

WINTERSTAR ANNUAL HOA MEETING

Friday, December 4, 2009 at Beaver Village Lodge

Call to Order: Duane Hunter called the meeting to order at 6:41 p.m.

Welcome and Introductions:

All members present at the meeting introduced themselves. The following were present: A5 Kevin Collins & Tracy James, B3 Brian Bohnert, D1 Ken & Karen Conright, D6 Tom Hagerty, D8 Greg Heinsohn & Susan Troeger, E3 Greg Moran, E4 Carolyn Ramsey & Byron Murray and F4 Duane & Marty Hunter. Beaver Property Management present were Keri Darnell and Mark Johnson.

Members Present - Certification of Proxy – Verification of Quorum:

Beaver Property Management received 30 proxies, and there were two owners at the meeting who did not send in their proxy. Therefore, a quorum was verified for the meeting.

Approval of Minutes:

Duane Hunter asked if everyone had read the draft minutes from last year's meeting, and if there were any additions or corrections. There were no additions or corrections. Tom Hagerty moved to approve last year's minutes, and it was seconded by Ken Conright. All present were in favor.

Review of 2009

Drainage: Duane Hunter discussed the 2009 construction projects, which included installing a new drainage system in front of building D and improvement of the dumpster area by building C. It was explained that the drainage system put in front of D building was very similar to the systems installed in front of buildings A and E by Don Woods. At this point in the meeting, Duane then explained the process and problems that it took the HOA to get the project completed. This included an original contract in September 2008 with American Pride who cashed a \$7300 check from the HOA and only completed between \$1050 - \$1500 worth of the work on the project. American Pride also delivered supplies worth about \$3300. The HOA took them to small claims court and received a \$3500 judgment against American Pride. The HOA has not received any of this money, but hopes to get part of these funds in the coming year.

Duane stated that the new contractor, Jack Kopp, did a nice job doing the drainage work currently in place. Jack Kopp also provided a credit to the HOA for the American Pride materials that he was able to use in the final construction.

Owner Question: Do we have a standard form for contract agreements? Duane answered that we do not have a standard form.

Tree Spraying: The trees at WinterStar received a fertilizer treatment and were sprayed for aphids, which is done on an annual basis.

Owner Question: If there is ice build-up in front of a garage, can they use salt? Duane said that is fine as long as the salt is kept on the asphalt and away from the concrete.

Owner Question: Does salt damage eco system in wetlands? Duane stated that the HOA asked Grand County environmental engineer James Newberry this question. The county confirmed that this was not a problem with the use of the salt or using the wetland borders as a place to push snow from the driveway areas. Duane went on to explain that, with the way WinterStar is built, pushing snow towards the wetlands is inevitable.

Furnace/Boiler Checks: Beaver Property Management checked all the townhouse style units in early October to make sure each unit's furnace/boiler was operational and that the heat was on.

Dumpster Area Repair: Contractor Jack Kopp also completed the repair and improvement of the dumpster area by Building C at a cost of approximately \$6,000. A concrete pad was added in compliance with the trash collection company's recommendations for maneuvering their trucks in and out of the space.

DRAFT - Approved by HOA Board

Swallows: Previous swallow issues were discussed. The HOA and property management did not react quickly enough when the bird began building their nests last spring. The swallows are a protected migratory bird; therefore once they build a nest and lay an egg, they cannot be disturbed until they migrate. The cleanup process cost the HOA about \$1400. Next year's plan is to have Beaver Property Management walk all the buildings every other day from early April to about June 1st. Duane will also ask owners to be on the lookout and call Mark Johnson if you see any birds making nests. Duane hopes that everyone working together on this will prevent a similar problem from happening in 2010.

Current Issues

Sterling Pointe: There was very little to report. Sterling Pointe has lowered their prices dramatically, and no new construction is planned. If WinterStar owners notice any problems at Sterling Pointe, please notify Mark Johnson and he will call Sterling Pointe to discuss it with them. The long range plan calls for a complete tree line between their buildings and the WinterStar property.

Owner Question: Is there any kind of control in place on night time lighting on the far side of the Sterling Pointe development since the lights are very bright? Mark Johnson will call Sterling Pointe to discuss the issue.

Parking: Please use only approved parking. The townhouse style units have one parking space in the garage and one parking space in front of the garage. No cars are allowed to be parked in front of the porches, as this blocks snow removal and access for other owners. There is overflow parking between buildings F & G and towards the south end of building C. The only area available for trailers or boats is by the dumpster by building G.

Owner Question: If we see improper parking occurring, whom do we call? Duane stated this is most typical of a short term renter and to call Mark Johnson to report the issue.

Owner Question: If improper parking is an ongoing issue, is it possible to post a decal on every garage stating overflow parking instructions? Duane responded that we do not want to add signs which detract from the overall appearance at WinterStar. We have supplied a set of general rules that includes parking information. Anyone who rents should have these in each rental unit for guests to read. He also added that it did not seem to be a current problem.

Dogs: Owners are reminded that renters are not allowed to have pets. Last year was the first time the HOA had to issue a fine to an owner. VRBO (Vacation Rental By Owner) rental units seem to have more pet issues than other units.

Wetlands: All owners were reminded to keep out of the wetland area. We need to try to keep that area as nice as possible. Duane noted that the wetland is that area within 20 ft either side of the stream.

Garages/Freezing Pipes: Townhome style units must remember to keep garage doors closed when not in use. The pipes in the garage will freeze if garage doors are open. Please help each other out and alert neighbors if you notice a garage door open for a long period of time. Make sure heat is turned up to 55 degrees or above and open cabinet doors inside when you are not at your unit. Beaver Property Management will respond to indoor pipes freezing or breaking, but the cost will be charged to the owner.

Hot Tub: A few years back the HOA shut down the hot tub during "mud seasons" which saved the HOA approximately \$1,000 per year. Duane asked for a motion from the floor to shut down the hot tub from the end of ski season to Memorial Day weekend and then to shut it down again from mid-September to the opening day of ski season. Ken Conright moved to approve and it was seconded by Byron Murray. After questions and discussion, the motion was modified to close on October 1st instead of mid-September. All members approved the motion.

Budget:

The proposed budget for 2010 was presented. Duane went through the following items:

1. The HOA monthly assessment fee will not change from 2009. We currently have about \$30,000 in cash reserve.
2. \$2000 in miscellaneous income is money we hope to get from the American Pride court judgment.
3. The cable TV fee will increase by over \$1000 this coming year. We are currently in negotiations with Comcast, which may include digital as part of the new package.
4. Owner question: What is the situation with Internet service at WinterStar? The HOA is considering setting up a single point drop with a wide-range router to provide Wi-Fi access to all units. More information will be provided to owners as we learn more and what the associated costs would be.
5. The snow removal budget was reduced to \$18,000 because the snow removal costs were down last year and the completion of the new drainage project should help reduce costs.
6. \$1200 was budgeted for the shuttle in the previous years. However, the HOA has not been billed for the past 2 years. Therefore, that item has been removed from the budget. Mark Johnson added changes are being made to the shuttle service and, as of this meeting, the night service has not been solidified.
7. \$1400 is budgeted for professional services, which will include an audit by an independent CPA.
8. This year we had two bids on the insurance. The HOA chose to stay with Travelers because it provided more base coverage for WinterStar.

Owner question: Is window cleaning an owner or HOA responsibility? The question was primary concerning the higher exterior windows. Duane stated that this is not a service the HOA has provided in the past and that it would raise HOA fees. Beaver Property Management (Mark Johnson) agreed to contact contractors for proposals and group rate information for those who want the service.

Owner question: A member asked about garage door cleaning and painting. Mark Johnson and the HOA board walk the entire complex each spring, and they will look at what needs to be painted. Painting projects will be completed as needed during the spring and summer.

Greg Heinsohn made a motion to approve the 2010 budget as presented. Ken Conright seconded the motion. All members present voted in favor.

Election of Officers:

The proposed slate for Board of Directors for 2010 was Duane Hunter, Tom Hagerty, Greg Moran and Kevin Collins. A motion was made by Ken Conright and seconded by Greg Heinsohn to approve. The full slate was approved in a unanimous vote.

New Business:

Ken Conright commented that the painters who painted the decks on Building D did an excellent job. Mark Johnson added that the paint contractor Pat Cleary also does interior work. Mark Johnson can provide Pat Cleary's contact information. Duane stated the decks on Building A and F will be painted next year.

A member asked about the warranty on the landscaping. Mark Johnson responded that WinterStar is past the warranty. However, the landscaper is available to provide landscaping as needed.

There was concern about the use of charcoal grills, which are not permitted at WinterStar. Duane stated this is typically only an issue during the Jazz Festival weekend, and that we were trying to get all owners to inform their renters of the rule.

DRAFT - Approved by HOA Board

Ratify Actions of the Board: Duane requested that the owners consider the information provided by the HOA and move to ratify the actions of the board for 2009. There was a motion to ratify actions of the board from Greg Heinsohn and a second by Ken Conright. All present voted in favor.

Next Annual Meeting: The next meeting will be held on Friday, December 3, 2010 at 6:30 p.m. at Beaver Village Lodge.

Adjournment: The meeting adjourned at 7:54 p.m.