

**WHISPERING PINES RANCH ASSOCIATION  
ANNUAL HOMEOWNER MEETING  
October 27, 2012**

**I. CALL TO ORDER**

The meeting was called to order at 9:10 a.m. in the Keystone Center Conference Room.

Board members present were:

Virginia Parks, President, 15GP  
Bryan Stiefvater, Treasurer, 86CV  
Scott Whitten, Member, 51MD

Dave Hammer, Vice President, 64HC  
Jonathan Lerner, Secretary, 50LC

Owners present were:

Timothy Morris, 24BC  
James & Christine Swoll, 45HC  
Nicholas & Mary Shama, 47LC  
Roger Markel, 16LC  
Peggy & Mark Bailey, 22LC  
Shona Osbourne, 91MD  
Kurt Peoples, 25SP  
Asterios Ginis, 61SV

James Schumacher, 80CV  
Edwin Orlosky & Jean McArthur, 36LC  
Daria & Barry Chesnut, 27MC  
Nicolette Loth & James Fisher, 21LC  
Geoff Darst, 40MD  
George Raynor, 14RT  
Jeff Walters, 94SP

Representing Summit Resort Group were Peter Schutz, Kevin Lovett and Deb Borel. Erika Krainz of Summit Management Resources was recording secretary.

**II. PROOF OF NOTICE**

Notice of the meeting was sent September 27, 2012 in accordance with the Bylaws. A copy was included in the meeting packet.

**III. DETERMINATION OF QUORUM**

With 31 properties represented in person and 23 by proxy a quorum was reached.

**IV. APPROVE PREVIOUS MEETING MINUTES**

Ed Orlosky made a motion to approve the minutes of the October 29, 2011 Annual Meeting as presented. Jeff Fisher seconded and the motion carried.

**V. OFFICER AND COMMITTEE REPORTS**

*A. President's Report*

Virginia Parks said a number of long-term issues were resolved this year, including the road and short term rental regulations. The Board also convened several special meetings. The relationship with the new management company Summit Resort Group has matured. She said the Board appreciated the day-to-day efforts of the management team and their support on the special projects.

For the future, Neils Lunceford has been asked to provide suggestions for landscaping improvements. Any owners interested in serving on the Landscaping Committee were

encouraged to volunteer. The Landscape Committee is not currently active but there are some funds allocated in the budget.

*B. Architectural Review Committee*

Jonathan Lerner reported that two houses had been completed and their compliance deposits had been refunded. One owner is adding a kitchen. Plans have been submitted for a new house on Legend and one owner finished a deck. Owners were reminded that repainting requires ARC approval, even if using the same color.

Garbage containers cannot be left outside. Deb Borel tours the property weekly. Trailers or boats are allowed in the driveways for 72 hours. Owners were asked to contact Summit Resort Group regarding requests for longer stays. The Board will send a reminder to all owners regarding the storage of garbage cans.

## **VI. FINANCIAL REPORT**

*A. Year-to-Date as of September 30, 2012*

Bryan Stiefvater reported that as of September 30, 2012 the Association balances were \$18,967 in Operating, \$53,315 in Reserves, \$5,829 Alpine Bank Retainer and \$7,017 in Alpine Bank Compliance. Legal and Professional was over budget for the Declarations amendment. The cost for the legal work was \$5,000 – 6,000. The final road bills were paid in October. About \$20,000 of the road work expense was paid out of Reserves.

The Profit & Loss Statement reflected \$54,326 of actual expenditures against a budget of \$56,572.

*B. 2013 Budget*

The 2013 Budget as written includes no overall change to dues. Areas of change within the budget included:

1. Accounting and Postage – increased to allow for an average of \$55/month for postage.
2. Insurance – increased based on actuals plus 6%.
3. Management Fees - \$600 increase per the Management Agreement.
4. Landscaping - \$9,000 decrease based on current agreement with Neils Lunceford.
5. Landscape Improvements - \$7,000 increase.

Tim Morris made a motion to approve the 2013 Budget as presented. Ed Orlosky seconded and the motion carried.

## **VII. MANAGING AGENT'S REPORT**

Kevin Lovett thanked the Board and owners for their support.

*A. Completed Projects*

1. Installed a solar light at the sign.
2. Inspected trees in the common area for pine beetles and removed two infested trees.
3. Renegotiated trash removal agreement resulting in cost savings to owners.

4. Repaired the fence.

## **VIII. DEVELOPER'S REPORT**

Dave Hammer said he was optimistic that he would break ground in the spring on the first spec house since 2007. There are twelve unsold developer lots remaining in the subdivision (ten on Telluride, one on Habitat and one on Mule Deer). The new home on Telluride will be 3,000 – 3,600 square feet with an unfinished basement level. One lot on Gray's went under contract in the past few days. The real estate market in Summit County appears to be headed for a strong comeback. There are a total of about 135 completed residences and approximately 30 unbuilt lots in the subdivision.

## **IX. OLD BUSINESS**

### *A. Governing Document Amendment*

Kevin Lovett said the second amendment to the Declarations was completed this year. This required 67% approval of the membership. The amendment addressed compliance in the following areas:

1. Owners are responsible for ensuring their guests and renters are in compliance with Association Governing Documents to include rules.
2. All lots must be kept free of noxious weeds per Summit County standards. If an owner does not comply, the Association is authorized to complete weed removal and bill the owner.
3. Short terms rentals of less than 30 consecutive days are prohibited.

Ed Orlosky asked how the Board would address short term rentals in the future. Kevin Lovett said the governing documents now provided support for addressing violations. Virginia Parks noted that the owner who was in violation of the short term rental restrictions last year has come into compliance.

### *B. Roads*

Scott Whitten explained that four years ago the County said the roads in Whispering Pines were not accepted and they would no longer plow until improvements were made. The Association was awarded a settlement against the County on February 28, 2012. He worked with Jeff Walters to draft scope of work and they procured three bids. The scope of work included resurfacing and repairing most of the roads. The developer paid for his share. Whispering Pines Road was County owned and the Association did not have to take any responsibility for it. The winning bid from Dave Hammer was selected based on its flexibility with the scope of work, start time and warranty. He was sequestered from all discussions prior to the contractor selection and during and discussions of the project in progress to avoid any potential conflict of interest.

The work began in late June. All patches had to be sampled by Gore Range Engineering. The roads were accepted by the County on September 25, 2012. Jeff Walters was thanked for his assistance with this project. Owners present were satisfied with work completed and appreciative of the Board for their efforts.

An owner asked about responsibility for repairs and if owners should approach the County or the Board. Scott said owners should notify the County but also to provide the

information to the Board so they can track all issues. The agreement specifies that the County will prioritize repairs. The developer's roads have been accepted by the County on a probationary basis.

The bid for the original scope of work was \$265,000. There were some additional expenses for subsequent change orders, project supervision and legal work that brought the final cost to about \$301,000. The Special Assessment was \$280,500 and there was great response from the owners. The Association offered financing over three years and a few owners participated. The contractor has been paid in full. About 10% of the owners have not paid the Special Assessment and there are procedures and enforcement for late payment, including late fees. The Association Collection Policy is in place to address owners who fail to pay.

Owners were asked if the Association should budget some amount annually to help the County with road maintenance of cracks and potholes but not for major repairs. Most owners were not in favor and were concerned about setting a precedent. Scott said he would take owner input regarding road issues including cracks, depressions and potholes, for at least the next year. He will then meet with the County and work on resolution. The Board will continue to be proactive and will work with the County to keep up on routine maintenance.

An owner suggested posting information about reliable contractors for driveway replacement on the website. Many of the driveways are in poor condition.

#### **X. ELECTION OF DIRECTORS**

The term of Dave Hammer expired. He indicated he would be willing to run again. There were no owner nominations received. James Swoll nominated Dave Hammer and nominations were closed.

A motion was made to elect Dave Hammer by acclamation. The motion was seconded and carried.

The Board was thanked for the tremendous amount of work, professionalism and dedication to the Association. Summit Resort Group was thanked for the improved communications.

#### **XI. SET NEXT MEETING DATE**

The next Annual Meeting was set for Saturday, October 26, 2013.

#### **XII. ADJOURNMENT**

Jim Fisher made a motion to adjourn at 10:28 a.m. James Swoll seconded and the motion carried.

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
Board Member Signature