

SHENANDOAH ON SMOKY HILL ASSOCIATION
BOARD OF DIRECTORS MEETING
OCTOBER 15, 2008
MINUTES

BOARD MEMBERS PRESENT: John Marinos, Vern Harris, Henry Ammons, Rob Voyvodic and Conrad Monson.

ALSO PRESENT: Association Attorney Myra Lansky, Bill & Linda Lyle, J.D. Fairey, Dave Weaver, Allen Banek, Beverly Buerstetta, Brian & Laurie Rubin, Gordon Davis, Lou Svoboda, Gerald & Evelyn Ortloff, Matt & Maggie LaCombe, Mary Sautter Van Vleet, Ed & Lynn Bynon, Lynn Hansen, Neil Puester, Dave Parvin, Elwayne Hafen, Dorothy Pearson, Mary Harris, Kerry Oberle, Warren Rice, John Dingess, Jeff Jones and John Springer.

CALL TO ORDER:

The Board of Directors meeting was called to order at 6:30 p.m. A quorum was established.

PRESENTATION:

Susan Van Dyke and Pete Urbina, representatives of Waste Management were present to address the Board and owners in attendance regarding some recent issues with the trash service and the driver who picks up the trash in Shenandoah. They also explained a letter that was mailed to all the owners regarding Waste Management's policies and what can be put out for pick up, how much yard waste, bundles of sticks, etc. They answered questions from the Board and homeowners present.

APPROVAL OF MINUTES:

It was moved by John Marinos and seconded by Henry Ammons to approve the September 17, 2008 meeting minutes as presented. Motion carried unanimously.

HOMEOWNER'S FORUM:

Bill & Lynda Lyle:

Were present based on a flyer that was put in each owner's tube. They stated the Board voted in the best interest of the community regarding the roofing material issue and agrees with the Board's decision.

JD Fairey:

Stated he does not believe the decision on roofing was a wise decision and does not agree with the Board and asked if the vote taken in 2005 was binding on the Board. The Association's attorney Myra Lansky stated that the vote was not binding.

Dave Weaver:

Was in attendance to support the Board's decision and feels that is what a Board is elected to do. He does not appreciate the unsigned note left in his tube and feels it was irresponsible. He feels the person needs to own up to their own words and sign the letter.

Alan Banek:

Stated he agrees with the Board's decision on roofing.

Beverly Buerstetta:

Beverly stated she was not the person who put the letter out to all the owners. She stated she had a problem with the Board's process in directing the ACC not with the product the Board chose. She also wanted to know what the Board was going to do to the owners who installed a roof without prior approval from the ACC committee. The Board stated it would be discussed later.

Brian & Laurie Rubin:

Brian stated he feels this is a process issue and feels the vote from 2005 should have been upheld and also feels the community should have been contacted again before a final directive to the ACC was made.

Gordon Davis:

Gordon stated he has concerns about the procedure of overriding the ACC and is also concerned about his property value if composite shingles are allowed as he feels it is a cheaper looking product.

Lou Svoboda:

Lou stated he feels there are two issues involved; the product and the process. He feels it is inevitable that composite shingles will be allowed but has a problem with the Board deciding on the product for the whole community since it affects the values of all 200 homes.

Gerald Ortloff:

Gerald stated he does not like how the process was followed. He believes the 2005 vote should have been binding and feels it would have been an ethical and honorable thing for the Board to go back to all the owners for their opinion on the matter.

Matt & Maggie LaCombe:

They explained to the owners in attendance why they installed a roof without the approval from the ACC.

Mary Van Vleet:

Mary stated she felt that the procedure was not done correctly and would have liked more communication from the Board. Mary also stated she does not like all the political signs in yards but Myra Lansky informed everyone that per Colorado Law signs are allowed to be posted a certain number of days prior to and can stay a certain number of days after an election.

Ed Bynon:

Was present to state he didn't like how the board handled the roofing issue.

Lynn Hansen:

Was present to state she totally agrees with the Board's decision.

Dave Parvin:

Dave stated he drove around and looked at every single roof in the community and feels that many of the newer roofs that have been installed with ACC approved materials do not conform to the look of wood shake and that the new roof installed by the LaCombe's looks great.

Elwayne Hafen:

Elwayne stated he was disappointed in the process the Board followed and asked the Board if they were going to address a letter written by past President's of the HOA. The Board stated they would address the letter.

Dorothy Pearson:

Was in attendance to observe.

Mary Harris:

Mary questioned why the unsigned letter in the tubes mentioned asbestos roofing and stated that was a completely false and misleading comment to use as the roofing material approved the Board does not contain asbestos. Mary stated that the new composite shingle roof that was installed looks beautiful.

Evelyn Ortloff:

Evelyn discussed prior surveys done in the community that in turn produced new products allowed by the ACC. She also stated that the ACC makes its decision on roofing based on the materials ability to look like wood shake in shape and thickness.

Kerry Oberle:

Kerry encouraged the ACC to approve an asphalt product and encouraged everyone to drive through Piney Creek and ask themselves if that is what they want Shenandoah to look like. He also stated he fully supports the Board.

Warren Rice:

Warren stated he feels the process followed by the Board is the issue not the roofing product. He stated it's the Board's job to promote harmony and feels they did not.

John Dingess:

John stated he supports the Boards decision to allow the new roofing product and agrees with the Association's attorney regarding the 2005 vote. He stated that he is an attorney and he himself extensively reviewed the Association's governing documents and fully believes the Board acted within its authority.

Jeff Jones:

Jeff stated that his family moved to the community in October of 2007. He thanked Evelyn and the ACC for working with them on all the improvements projects they have

done to their home. He stated he agrees with the Board's decision and likes the composite shingles. He stated he does not appreciate the unsigned memo that was distributed to all the owners.

John Springer:

John questioned Myra Lansky on the Board's authority to make the decision they did and Myra explained they did exactly as they are charged per the Covenants.

All of the Board members addressed the owners after the homeowner's forum was finished. Rob Voyvodic did state that based on the thickness or lack thereof, of impact resistant roofing that the Board would like to reconsider making that a requirement for approval. Vern addressed the Board's process with the owners in attendance and explained that each of every Board meeting is open to the membership and that after the prior month's homeowner's forum all but one person got up and left the meeting before the actual meat of the agenda took place. He encouraged everyone to come to the meetings and stay beyond the homeowner's forum so they can be informed about all the decisions that are made by the Board for the community.

COMMITTEE REPORTS:

Financials:

Rob reviewed the financial statement with the Board. The reserve study update should be completed shortly and the Board can make a better decision on how much money should be put into the reserve fund on a monthly basis. The collection attorney is also continuing to collect money from past due owners.

Security:

No report for this month. The Board did ask the committee to look into options for replacing the exit gate that has been damaged over the years that way if a car needed to be stopped from leaving the community it could be done by some type of new gate that is not so heavy.

Grounds:

The Board reviewed the grounds report prepared by Elwayne Hafen. The lake fountain has been reset to operate 24 hours a day to prevent freezing and the well has been turned off for the season.

A discussion on the perimeter fence was held and a bid presented by Fence Consulting Services was reviewed. The Board agreed that the fencing along Smoky Hill is in very bad shape and should be the next section that is replaced. Based on the bid from Fence Consulting 940 lineal feet could be replaced in 2008 for a cost of approximately \$55,000. This would finish the entire stretch of Smoky Hill and a little bit beyond. It was moved by Rob Voyvodic and seconded by Conrad Monson to approve the bid from Fence Consulting and to replace 940 lineal feet. Motion carried unanimously.

ACC:

Henry reviewed the minutes of the ACC meeting. The Board discussed the fact that they would like to remove the requirement that one impact resistant product be chosen by the ACC due to the fact that the material is not a high quality looking material as its very thin. But the Board would still like to stand by their decision to direct the ACC to choose at least two premium quality dimensional shingles, therefore it was moved by Rob Voyvodic and seconded by Conrad Monson to direct the Architectural Control Committee to choose at least but not limited to, two Premium Quality Dimensional Composite Shingle Roof Materials for approval, and to remove the requirement that they choose at least one roof that is rated Impact Resistant. The colors of the shingles that will be allowed will be chosen by the ACC. The decision on the manufacturers must be made by the ACC no later than November 1, 2008. Motion carried unanimously.

The Board also discussed a property with several outstanding covenant violations. Due to the fact that several violation letters and fines were sent by the Board and ACC and that a demand letter for compliance was sent by the Association's attorney and no action has been taken by the homeowner it was moved by Conrad Monson and seconded by Vern Harris to move forward with a lawsuit against the property. Motion carried unanimously.

RECREATION:

John Marinos reported that he met with Huddleston Plumbing regarding the skimmer lines at the pool. It was determined that the lines could be jetted once the pool is no longer winterized and that John will assist them with the process to help reduce the cost of the procedure. Once the jetting has been done it can be determined whether or not the skimmers still need to be torn out and replaced.

OTHER BUSINESS:

Tree Care:

The Board reviewed a bid from J & J Tree care for pruning of the common area trees that will occur sometime in January. It was moved by Rob Voyvodic and seconded by Henry Ammons to approve the bid for a cost of \$8,346. Motion carried unanimously.

2008 Audit:

It was moved by John Marinos and seconded by Vern Harris to approve Frank Sassolino CPA to perform the 2008 year end audit for the Association. Motion carried unanimously.

Trash Bids:

The Board reviewed the two trash bids submitted by Alpine Waste and Allied Waste. Based on the price of the bids and the fact the Waste Management has promised to make some changes to their customer service, the Board decided not to make a change in the trash contract at this time.

Budget Meeting:

Nikki asked the Board if they would be available to have a separate budget meeting in November prior to the regular Board meeting. The Board will wait for some dates from Nikki and then have a separate meeting.

ADJOURNMENT:

There being no other business to come before the Board, the meeting was adjourned at 10:55 p.m.