

HIDDEN VALLEY VILLAGE OWNERS ASSOCIATION
Board of Directors Meeting
Minutes

Date of Meeting: Saturday, November 11, 2017

Time: 12:00 or immediately following Executive Session Board Meeting

Location: Hidden Valley Common area room.

Call in information: (515) 604-9024, Access Code 284183#

1. General

Call to order by President Tony Cole 12:21

Roll call. Record Board Members, Present in at Hidden Valley: Tony Cole, Steve Latshaw, Dave Natali, Greg Wheeler, Ruth Wheeler, By phone Randy Balik Management Present Jeff Fulton, Valerie Black owners and guests present Jay Mueller 113, Karen Shore and Jeff Risse unit 8

Approval of Minutes for September 13, 2017 Board of Directors Meeting

Motion: Greg Wheeler approve minutes with corrections.

Second: Dave Natali

Passed: 7-0

Announcements/Orders of the Day: Discussion items in executive session included: Homeowner in arrears, management issues, Operating Rules, parliamentary procedure, attorney fees resulting from homeowner accusations, hijacked website, condo-hotel designation.

Call for recusal: None

Call to change the order of items in the minutes: None

1) Treasurers Report

a) **Financial Report**

FINANCIAL SNAPSHOT FOR MONTH ENDED		74.8%	Into Annual Budget period
September 30, 2017			
-		93.5%	Operating Expense budget spent
Operating Fund	\$96,410	\$319,550	2017 Total Operating Expense Budget
Contingency Fund	\$17,063	\$298,642	YTD Operating Expenses
Replacement Fund	\$228,782	(\$15,430)	YTD OVER budget due to Snow Removal
<u>Total Funds</u>	<u>\$342,255</u>	-4.8%	YTD Over/Annual Operating Budget
			\$63K Emergency Snow Removal Special Assessment
4	Units Past Due for HOA Dues \$320	10.3%	Replacement Expense budget spent
12	Units Pd in Advance for HOA Dues (\$8,614)	\$89,352	2017 Replacement Expense Budget
<u>Past Due Items of Note:</u>		\$9,226	YTD Replacement Expenses
-	\$10 Dues increase effective Jan 2017	\$80,126	YTD Under Replacement Budget Spending
	Special Assessment Pmts DUE Aug-Oct 2017	5.8%	YTD Repl Exp/Annual Replacement Revenue

b) Owners in Arrears. Action to be Taken: Unit 23 is in arrears in the amount of \$273.95. This owner has been consistently in arrears in various amounts since May of 2015

c) Warning Notices and Fines: The owner of unit Unit 23 requested that the association waive late fees. In light of the length of time and extra effort that both the board and the accounting firm have had to exert in the effort to collect dues from the owner and in the interest of consistency the board has denied the request to waive fees. Butner HOA Services will follow through on collection. The new treasurer will need to follow up on turning over to ALS and lien if necessary.

Motion: Dave Natali, Deny the waiver of late fees for Unit 23

Second: Steve Latshaw

Passed 7-0

Motion: Steve Latshaw; Instruct Butner to Submit notice to owner by registered mail to notify owner that his request to waive fees has been declined and that his payment of fees is due in full by Feb. 1, 2018

Second: Greg Wheeler

Passed 7-0

d) 2018 Budget-Will be distributed at the homeowners meeting. No dues increase this year.

e) Bulk Cable pricing/billing for owners who participate in the group program.

There was an increase in bulk cable costs, then through the efforts of Valerie we were able to bundle costs and should have a decrease to \$32/month. The delay in the reflection on the homeowner was a suddenlink error.

Management has corrected this so billing should be accurate on Dec. Bill

2. Standing Committee reports:

a. Newsletter: Tony Cole

i) Communications from homeowners-Nothing to comment on

ii) Items to be covered in next newsletter-annual owners meeting, new board members, upcoming pool resurfacing, architectural change requirements (Flooring) parking, review of winter courtesies (clear off common area walkways).

b. Web Master/communications: Randy Balik

i) Progress with new website

New website is complete. Revised map and logo are still in progress and will be added/updated when ready.

ii) Content of new website

New website contains all current content, including meeting minutes back to 2012. Content will be added as needed moving forward. Randy can update and will train resident managers as well.

iii) **Cost to date of new website:** : \$1,700 to Steve Mitchell for website design, +\$114.95 to Network Solutions for five years of domain name hosting for www.hiddenvalleymammoth.com \$216.00 to Weebly for two years of website hosting. Total cost = \$2030.95 this is \$169.95 under proposed cost budget.

iv) HVV property currently unrecoverable from old website:

In summary, all website content that was created by fellow homeowner Erik Penn in 2014 remains inaccessible. The HVVOA owns that property but Mr. Penn has been unwilling to assist with property recovery without being paid by the HVVOA for his time and services. This led to additional discussion about homeowners who wish to be paid by the HVVOA as contractors or vendors for their expertise, products or services.

Background (substantiated by email documentation in the written record): Fellow homeowner Erik Penn had created the previous website and all of it's content in 2014 including a new logo and a comprehensive map of the HVV complex. Based on original conversations between Mr. Penn and the HVVOA Board back then and the absence of any cost proposal, it was the understanding of the HVVOA Board that this work was being done free of charge as a donation of expertise from a fellow homeowner for the benefit of the entire HVVOA. . Once the website was published, payment was then unexpectedly demanded by Mr. Penn and the HVVOA ended up negotiating a reduced payment (\$1,000), which was paid by the HVVOA, and thus by all fellow homeowners. The website then became inaccessible and inoperable over the summer of 2017. Requests for assistance from Mr. Penn were met with renewed requests for hourly and monthly payment for services, even though the HVVOA had already paid for a list of services and web-based property that was listed on his invoice in November 2014. The HVVOA refused to pay additional money to Mr. Penn and Mr. Penn refused to assist without additional payment. Therefore the HVVOA was not able to recover its website property despite the fact that the HVVOA had already paid for this property. As a result, in September 2017, it was decided that the HVVOA would have to go to additional expense as outlined above to create a new, more user-friendly website, which was constructed without Mr. Penn's help and without any of the property that the HVVOA paid for; all of that property that was created by Mr. Penn in 2014 remains inaccessible.

As a result, in an effort to avoid a similar issue in the future, a new Operating Rule pertaining to homeowners who wish to be a paid vendor/contractor working for the HVVOA was proposed to reduce the possibility of a similar circumstance happening in the future.

Motion: Randy Balik: to add this draft rule created by Randy Balik to the existing list of DRAFT Operating Rules that are currently under development and legal review: Proposed new rule: Any HVV homeowner who wishes to provide services to the HVVOA as a vendor and/or contractor for compensation, monetary or other, must provide a cost proposal to the HVVOA for consideration by the HVVOA Board, just as any other vendor or contractor must do. Such proposal will then require a vote and majority approval by the HVVOA Board before acceptance, and only upon a majority approval can the homeowner provide services and receive compensation.

Second: Tony Cole

Passed: 7-0

v) Ways to encourage homeowner use of the site to make it a community tool

Weather and snow report links were added and have their own page, in the hopes that homeowners will use the HVV website as a resource for that information. The photo gallery that is on the site is a placeholder; Randy Balik intends to add more HVV-specific photos there. One other suggestion for this gallery is to make it a “Homeowners’ Photo Gallery” – each homeowner could submit photos and have their own “section” on the page, making it more of a community photo page

c. Operating Rules: Ruth Wheeler

Cost to date of Rules \$1,343 so far. but more expenses will be incurred.

Operating rules were submitted to attorney. He made many additions and corrections and shared a boilerplate operating rules document. The two sets of rules have been combined and shared with the Board of Directors and management. Suggestions and additions were contributed by Ruth Wheeler, Kim Walters and Steve Black. We now have a very rough draft printed for each board member so that we can begin “cleaning up” the document. This will include adding a few rules that are still needed, proofreading the exact wording of each rule (rewriting in some cases) re-ordering the rules to highlight the most important items.

Participation from all board members is needed. Ruth will volunteer to lead a standing committee in 2018 with the goal of getting the documents back to the attorney in January, then out to the homeowners for the required 30 day review.

Once the rules are adopted an “easy reader” booklet of the rules will be formatted, printed and given to owners to keep in their condo. Owners will also receive an official Operating Rules, Regulations, Policies and Procedures document. The action plan is:

- 1) Clean up rules with input and help from board members and/or a committee of homeowners who represent diverse interests in terms of the use of their property.
- 2) Submit to attorney
- 3) Submit to homeowners
- 4) Adopt Rules
- 5) Produce a Rules booklet for all homeowners in addition to the legal Operating Rules, Regulations, Policies and Procedures.

Due to inaccurate emails that were sent out, owners have varying levels knowledge and concern regarding the operating rules.

The following myths need to be dispelled:

- 1) The Rules put us in a Condo Hotel Category-False
- 2) The Rules are an attempt to outlaw or limit Short term rentals-False
- 3) The Rules are being made up arbitrarily by a vindictive group-False

Truths:

- 1) Operating Rules are established by all Condominium projects as an extension of their Governing Documents. The Board of Directors is responsible for adopting Operating Rules.
- 2) The association’s attorney instructed the board to adopt operating rules after the Articles of Incorporation, Bylaws, and CC&R’s were ratified in 2015
- 3) The Operating Rules are modeled after the traditional rules that Hidden Valley has used over the last 30 years.

- 4) Operating rules are enforced by management. They are designed to promote a culture of common sense and courtesy among homeowners.
- 5) The enforcement of operating rules is non-prejudicial toward investment motivations of homeowners. Whether your condo investment is for the personal enjoyment of a unit for relaxation and family time, or you desire to use your unit for financial gain via renting or reselling, the Operating Rules for short term tenants, long term renters and owner guests are universal.
- 6) Hidden Valley is not a “Condo Hotel” complex. There is a disclaimer on the website that emphasizes that our onsite resident managers are prohibited from taking reservations or engaging in rental activity. The Board and the Hidden Valley attorney are aware of the negative impact that this designation involves. The Rules are carefully written to avoid this designation.

d. Architectural/Landscape and Grounds Maintenance and Improvements: Ruth Wheeler

i) **Follow up on structural engineer report on kitchen posts in units.** Kathy Cage will inspect and report. Management will follow up to get the schedule solidified in Jan.

ii) **Presentation of sewer line inspections (lateral line scoping).** Recommendation for maintenance plan for sewer lines. Still waiting on bid from Mountain Plumbing phased and detailed estimates for sewer laterals work and access additions which was requested in Mid October. Management is directed to get the bid as soon as possible. The board will have to approve this via email. Remaining Budget for the this project approximately \$2,700. Board would like to have the drains that were identified by scoping cleared before snow falls.

iii) **Roof repairs** – Cost was \$8,765

Motion: Ruth Wheeler; approve payment to Freeman for \$8,765 applied to insurance claim

Second: Dave Natali

Passed: 7-0

During the walk around of the complex it came to light that the invoice referenced above had not been reviewed by management for completion of contracted work. Management will release payment upon verification of work completed.

iv) **Insurance claim** follow up \$22,255.31 received. Expenses so far \$14,117.63.

v) **Interior unit repairs due to 2016-17 snow load damage.**-Jeff is making progress and notifying owners prior to starting work in units. Jeff will email each homeowner who is covered under the claim to let them know that their unit will be repaired.

vi) **Fall planting**-trees and manzanita have been planted. Bulbs are an option.

Motion: Ruth Wheeler; Order bulbs, cost not to exceed \$200

Second: Kim Walters

Passed: 7-0

vii) **Architectural change requests from owners:** None. Owners should be reminded that they are required to submit requests to remodel units to management. The Rules committee will be sure rules are set up for remodels.

viii) **Winter preparations:** in addition to items noted in the management report homeowners will need to remove items from common area decks and entry's to facilitate winter snow shoveling. Walkways that need to be cleared will be noted in the walk around and turned over to management for follow through and enforcement of common area rules.

ix) **Report on firewood on tennis courts.** Firewood was sold for \$300

x) **Unit 128 exterior trim unpainted due to remodel last year.** Done

xi) **Chimney repairs due to 2017 storm damage:** No evidence of structural damage as inspected by Boyd Sheplar. Management is to contact Boyd to get invoice and written report for chimney chases.

xii) **Unit 2 and 127 window repair**

Motion: Ruth Wheeler: The association will pay for the replacement of a storm damaged window in unit 2. Cost not to exceed \$300. Owners are required to submit receipts to management for reimbursement. Steve will submit insurance claim

Second: Tony Cole

Passed: Passed 6-1

Motion: Ruth Wheeler: The association will pay for the replacement of a storm damaged window in unit 127. Cost not to exceed \$300. Owners are required to submit receipts to management for reimbursement. Steve will submit insurance claim

Second: Tony Cole

Passed: Passed 6-1

xiii) **Servicing main electric heaters in all manager and owner units.** Cost seemed excessive.

Item tabled until January

e. **TOML Quality of life Ordinance - complaints of non-compliance and nuisance:** Dave Natali

i) Mats on exterior stairs for pets in buildings G and H

Motion: Dave Natali. Leave Stairs as is without mats on the stairs

Second: Ruth Wheeler

Fails 3-3

Motion: Steve Latshaw: Allow matts that cover the entire stair tread designed for exterior use. Allowed with board approval only.

Second: Ruth Wheeler

Passed 4-1-2

5. Old Business

a. Sewer Line maintenance. Covered in Item 2dii

b. Email communications to homeowners: Deferred to next meeting.

d. Water usage: Deferred to next meeting

e. Dead trees on adjacent properties removal-follow up-Management needs to follow up on this

g. Operating Rules- covered in 2c

h. Property management Contract updates-Deferred to next meeting.

i. painting bids for 2018 to complete differed painting projects. Deferred to next meeting

j. Management fee reductions based on absence of Managers onsite for portions of the summer months.

Deferred to next meeting

k. Suddenlink Bulk Cable Costs. Deferred to next meeting

6. Management Reports: See attached.

7. Property Management project/item updates & related property matters

a. Scope of Duties of Managers Deferred to next meeting

b. Spread Sheet for owner information-8 owners are included on the spreadsheet. Management is directed to complete spreadsheet

c. Frontier Communications Invoices review-We are now with suddenlink \$369.55/month It does include an emergency line and the office line.

d. Mountain Plumbing bids for Complex drain maintenance: Management will continue to contact for bid.

e. Interior unit repairs: Jeff is doing interior work and notifying owners. He will email all owners involved to let them know that they have been included in the claim. Then he will notify individual owners when he is ready to do the work for their units.

f. State of the Complex: Truck mileage 87,629, # of rental units 28, rental occ%. Units for sale or sold

8. Email Motions June-Sept

a) Oct. 6, 2017; Motion: Tony Cole; Reimbursement to Greg Stone in the amount of \$1,170 for winter storm damage repairs performed by Boyd Sheplar (receipt submitted by Greg Stone) and covered by the insurance claim to unit 39. Second; Kim Walters. Passed; 6-0-1

b) Oct. 14, 2017; Motion: Randy Balik; spend approximately \$200 on a new domain name and web hosting cost related to the new website. Second; Tony Cole. Passed 6-0-1

c) Oct 29, 2017; Motion: Ruth Wheeler; purchase a new iPhone including an insurance plan and a life proof case at the most reasonable cost available. Second; Steve Latshaw. Failed 5-1 For: R. Wheeler. Against: Dave Natali, Tony Cole, Kim Walters, Randy Balik, Steve Latshaw

d) Nov. 2, 2017; Motion: Tony Cole; That HVVOA purchase an iPhone 6 for \$199.99 plus tax, total cost \$215.49 with the prepaid plan. Per AT&T store manager. Hvv keeping the wexisting plan 1G at \$45 per month plus tax; including purchase of waterproof case (following further price research). Second; Randy Balik. Passed 6-0

9. New Business

a. Cell Phone, WiFi and land line services for Hidden Valley Deferred to next meeting

b. Contracting work with HVV owners/tenants covered in 2b

c. Payment of Legal fees incurred by individual homeowners. Not cost effective

10. Homeowner Forum.

a. Open floor for homeowner comment – 5 minutes per speaker

11. Announcements:

a) Next Board Meeting Date: Nov. 11, 2017 4:00PM or immediately following Annual Homeowners meeting.

12. Adjournment 2:50