is possible for replacement windows that improve/reduce energy consumption. Frank will put together a survey for the SMTOA owners to find out if we have enough interest to proceed.

Bill Roche briefed that the next NEPCO Meeting is September 12, 2009 and the guest speaker will be discussing HOA matters.

There being no further business, the meeting was adjourned at approximately 6:00 PM. The next SMTOA Board of Directors meeting will be September 15, 2009 at 4 p.m. at unit 114. The early starting time is intended to provide extra time for the initial briefing by ORCL.