

WHISPERING PINES RANCH HOMEOWNERS' ASSOCIATION ANNUAL MEETING October 21, 2006

The regularly scheduled Annual Meeting of the Whispering Pines Ranch Homeowners' Association was held on Saturday, October 21, 2006, in the Keystone Center. The meeting was called to order at 9:10 A.M.

ROLL CALL

Pursuant to the Bylaws, the representation of twenty percent (30 units) is required to constitute a quorum. The unit owners noted below fulfilled said requirement:

<u>UNIT</u>	<u>OWNERS PRESENT</u>	<u>UNIT#</u>	<u>OWNERS REPRESENTED BY PROXY</u>
17 RT	Denise Harrison	10 RT	Scott/Marcia Lavie
18 BC	Ed Ladwig	15 HC	Caleb/Karen Harsch
19 RT	Linda Shannon-Hills	22 SV	Charles Fisher
20 MC	Walt Grande	24 RT	Jennie March-Alue Trust
21 LG	Fisher/Loth	20 MD	Jean Galka
22 LC	Renee Apfelbeck	25 LC	MG Whitmire
41 LC	Ted Sokolis	40 LC	Gunther/Brenner
44 SV	Renee Apfelbeck	40 MD	Jean Galka
45 HC	John Loper	44 LC	Robert Foth
25 SP	Kurt Peoples	27 BC	Lynn/Charlotte Springer
27 MC	Jeff Kneller	27 HT	Mitchell/Shirley Fox
70 CV	Dave Hammer	35 MC	Jerry Jones
53 HC	Britt Dimmitt	38 SV	Salome/Robert Vesco
33 GP	Britt Dimmitt	58 SP	Jean Galka
		60 MD	Jean Galka
		61 SV	Asterios/Asimina Ginis
		67 HC	Kevin Winters
		75 SP	Pisces Builders
		85 CV	Stephen/Elizabeth Gunther

Present from Wildernest [WPM] were Audrey Taylor, HOA Liaison and James VanMatre, Property Manager

Proof of notice of meeting was noted.

APPROVAL OF MINUTES

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, THE MINUTES OF THE OCTOBER 22, 2005, ANNUAL MEETING WERE APPROVED AS WRITTEN.

REPORT OF PRESIDENT

Walt Grande reported that:

- Architectural control has been significantly improved. The committee was reduced to one architect, per the Bylaws, and the procedures have been streamlined. The changes seem to be working well.
- Currently there are no mailboxes available on-site. The postal service is requiring that the “back area” of the community have 50% build-out before consideration will be given to delivery at the second site, the area between Sage View and Snow Peak. It is not thought that consideration should be given to expanding the number of boxes at the front entrance, but rather, open the second location as soon as possible. The numbers indicate that the HOA is short by 5 lots in the “back location” [Blocks 13, 14, 15, 16, 17, 18] to accommodate an additional stop on the route.
- Soda Creek requested permission to locate their banks of mailboxes to the area that Whispering Pines Ranch uses for mailboxes. The request was denied.
- If the weather isn’t conducive for paving the area under the mailboxes this fall [HOA expense], the Developer, Dave Hammer, agreed to add gravel in this area prior to winter.
- Noxious weeds continue to plague the community. In response to the County’s criticism and oversight, it was noted that it is the owner’s responsibility to keep their property weed free. Therefore, it was decided that the HOA will assume responsibility for ensuring that attempts will be made to eradicate noxious weeds in all areas. A general notice will be given/posted in the spring, after which, problematic areas [evidence of noxious weeds] will be sprayed; owners will be invoiced. [*The County won’t release escrowed landscaping monies if noxious weeds are in the area, regardless if the weed area is on the property looking for approval or not.]
- The HOA assumes the same position in the battle against pine beetles as with noxious weeds. A short notice will be given/posted, after which, the trees will be sprayed/taken down and owners will be invoiced. Luckily, the HOA has more fir trees than pine; it is hoped that WPR will be less affected by pine beetle than the rest of the County. Some money has been budgeted for tree replacement.
- Three plans for the Open Space have been drawn and presented to the membership. Some funds have been allocated to development of said space. The Board will continue to work with the Open Space Committee to move through the necessary steps required to develop plans for the formation of the area. The HOA will be encouraged to continue to develop the specifics of the park.
- The Board attempted to draft a few basic, communal living rules in response to heavy owner complaints. Complaints have been the most vehement regarding neighbors living in a house without a Certificate of Occupancy, trailers and work equipment/supplies outside the residence and businesses that require supply deliveries and employee check ins being operated within the community. **All were reminded that expenses for measures taken to bring owners into compliance are at the expense of the offending owner.**
- It was agreed to switch trash collection vendors to Waste Management for a savings of \$1/month/household. The change will occur at the end of the current contract, January. More information will be forthcoming. The service will be a once per week pick-up with every other week recycling. [Recycling no longer needs to be separated.] Owners who purchased their trashcans are to continue to use those containers. If an owner does not own a container, Waste Management will furnish the receptacle at no charge to the owner.

REPORT OF MANAGEMENT

Wilderness Property Management

WPM’s basic responsibilities are: accounting, meetings, administrative needs, property management [on-call] and negotiating. Rules enforcement is on an on-call basis, i.e., the owner must call WPM, Audrey Taylor, to register a problem or need. Upon notification, the Board will be contacted for direction.

VIP cards are available to owners – they qualify the holder for various discounts around the County. [Diamond Vogel paint recently offered a substantial discount to Wildernest owners.]

The Wildernest/Whispering Pines Ranch liaison is Audrey Taylor, 468 6291 ext 217. Owners are encouraged to contact her with their questions or needs.

Wildernest's size accounts for its strong negotiating position on behalf of the Wildernest-managed associations. Currently, WPM manages 63 homeowner associations and approximately 3,500 units, and continues to net substantial savings. For example:

- Trash is approximately 55% off local rack rates.
- All Wildernest-managed associations' bank accounts are held separately and are given a preferred rate on each account.
- Insurance premium rates are far superior to the competitors.

Wildernest opened a carpet-cleaning department. All are encouraged to call 970 468 6291 ext 250 to schedule a carpet clean or for more information.

The owners were reminded that their website posts the financials, the minutes, rules and other Association related items. Senate Bill 100/89 compliance is also handled through the website. Notices of importance to the membership are posted on the website. The address is: wildernesthoa.com. It is hoped that owners will supply their email addresses so that the HOA can take advantage of broadcast emails. **Please email taylora@wildernest.com with your email address [and name of HOA, physical address and name].**

FINANCIAL CONSIDERATIONS

Walt Grande reviewed the financials. He stated that the HOA has acted conservatively. He reminded all that the entry feature has yet to be invoiced and that \$30,000 was set aside last year to develop the Open Space. [It is speculated that additional dollars will be needed for development.] The HOA has no long term debt.

The Balance Sheet reflected that the Operating Account's balance was \$93,647.84 and the Reserve Account's balance was \$31,257.88. Operating income exceeded expenses by \$38,584.20 year-to-date.

The 2007 operating budget was based on \$272/lot/year. After discussion, it was realized that a formal Board vote had not been taken to establish the total 2007 Operating collection and the dispensation of surplus funds, i.e., whether to lower dues or to allocate the surplus \$28/lot/year to the Open Space fund. The membership present indicated its preference for allocating the surplus money to the Open Space.

The general meeting was suspended to allow a Board Meeting. After consideration, the following was resolved:

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, IT WAS RESOLVED TO AMEND THE BUDGET TO REFLECT KEEPING THE WHISPERING PINES RANCH DUES AT \$300/LOT/YEAR WITH \$28/LOT/YEAR ALLOCATED TO AN OPEN SPACE RESERVE AND TO LEAVE/ALLOCATE THE INTEREST EARNED ON THE RESERVE ACCOUNT [OPEN SPACE FUND] TO THE OPEN SPACE RESERVE.

FURTHER, IT WAS RESOLVED TO KEEP/TRACK THE TRASH AND MAILBOX MONIES SEPARATE FROM THE OPERATING FUND AND TO ADD A LINE ITEM FOR FINES/INCOME/NOXIOUS WEEDS.

The Board meeting adjourned and the general meeting was again called to order.

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, IT WAS RESOLVED TO RATIFY THE 2007 BUDGET AS PRESENTED BY THE BOARD OF DIRECTORS.

REPORT OF THE DEVELOPER

Dave Hammer offered an apology that the entry feature lighting has not been finished. He stated that the sign will be finished this fall. He noted:

- The entry sign invoice to the HOA will be less than expected. [The HOA is paying 2/3 of the cost of the feature.] The County required a slightly smaller version of the sign in order to avoid a variance; therefore, the HOA's cost was reduced to approximately \$12,000.
- The new street, Mule Deer, has been approved for road base.
- Snow Peak [and the mailboxes] are scheduled for paving this fall; if this proves to not be possible, then Whispering Pines Ranch will be first on the list for next spring.
- WPR is a County subdivision which translates into lower taxes.
- WPR has enjoyed one of the fastest, if not the fastest, increase in property values this year.
- There are three lots on Mule Deer still available for sale.
- The intention is to incorporate Telluride into the HOA this winter; it is anticipated that Telluride will be paved in '09.
- The end of Declarant Control is predicated upon lot sales and anticipated within the next 6 months.
- At the end of Declarant Control, the **entire** Board of Directors will be dissolved. A newly elected Board will be seated. All owners are eligible to stand for election. Dave Hammer stated that he would prefer to be restated to the Board until WPR is at build-out.
- Attempts will be made to accommodate the HOA with formation of the "park" to the level of "what is reasonable".

REPAIR AND MAINTENANCE CONSIDERATIONS

Complaints were aired regarding dogs off leash. All are reminded that the dog owner is responsible for waste removal. The membership present was reminded that the standard approach for animal complaints is to call animal control. The signature of the complainant is required for Animal Control to take action.

Question was raised as to the ditch maintenance. Reminder was made that the ditches are a County responsibility; the Board continues to fight to not assume the County's responsibilities.

Suggestion was made that the HOA assume responsibility for the roads. It was noted that the County does respond to numerous owner complaints; therefore, the owners should record their dissatisfaction with the condition of the road [s]/maintenance standards with the County.

All were reminded that:

- **If a dog is in residence, a fence or barrier is required.**
- **All trash must be placed in trash containers.**

ELECTION OF DIRECTORS

John Loper announced that he was resigning from the Board. There were no volunteers to serve.

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY,

IT WAS RESOLVED TO LEAVE THE POSITION UNFILLED UNTIL THE BOARD RECRUITS A MEMBER.

John Loper was thanked for his service to the Association.

OTHER MATTERS

Suggestion was made that:

- Determination be made if the Open Space is public or private.
- Guidelines be issued for outdoor play equipment/structures.
- Rules should be further established regarding snowmobiles.
- Strong consideration be given to alternate methods of noxious weed control rather than spraying.
- Formation of landscaping committee. Suggestion was made to solicit a chairman from the membership.
- Combining Spring Fling with Landscaping/Community Day.

The membership present was asked if the newsletter was enjoyed. Response indicated that the members did read and enjoy the newsletter and would prefer that it be continued.

It was noted that the Board was asked to fund production of the newsletter; at the time of the Annual Meeting, no decision had been reached. Of concern was that if the HOA funded/participated in the funding of the letter, did that inherently bring liability for the content of the same? Therefore, would the Board have to approve the content prior to publication and would the letter be viewed as an arm of the HOA? At the time of the meeting, no decision had been reached.

The 2007 Annual Meeting was scheduled for October 20, at 9:00 A.M.

ADJOURNMENT

The meeting adjourned at 12:35 P.M.

**WHISPERING PINES RANCH
BOARD OF DIRECTORS MEETING
October 21, 2006**

A regularly scheduled meeting of the Whispering Pines Ranch Board of Directors convened after the Annual Meeting.

The following was determined:

The Board and Officers would remain the same with the exception of John Loper's resignation.

The next Board Meeting was scheduled for Tuesday, January 9, 2007, at the WCC. The Open Space Committee will be invited to give a report. The meeting will be at 5:00 P.M.