

**VILLA SAN MARCOS CONDOMINIUMS**  
**A COLORADO NONPROFIT CORPORATION**  
**MINUTES FOR ANNUAL MEETING OF MEMBERS**

**Thursday, November 12, 2020**  
**6:30 PM Mountain Time, via Teleconference.**

Order of Business:

- (a) Roll call; Meeting was called to order by President Paul Darr at 6:33pm. Owners in attendance were Margie Wass 4F, Diane Mackenzie and Paul Darr 1D, Brian Musich 4E, Amanda Hill 3A, Steven Yanez 2B, and Jill Maturino 2E arrived at 6:47pm. Unit 2H, Jeff Kennedy had designated to Paul Darr via proxy.
- (b) Determination of quorum; Bylaws require 10% of the owners to be present in person or via proxy, quorum was met with 8 units represented in person and via proxy.
- (c) Proof of notice of meeting. No less than 10 days but no more than 50 days; Meeting notice was sent on 10.20.20 to all owners via mail, e-mail and posted to the HOA website. Paul Darr made a motion to accept that proof of notice was met, this was 2<sup>nd</sup> by Brian Musich and all in attendance were in favor, motion Passes.
- (d) Discussion of minutes of prior Annual Meeting Minutes, 11-29-2018; Motion to adopt the meeting minutes as presented was made by Paul Darr, this was 2<sup>nd</sup> by Brain Musich and all in attendance were in favor, motion passes, meeting minutes are adopted and approved as presented, motion passes.
- (e) Reports of Officers; Paul Darr reported that a new grounds maintenance company had been hired and will be handling the upkeep of the property. He met with them on property and went over the specifics of the HOA and the scope of services. Their name is Four Corners Gardening.
- (f) Election of Directors; This was tabled until later in the meeting: There was a call for volunteers; Steven Yanez volunteered, but it was determined that since he was not in good standing with the HOA he would not be allowed to serve. He was thanked for volunteering. There were no other interested parties. Paul Darr decided to not continue to serve. Brian Musich said he would continue to serve on the HOA board. When rules and regulations are sent out we will add a section that there is still a need for owners to volunteer for the board.
- (g) Approval of 2021 Budget and Review of 2020 Budget; Barrett Miller with Coldwell went over the expenses for 2020 to date line item by line item. There were no questions on the expenses for 2020. The discussion then went to the proposed 2021 budget. It was pointed out and questioned the amount spent on maintenance and repairs. Paul Darr stated that in his opinion the HOA was severely underfunded. The list of projects such as painting, parking lot paving, new windows, tree trimming were all areas that the HOA needed to

start to save for. There was further discussion about proper reserve funding on a yearly amount. Fannie and Freddie guidelines state that 10% of your budgeted income should be going into reserves. It was also pointed out that a proper reserve study should be conducted for the HOA. Owner Amanda Hill will reach out and see if someone local can be found to conduct the reserve study, rather than hiring someone to travel from Denver to conduct the study. It was asked if the HOA could pass along the cost of water and sewer to owners directly rather than paying through the HOA. The way the HOA/buildings are set up, this cannot be done as there is only one water/sewer tap. Insurance costs were discussed, the rates were increased to proper amounts of coverage for the buildings and requirement of the DECS. The budget that is presented is very bare bones as far as services and maintenance. The board mentioned that the last Special Assessment for the HOA was four years ago. This is another option for the HOA independent of the budget should the HOA board decide to pursue this action. Paul Darr made a motion to pursue a getting a reserve study for the HOA pursuant to cost, by trying to get a local vendor to keep costs down, this was 2<sup>nd</sup> by Amanda Hill all in attendance were in favor.

- a. Raise dues to \$150.00? After discussion by all owners in attendance, it was decided that raising dues to \$170 would better cover the HOA expenses and allow some money to be set aside for reserves. The motion to pass the budget with the change of monthly HOA dues increased to \$170 from \$150 was made by Amanda Hill and 2<sup>nd</sup> by Paul Darr and all in favor were in favor. 2021 Budget passes with the change in monthly HOA dues of \$170.00.
- b. Outstanding Dues- Collections? The amount owed to the HOA was questioned. The amounts were shared by unit, the overall amount is over \$10,000. The HOA board is going to decide how they want to proceed with collections. The HOA board has been in contact with attorneys to decide on their next course of action as they want to collect these outstanding funds. It was also discussed that all owners need to continue to pay on time and that anyone who owes needs to be paying more than the monthly amount to catch up on dues payments.

(h) Old Business; Paving and Window replacement- This is going to be tabled for another year due to lack of funding.

(i) New Business;

- a. Management Company- New Manager Barrett Miller- Barrett Miller introduced himself and provided contact information for his company. E-mail is [bmiller@cbcprimeproperties.com](mailto:bmiller@cbcprimeproperties.com) or [hoa@cbcprimeproperties.com](mailto:hoa@cbcprimeproperties.com) and direct phone number is 970-632-2776.
- b. Grounds Keeping- As mentioned earlier a new property manager has been hired. It was decided that all patios are to be maintained by the HOA as far as infrastructure, but the cleaning and upkeep is up to the individual owners.
- c. Owners' Insurance- The HOA board brought up the issue of liability should there be a fire or major event at the HOA. It was questioned if the HOA can require all owners to have insurance policies on file. The HOA DOCS state that the owners are responsible for insuring their own units. It was requested that all owners make sure that are properly insured for their own units and contents. This is not covered by the HOA's

policies. The HOA board again wants to remind all owners that they should make sure that they are properly insured for their units and contents if you are unsure about this please reach out to your insurance provider and ask them.

- d. Noise- Several owners have brought up the issue of ongoing noise issues and lack of parking enforcement. Currently, there are no rules and regulations for the HOA making it difficult to enforce. It was decided that a committee would be formed to tackle the creation of rules and regulations; this would be handled by Amanda Hill, Diana Mackenzie, Jill Maturino, and Margie Wass. They will create and present to the HOA board for adoption for distribution to all owners in a letter and posted onsite.
- e. Parking- There is a trailer that has been parked in a common area for several months, Barrett will place notice that if it is not removed in 7 days it will be towed. If issues persist, it is requested that complaints are sent to Barrett at Coldwell with pictures of the offenses so the HOA can send out notices to the owners and offenders. After rules and regulations are in place it was decided that the HOA pursue issuing parking passes. Amanda Hill made a motion to move forward that every unit has 2 parking spots and would be issued 2 parking passes, anything more than 2 cars will need to be parked elsewhere, this was 2<sup>nd</sup> by Brian Musich and all in attendance were in favor, motion passes.
- f. Common Area Responsibilities- Again, it was requested that all owners make sure that their tenants are responsible to clean up after themselves in all common areas. This includes the areas in front of the garages and common area grills.
- g. New Windows in units- Paving and Window replacement- This is going to be tabled for another year due to lack of funding.
- h. Upgrade Parking Lot Asphalt- Paving and Window replacement- This is going to be tabled for another year due to lack of funding.

Adjournment of Meeting; Motion made to adjourn by Paul Darr, 2<sup>nd</sup> by Brian Musich all in attendance were in favor, motion passes. Meeting was called to adjourn at 8:21pm