

DRAFT MINUTES
BOARD MEETING, HILLCREST VILLAGE
HOMEOWNERS ASSOCIATION
JUNE 16, 2008

Board Members Present: Donna Franz, President; Dave Ruby, Vice-President; Doug Graves, Treasurer; Val Lawton, Secretary; and Stan Gardenswartz, Vice-President. All Officers and Directors were present.

Home Owners and Guests Present: Betty Vean, Pat and Mike Scherer, Doris Craigmile, Sue and Leonard Silverman, Devon and Peter Bowes, Gerry Miller, Margaret Levitt, Mr. Levy (son of Margaret Levitt), Sally Gardenswartz, Bob Hofstader, Joe and Trish Albert, Wendy Ruby, Kim Graves, Linda Hoffman, Mindy Humphrey, and Leonard and Sylvia Litvak

Kim Porter, Esq., Association Attorney and Tracy Mulvihill, Community Manager were also present.

Call to Order: The June Board meeting of the Hillcrest Village Homeowners Association was called to order at 4:30 p.m. by President Donna Franz. Ms. Franz recognized Secretary Val Lawton. Mrs. Lawton stated that a quorum of Officers was present to conduct the necessary business.

Approval of the Minutes: It was moved and seconded to waive reading the minutes of the Annual Meeting of March 11, 2008. The motion carried, and the minutes were approved with no corrections by proclamation.

The Treasurer's Report: Ms. Franz recognized Treasurer Doug Graves. Mr. Graves reported that we are still putting \$1,083 in our reserve fund each month. We are running slightly over our allotted amount for legal services because of advice needed regarding the deck situation. Also, we have had some expenses for engineering reports for the foundation repair in the front of the building and the deck situation, but we anticipate these amounts will be reimbursed when we settle with the insurance company. We are over on HVAC expense due to having to replace parts on the driveway boiler, but we are under on lighting expense. Overall, a good report on financials.

Committee Reports: Betty Vean, Chairperson for the Architectural Review Committee reported that the committee had purchased some new decor items for the hallways and lobby. She went on to report that Keeson has completed the budgeted plantings for the year including replacement of the dead pine on the NW side of the building. Ms. Franz added that the junipers on the South side of the building had been trimmed back to remove the winter burn and Keeson showed her that there was new growth. Eventually these junipers will need to be replaced with more attractive landscaping.

President's Remarks: Donna gave the President's report with the following items:

1. All security codes have been changed in the building;
2. The new elevator security pad has been installed in the garage making it necessary to use a security code to access the upper floors from the garage;
3. There have been some roof repairs done;
4. Window cleaning and resurfacing the front and parking lot side entrances will be held until the decks are completed, simply because of mess and the costs associated with doing a second time.
5. The caller I.D when someone "calls" a homeowner from the outside intercom system has been changed from Landon Ent to Hillcrest Village. This was done through Qwest which operates our intercom phone lines. A couple of people who do not have Qwest service are still showing Landon Ent on their caller I.D. They may have to call their carrier to make the change or manually change the I.D. on their phones.

Donna then turned the meeting over to Kim Porter, our attorney, who gave the following update on the deck situation:

Kim spoke with the attorney for Travelers today (Travelers is the insurance company for the developer, Dick Landon). They have received our engineer's report from Borne Engineering (hired by Hillcrest Village HOA), who inspected the decks and reviewed the proposed plan from the original builders: Dick Landon, York Engineering, Mulhern Group (Architects) and Shaw Construction. Travelers has also received our construction bid from Palace Construction whom we engaged to bid on the proposed plan. Travelers has taken our proposed plans and is having a group of their experts look it over as well. As part of that review, last week there were approximately 15 people who came out here to view several of the decks on the building. These people were attorneys, engineers, and contractors. We believe we are approximately two weeks out for their engineers to look over the suggested repairs, and then another two weeks for their contractors to come up with their assessment of the repairs. Hopefully we will have all the information we need in four weeks, and then we can sit down with all the people involved and come up with a final decision.

Regarding the foundation issue in the front of the building, an engineering report has been submitted to Travelers for repair of this issue.

On both of these items, as soon as everyone can agree on the scope of work and the costs associated with the repairs, we are all ready to move forward and begin repair work.

While we were on this subject, the following questions were asked from the floor, with the responses noted just below:

Has the statute of limitations run out on having the developer or his insurance responsible to make the repairs? No, because our claim was made before the deadline. Since everyone is cooperating, we have not filed a lawsuit.

What is the time line for work to begin? We believe we are a **minimum** of thirty days out. The players must agree on the scope of work before anything begins.

Could we fill up the hole in front temporarily, and then open it up for repair at a later date? No. There is a gap in the foundation because of improper excavation and application of the membrane to keep leaking out of the garage. Also, there is a grading problem with dirt and landscaping. If we fill the hole up, we will leak in the garage. The good news is that there has been no leaking for nearly five months, even if it is a mess out front.

New Business: The following new business was discussed:

1. Tracy Mulvihill reported that two painting and caulking bids have been received, one for \$12,500 and one for \$20,800. She is working on getting more bids. People from the floor suggested that we be sure to include the hand railing in the South stair in this project.
2. Tracy submitted bids for power washing the garage and cleaning the oil stains on the driveway. At Mrs. Mulvihill's recommendation, the Board moved and voted on accepting the Lightning Mobil bid for a cost of \$600.00. A request from the floor was made that Tracy check to see if Lightning Mobil could also power clean the first floor patios at the owners' expense. Tracy will look into this. Someone from the floor said the South outside stairs were in need of cleaning, which is in Keeson's scope of work. It was noted that this had already been done in the last couple of days.
3. We are again working on the issue of recycle. A show of hands was taken as to how many people would actually participate in this program----About 50% raised their hands Tracy and Dave are working on the feasibility and will report to the Board their findings.

Open Forum: Ms. Franz referred to the Sign-In List for opening questions. First on the list was Doris Craigmile, Unit 203. Mrs. Craigmile read from a typed letter to the Board of Directors (this letter is on file with the Secretary). She objects to the tone of the letters that are sent to homeowners when there is a rules violation. She also asked who does the Management Company work for? Ms. Franz responded that it is unfortunate that rules violations notices must be sent. No one likes to hear that they may be doing something wrong. These are typical form letters that have been used in the past and are used in other HOAs as well as ours. They are in accordance with our governing documents. She suggested that Mrs. Craigmile is more than welcome to submit her idea or draft of a violations letter for review by the Board. As to the question of who does the management company work for, Kim Porter responded to that question by saying that the Association

is a legal entity that can only work through the Board of Directors. The Association Attorney and Management Company do not represent any one person. They take their direction from the Board of Directors.

Devon Bowes Unit 109 was next on the list. She mentioned that she noticed the sprinklers are running every day and she believes that this is too much. Tracy will check with Keeson for the watering schedule.

Len Silverman Unit 103 shared that there had been what appears to be paint balls fired at his car when it was parked on the West side of the building. He also said that some hit the side of the building. When we have our power washing done, if there is still evidence of any paint, we will see if it is something they can do.

Jerry Miller Unit 211 reported that she thinks it is too hot in the South end of the second floor hall. For the past two years, we have been trying to conserve on air conditioning expenses and currently we have the setting at the lowest recommended by United Mechanicals. However, we will call them and at their next check make sure that the thermostats are working properly and see if we need to adjust the settings

Joe Albert Unit 212 wanted to know how much we had spent on legal this year: He was told \$3,000, but we expect most of that to be reimbursed by Travelers.

Trish Albert Unit 212 asked if we could trim the junipers on the South side of the building near the stairway to the garage. We are looking in to removing them completely and replacing them with something more appropriate for that location. However, we still need to “hide” the stairway so that we do not have a place that is inviting to transients or crime. It is an emergency exit door only. When this was looked at three years ago, the previous board decided that the bushes should not be removed. The Board will have the ARC look into a plan.

Bob Hofstader Unit 111 was next on the list. He reiterated that he did not like the tone of the management company letters.

Betty Vean Unit 303 complimented Weststar Management Company and Tracy Mulvihill for how quickly they respond to all of us. She added that they are a well respected company and as we are fortunate to live in a very upscale neighborhood we are fortunate to have them help keep our building in that status.

Trish Albert Unit 212 stated that she felt the atmosphere in the building was tense and unpleasant over the past 6 months.

Sally Gardenswartz Unit 304 spoke on how well she thought the Board was running this building and all of the big issues that they have taken care of in the last many months. She fully supports the enforcement of the rules and suggested that everyone read and follow them.

Mindy Humphrey Unit 106 suggested that we have an Association party. She volunteered to be the chairperson. The board so moved and voted in favor. Others from the floor volunteered to help. Mindy will head the committee and let the Board know the details.

Mike Scherer Unit 302 was also on the list. He stated that people who live in this building were given a copy of the Rules and Regulations by their Title Company when they bought their units. When they bought their unit they all agreed at that time to obey the Rules and Regulations. He said that this is the first Board to enforce these rules and regulations, and that people need to obey them even if they don't like it. He said that all rules need to be enforced. We should spend our time together to help in arriving at a good solution to other problems, instead of fighting the enforcement of the rules.

Linda Hoffman Unit 112 asked for another copy of the Rules and Regulations. As covered in our last Board meeting and in the minutes of that meeting the Rules and Regulations are on the Weststar website. Tracy Mulvihill shared that all required disclosures regarding DCC&Rs, By-Laws, Rules and Regulations etc. have been put on the Weststar website: www.WeststarManagement.com

Donna Franz read a note from Borne Engineering that suggested that the decks for Units 203, 207, 208, 209, 303 South and 304 South should not be used. In fact, all 2nd and 3rd floor decks should not be used and only at the owners' own risk.

The meeting adjourned at 5:45 p.m.

Respectfully submitted, Valerie Lawton, Secretary