

PARK EAST ANNUAL HOMEOWNERS MEETING  
FEBRUARY, 8<sup>TH</sup>, 2005

MINUTES

MEETING CALLED TO ORDER

The Park East Annual Homeowners Meeting was held Tuesday, February 8<sup>th</sup>, 2005 at the Sopris Elementary School. The President, Mark Butler, called the meeting to order at 7:15pm.

ROLL CALL OF BOARD OF DIRETORS

In attendance were President, Mark Butler, Wayne Kirk, and Treasurer, Jeri Durnan. Secretary, Bruce McKinnon was not present but he was represented by proxy.

PROXY COUNT / VERIFICATION OF QUORUM

The number of proxy's and homeowners present were counted and initially a quorum was not attained. Teamwork accomplished a quorum – cell phones were used to call neighbors and a quorum was reached at 7:25pm.

APPROVAL OF NOVEMER 2004 MEETING

The minutes from the last Annual Homeowners meeting, November 19, 2003 were approved. Paul Boyer made the first motion and it was seconded by Jeri Durnan.

OLD BUSINESS

Property Manger, Joe Zuena discussed the maintenance of the grass strips located in front of the homesites. Last year the association made the decision this area would be maintained by the lot owners rather than an outside service. Most of the homeowners have been responsible keeping their areas mowed and maintained but a few have been negligent. A few of the homeowners mentioned that they help out by tending to their neighbors areas to ensure it is maintained.

Steve Novy asked about what can be done with the lack of maintenance on vacant lots and what type of action the association can bring to attain maintenance. It was noted that a few of these lots are a real mess and an eyesore.

Mark Butler explained the Board of Directors has been concerned and has looked into this problem and unfortunately there is not much action that can be brought. The Board discussed the possibility of having Daly Property Services who maintains the association common areas take over this and have the owners of these lots billed for this service. Legally the association is only allowed to have noxious weeds removed and billed to the lot owner. Most of the weed growth on these lots are natural weeds. The by-laws would have to be changed for this to occur.

Scott Gauldin suggested that the by-laws are changed; each violation letter has a fee, the first violation would be \$50.00, the 2<sup>nd</sup>, \$100.00 and so on. He knows of other associations that have this policy and it has been very effective. The Board suspects it will take 100% agreement of the association to change By-Laws but will look into what the specific percentage and procedure is needed to change the association By-Laws.

Steve Novy inquired if there is a time period after a lot closes that it needs to be built on. The answer is no. Once a lot is purchased there is no set time period telling the owner when he must build on it. There is a rule that once the ground is broken on a lot they have 18 months to complete the home. Mark said that the Board will send out letters again to the homeowners to remind them to keep control of the weeds.

A concern was brought up that the grass strips are over watered. Mark Butler said he would contact Daly Property Services to check the timing. The schedule needs to be changed and adjusted with the seasons and asked the association keep an eye on it and let a Board member know when this problem arises.

Abdi Pirzadh notified the association that he is currently building and briefly using Lots 25 and 26, this is be taken care of.

#### *Trails -*

Mark Butler said they have contacted the city many times regarding the lack of maintenance done on the trails and their response is they don't have the money in the budget. Mark and a few of the other neighbors have gone out and done maintenance. Steve Novy said he would be willing to do this. Mark suggested that trail cleaning days be set up as a neighborhood and all are welcome to pitch in and help. Nancy Boyer thought it was a great idea and suggested a neighborhood BBQ be added to the clean up day.

Joe Zuena suggested to Steve that a helpful suggestion would be to attend the Glenwood Springs Council Meetings and speak up and complain to the city. On some issues with the city, the association might get more action if homeowners approach them (the more the better) rather than just the Board of Directors.

Cindy Dean mentioned that she observes city workers coming into the association about twice a week. It was noted they are most likely checking the trail system by the river for the irrigation system.

#### *Raw Water System –*

Mark Butler gave a brief review of the problems with the system that have plagued the association since conception, then an update – the latest step to try to cure problem, the city sealed the valves and they are hoping this seal will help control the high salinity that is being disturbed in the system.

The billing system with the city has still not been resolved. The Park East Developers are still being billed for all raw water – the current bill is \$86,000.

The Board feels strongly that it is not the responsible of the association to bill the homeowners for the raw water. The city should bill individual homeowners for the raw water in a similar situation to their regular water bill. The current system is not metered, there is no way to determine what individual homeowners are using or the association.

Mark expressed hope that a compromise on the current bill can be reached with the city, especially because there are a number of lots and homes that have already changed ownership. The association has no way to bill previous homeowners for their portion of the bill.

Sean DeMoraes requested the Board keep the association notified of any developments on this issue.

## SECRETARY REPORT

The Board of Directors, Secretary, Bruce McKinnon had a report that was distributed to the homeowners in the package relating to the meeting.

Joe Zuena reviewed the highlights: Duties and responsibilities that were performed, update on raw water quality, raw water billing status, landscape replacement issues, and comments from the Park East Homeowners Association on the outstanding services performed by Joe Zuena, Riverside Services for his high level of service while working as the Property Manger for the association.

(Joe didn't talk about this particular point, but it was a large item in the secretary's report and should be noted)

Mark Butler asked if there were any questions or comments on the report. Receiving none, Bo Helmich made the motion to approve, and Abdi Pirzadh seconded the motion. Motion approved by all.

## TREASURER'S REPORT

Joe Zuena and Jeri Durnan reviewed the 2004 Budget vs. the Actual. Jeri pointed out additional funds were used on ground maintenance/irrigation last year because some parts needed to be replaced on the valve boxes. Property Management was under budget \$1,700, and overall the budget vs. the actual was outstanding.

Joe Zuena pointed out that there are a few items not reflected in the DRC account because the statistics were run on January 20, 2005.

Linda Helmich made the motion to approve and it was seconded by Abdi Pirzadh. Motion approved by all.

## NEW BUSINESS

### *Property Manger Report –*

Joe Zuena, Riverside Services, written report was discussed. The break down of the hours billed regarding management was discussed. Mark and Joe both addressed the high percentage, 42% that was spent on enforcement issues, a few examples: calls to complain about a neighbor's dog, complaints regarding speeding in the neighborhood. Jeri and Mark both pointed out that a lot of these complaints/situations should be dealt with directly with the neighbor rather than involving Property Management which charges a fee to the association. Gregg Knott suggested the homeowners contact a Board member to discuss their issues and concerns, as the Board may already be familiar with the issue. This may reduce the enforcement fees paid to property management. The Board agreed to act on this suggestion.

Joe Zuena notified the Board of Directors in October, 2004 that he would not be renewing his property management contract in 2005. Mark pointed out that the Board has discussed how they would like this position to be performed in 2005. The Board all agreed that they want to continue with the high level of service that Joe has performed while construction continues because of all of the responsibilities that are required during this period

Mark introduced, Keith Edquist, Edquist Management & Real Estate, LLC. Keith is interested in the Property Management position and met with a few of the Board members prior to the annual meeting. Keith introduced himself and pointed out his style is similar to Joe's and that he and Joe both come from a hospitality background – make people happy and work as a problem fixer. Keith has his own company and resides in Glenwood Springs.

A discussion was held pointing out how much work is performed by this position at a rate of \$40 per hour. Steve Novy and Abdi Pirzadh both shared their first hand knowledge of all of the work Joe has performed, especially with the Design Review Committee and assisting new lot owners

thru this process. Steve asked Joe to explain what occurs during the Design Review process; record keeping, coordinating, attending, note taking at all meetings, on site inspections, and final review to process/refund deposits. Mark pointed out that the Board of Directors and the Design Review Committee are both volunteer positions and with the current level of work both entail he doesn't feel it would be possible to have this work performed at this level of service without a full service property manager.

Judy Spasser agreed this position should be filled with a full service Property Manger, like Joe, but asked her neighbors to deal directly with each other over some issues before calling a property manger. She would prefer to have her neighbors speak to her directly about an issue, rather than behind her back.

Mark pointed out that the current \$300 fee for the Design Review Process, may be increased on new lots to cover the fees of the Property Manger.

Bo Helmich made the motion to allow the Board of Directors to approve and hire a new Property Manger with similar skills and level of service performed by Joe Zuena, the budget will remain the same, and this position will be reviewed on an annual basis. Steve Novy seconded the motion. Motion approved by all.

Mark expressed how appreciative the Board of Directors and the DRC are for all of the work Joe has done for the association. Joe thanked him and explained for personal reasons he had to retire from the Park East Association.

#### *Lift Station –*

The assessment cost on the lift station went up because it was necessary to hire an outside company to come out and inspect, legally it is required twice a year. Unfortunately, it is the responsibility of the association's rather than the city.

A replacement needs to be found for Zancanella & Associates, as they are no longer available. The Board has a few leads they are looking into it, but if anyone has any suggestions, please contact a Board member.

#### *Street Ponding of Water, Lots 15 & 16 –*

The city is responsible but has not corrected or solved the issues for the past 3 years this has occurred. Since the city signed off on this from the Developer it is no longer the Developers responsibility to repair. Lot 15 homeowner, Judy Spasser, contacted Larry Thompson and voiced her safety concerns. A suggestion was made to have a drywell constructed.

#### *Trees –*

Overall the city did a decent job on the dead tree replacement.

### OPEN COMMENTS –

#### *Construction Related Concerns –*

Concern was mentioned on a few lots that appear to have started something but nothing is really going on. Joe Zuena explained that these 3 lots in question along with an additional 4 lots are owned by the same developer, Great New Homes which is based out of Grand Junction. The owner of this company, Stan Seligman had submitted plans for the first 3 lots but has turned attention to another area of the state and is having another construction company take over. This action has made it necessary to have all of the plans resubmitted for review, the hope is construction will begin in the early spring.

Comment was made regarding Lot 6; the pillars don't appear to come down to the frost line. Mark pointed out this is a city building inspection issue.

Joe mentions the lots that Abdi and Paul Boyer are working on. Once again the topic of the 18 months time period for construction after the ground has been broken came up. Joe pointed out the one exception made on Lot 55 when the original owner had financial problems, a variance was given to try to deal with the situation in a constructive way. The new owners were given additional time.

The question was asked if it was possible for the association to not allow Great New Homes to start construction on any other lots until these first three homes are completed. Mark responded there is not a lot of control on construction schedules, the Board can only hold back the construction fees/deposit. The Deposit fees were determined to cover the cost of back filling any standard excavation.

#### *Speeding –*

Sean DeMoraes brought up his concern about the amount of speeding that occurs in the subdivision. Is it possible to have speed bumps installed?

This is an issue that needs to be directed to the police. Homeowners need to call the police to report incidences.

Greg Knott elaborated; when you contact the police give as much information as possible and report times when these incidences occur. Steve Novy said that with his experience the police will ask for as much information as possible so be sure to get a license number if possible. The police will ask if you want to file a complaint, he suggests that you follow thru with this.

Once again the suggestion was brought up that you contact directly your neighbor who is speeding, or their parents if it is a teenager.

Bo Helmich made the comment that he dislikes the name of his street, Ouray. He is considering starting a petition to change the name.

#### *Roaring Fork Conservancy –*

The Roaring Fork Conservancy distributed questionnaires to attain feedback from the association. The Conservancy requested that \$1,000 to given to the Friends of Red Mountain to help get the reconstruction of the old school house off the ground

Mark Butler briefly tells everyone about the Conservancy and explains the \$14,000 annual fee from the Park East Association is not just allocated for this association but work throughout the valley.

The Conservancy is in the process of a hiring a new Director, and Steve Novy said the association should keep on top of this and following through with the new Director. Abdi Pirzadh made the comment that he would like the Conservancy to do more for association for their money. Steve Novy made the suggestion of trying to arrange a challenge grant to raise funds to get the school house project additional funds so work can be started sooner than later.

A motion was made; The \$14,000 funds in the 2005 Park East Association Budget to be directed when given to the Roaring Fork Conservancy that these funds are allocated to the improvement of the old school house.

Gregg Knott made the motion, and Scott Gauldin seconded. All approved.

Steve Novy amended the motion by adding ; all of the entities that are involved, Park East, Roaring Fork Conservancy, Friends of Red Mountain and the Historical Society to get together to try to accomplish matching grants for this project. Abdi Pirzadh seconded the motion. All agreed. Bo Helmich mentioned that he has a friend who works at the Roaring Fork Conservancy and he will meet with him and present this.

#### *Guest Parking Spaces -*

Abdi Pirzadh voiced his concern with homeowners using the guest parking spaces and leaving their vehicles parked there for extended periods of time.

The By-Laws have no restrictions on the amount of vehicles each homesite can have, there is a regulation that each homesite must have parking for 3 vehicles, 2 in the garage and 1 on their driveway.

Once again, this is a city issue. The city has a 72 hour restriction on parked vehicles.

A number of people made the comment the city doesn't care and does not come and ticket vehicles. Some tickets have been issued in the past. Mark Butler pointed out this is another example where we need to contact neighbors who are repeat violators and talk to them. A comment was raised regarding vehicles parking against the flow of traffic. This is not allowed. Gregg Knott, a Carbondale officer, said he would talk to the Glenwood police regarding the speeding and parking violations. Brad Thayer voiced his concern relating to construction trucks parked for a long period of time. Abdi mentioned that he has a truck guilty of this, and he will have it moved shortly because he agrees it can be an eyesore.

#### TREASURER'S REPORT

Jeri Durnan recapped the changes that have been made in the 2005 budget. The biggest change is an increase in legal fees to \$3,000, if legal advice is needed in dealing with the city regarding the raw water issue. The association bill for the 2005 dues are late because the billing could not go out until the 2005 Budget was approved by the association. Payments should be mailed to the same Basalt P.O. Box. Paul Boyer made the motion to approve, and Abdi Pirzadh seconded the motion. All approved.

#### PROPERTY MANAGER REPORT

The report was discussed earlier in the evening. Joe Zuena distributed a new address list and asked if there are any changes to be made to write it down and return to him. The new list that will be distributed will include homeowners phone numbers and if a tenant lives in the property their name and number will be included. Once again, Joe Zuena thanked everyone for their support.

#### BOARD OF DIRECTOR'S ELECTION

Mark Butler explained two current Board Members, Wayne Kirk and Bruce McKinnon terms were up for re-election, both have agreed to volunteer for another term. There is one open position. Gregg Knott and Scott Gauldin nominated Abdi Pirzadh for the position. Jeri Durnan mentioned Lash Laursoo has interest but it was not a nomination. Mark asked if anyone else is interested in this two year volunteer position. No other volunteers. The question arose if you had to vote for all of these 3 people; Mark's response was no if there are any other candidates.

The official nomination: Wayne Kirk, Bruce McKinnon and Abdi Pirzadh for the Board of Directors which was motioned by Gregg Knott and seconded by Scott Gauldin.

Mark Butler made the motion for a unanimous approval of the ballot which was 1<sup>st</sup> and 2<sup>nd</sup> by Steve Novy and Scott Gauldin. All approved.

#### APPOINTMENT OF OFFICERS

Mark explained the Board usually appoints the positions between themselves and the association had no problem with that.

#### ADJOURNMENT –

At 9:05pm the meeting was adjourned. Abdi Pirzadh made the motion and it was seconded by Scott Gauldin.