

**THE PONDS AT BLUE RIVER HOMEOWNERS ASSOCIATION  
BOARD MEETING & TELECONFERENCE  
April 18, 2008**

Convening at 4:05 p.m. MDT, the Ponds at Blue River Homeowners Association (HOA) Board of Directors met at the Wildernd Commercial Center on Friday, April 18, 2008. Directors Loren Steinbrink, Dallas Knudson, Robert Kieber, and Jay Pansing, and Landscape Committee Chairman Rick Jennewine attended in person or via teleconference. Owners Elaine Lowery, Bette Schlie, and Chyerl Varvil were also present, and Daniel Vlcek and Pat Rice represented Wildernd Property Management (WPM).

**APPROVAL OF MINUTES**

***RESOLUTION: Upon motion made by Mr. Kieber, seconded by Mr. Pansing, and unanimously carried the minutes of the Board meetings of September 21, 2007, and January 10, 2008, and the Landscaping and Board meeting minutes of September 4, 2007, were approved as prepared.***

**MANAGEMENT REPORT**

Property Manager Terry Bearson is no longer with the company, but WPM's Director of Property Management Daniel Vlcek will handle site issues until the Silverthorne position is filled. Mr. Vlcek reported as follows:

- Snow markers are being removed, although a few are still frozen in the ground.
- Spring trash walks have begun, but the winter cleanup may take a while if we continue to get ten-inch snowfalls such as occurred two days ago.
- A meeting will be set with Premier, the snowplow contractor, to assess any damages during the winter plow season. Mr. Kieber noted that some Qwest and Comcast pedestals were damaged and asked to be included in the site walk through. Mr. Steinbrink noted that some of the pocket parks had to be used for snow storage due to the significant snowfall amounts, and damages in these areas were unavoidable.
- The Board confirmed that the heat tapes and heated roofs are now on temperature sensor controls and do not need to be turned off and on as part of seasonal maintenance.

Mr. Vlcek left the meeting at this juncture.

**APPOINTMENT TO THE BOARD**

There is currently one vacancy on the Board, and owners Elaine Lowery and Bette Schlie have volunteered to serve. Each presented their background information, and Ms. Schlie expressed interest in serving on the Landscaping Committee. The Board vacancy is the position previously held by John Wallace for a term of office to expire at this year's annual meeting.

***RESOLUTION: Upon motion made by Mr. Kieber, seconded by Mr. Pansing, and unanimously carried, Elaine Lowery was appointed to fill the vacancy on the Board of Directors, and Bette Schlie was appointed to serve on the Landscaping Committee.***

**FINANCIAL REPORT**

**Financial Statements**

- Per the financial statements as of March 31, 2008, assets totaled \$770,197.10 and liabilities totaled \$30,506.33, leaving a net equity of \$739,690.77.
- The year to date operating account shows a loss of \$36,155.99, which is a deficit of over \$50,000.00 when compared to the budgeted gain of \$14,342.50.
- A major unknown for this year's operating budget was the electrical costs for the new Bylin heating systems and heat tape for the roofs and gutters. So far this year, this expense has totaled \$38,823.91. The temperature sensor systems were not installed and operational until late in January, however, and the latest bills have dropped significantly.
- Snow removal year to date is significantly over budget; expenditures of \$24,397.94 are more than three times the budgeted \$7,000.00.

- Two owner accounts are slightly in arrears, but WPM's accounting department is following the collection policy in this regard.
- An initial down payment of \$30,000 has been made on the \$370,000 landscaping contract with Neils Lunceford.
- The balance owing to Reconstruction Experts (RE) is approximately \$140,000.00, but there are some unresolved issues and change orders still pending.

**Budget Proposal and Major Maintenance Chart** – The target date for Board approval of a budget proposal is July 11<sup>th</sup> in order to allow for distribution to the membership with notice of the annual meeting. A financial work session should be scheduled in late May to work on the budget and the new Major Maintenance Chart. Meeting dates will be confirmed via email.

### **PROPERTY ISSUES**

- Original plat documents did not define the specific locations of the well easements on Allegra and Robin. The location in the pocket park on Allegra has been determined, but the well easement location close to S-9 still cannot be located due to snow accumulations. Resolution of the Town's easement requests and approval of the revised site plan are still on hold.
- According to Public Works Director Bill Linfield, the bike path south of the new bridge to Legend Lake Circle has been put out for bid, and construction should start as soon as snowmelt makes it possible. The negotiations on the necessary relocations of the bike path and easements will also include requests for reimbursement from the Town for additional landscaping/screening.
- Tim Crane with Angler Mountain is still working on the entry monument request for the Bald Eagle entrance. The Town's most recent input is that it must be scaled down by approximately 1/3 in order to be in code compliance. Mr. Jennewine has offered to assist Mr. Crane in this endeavor.
- In February, the owner of 120 Allegra notified the HOA of a sewer line issue in the utility/laundry room, and he had a plumber investigate and camera the line. They found gravel and blockage in the line at that time and must now dig to investigate the source of the problem to determine who is responsible. The problems may be due to reconstruction work or stem from a pre-existing situation. Estimates are \$10,000 to \$20,000 for this investigation and repair, which includes digging down under the structural foundation repairs and then going up under the building.

***RESOLUTION: Upon motion made by Mr. Pansing, seconded by Mr. Kieber, and unanimously carried, the Board authorized up to \$20,000 to fund the investigations and repair, provided reimbursement is sought when it is determined who is responsible for the issues.***

### **LANDSCAPING**

- Per the most recent meetings with the Town, they will require 900 more trees in order to meet new code requirements if a new site plan is submitted for approval, although the original plan had around 290 trees. The Town has agreed to sign off on a letter from the HOA stating both are in agreement that the HOA comply with the original 1999 landscaping plan as far as quantities of plantings installed in conjunction with the already approved grading plan.
- Landscaping cannot start until the snow melts and the land dries out enough to excavate for irrigation. Irrigation work will precede the other installations of stone and plantings and will start at 100 Robin at the first water source. Irrigation along the median also ties into that water source.
- Weather permitting, targeted dates for completion of each of the three phases are the end of June, July, and August, with a total time span of approximately four months for the project. Mr. Kieber and Mr. Pansing raised objections to the timing, stating that the original representations had been six to eight weeks.
- Mr. Knudson asked for investigations into anything that would mitigate mud and dust for Allegra during the interim.
- Mr. Jennewine will send an email update to the Board following his next meeting with Neils Lunceford.

## RECONSTRUCTION

### ▪ Current Status

1. Work scheduled for spring:
    - a. Drainage between N-1 & N-2 must be addressed and there will be a change order for this work.
    - b. The asphalt work performed by RE's subcontractor is not satisfactory, and A-Peak is going to tear out some sections, using infrared to re-install the asphalt. Areas to be addressed include a section at 154 Allegra where water is entering the garage and a section close to 150 Allegra damaged by Angler Mountain.
  2. Frost heave as occurred on some of the asphalt driveways (two in particular), and approximately half of the sidewalks on Allegra have heaved unacceptably (over ½ inch). PIE is to investigate and design a fix, but this will potentially involve replacing fill with non-frost heave susceptible dirt as used in patio locations. Mr. Kieber suggested Mike Tower observe site conditions next week when water will be running as the snow melts and noted that locations at 103, 105 and 107 Allegra must be investigated.
  3. Two issues have developed during the winter that must be resolved and corrected before the next winter season: furnace exhaust vents and snow in the attics.
    - a. Some furnaces quit functioning adequately because snow covered the roof furnace vent pipes. Twenty-three units were identified and monitored, requiring proactive snow removal during the winter. Engineers have determined that the vent pipes can be extended, and Mike Tower stated at the last construction meeting that PIE would be contacting the manufacturer, Trane, because they had specified maximum two-foot extensions. It must now be determined who will pay to install the extensions, a cost currently estimated at \$14,000 to \$17,000.
    - b. When investigating the source of water dripping through the smoke detector in the upstairs hallway of 113 Allegra, it was discovered that snow had entered the attic through the birdcage ridge vent. RE checked the attics to remove any snow and wet insulation found at that time, and PIE designed additional blocking for the ridge vents. Although RE identified 25 units with the problem, similar conditions were found in 114 Robin when inspected for a buyer, and this unit was not on the original list. This indicates all units must be fixed, not just the 25 originally identified. RE and PIE are now working on resolution of responsibility for this issue.
- **Change Order #23** involves the installation of the Bylin temperature controls and has now been approved by PIE.
  - **Change Order #24** was approved via email and is for changes in the civil, sidewalk, and drainage scope with a net credit of \$86,346.64.

***RESOLUTION: Upon motion made by Mr. Pansing and seconded by Mr. Kieber, Change Order #23 totaling \$6,233.47 was approved, and Change Order #24 approved via email was ratified.***

### ▪ Other Reconstruction Items:

1. Ms. Varvil referenced an email sent on February 5, 2008, and presented a letter to the Board regarding the ice buildup and drainage issue at unit 154 noted above. She requested her letter and the email be attached to the minutes. She stated she had attended the meeting to gain assurance that the problems would be addressed to create positive drainage away from the building while RE and PIE are still involved on site, and appreciated Board efforts toward the end result of getting this addressed.
2. Mr. Kieber noted that the drain blocks at the end of the gutters removed during reconstruction need to be re-installed. Mr. Steinbrink will work with Mr. Vlcek to accomplish this task.
3. RE has turned in the set of keys used during construction and want to state that effective this date, they do not have access to the units. Mr. Steinbrink will retain a set of keys on the property until all issues are resolved. The HOA's key policy should be re-visited when all work is completed.

#### **OTHER MATTERS**

- Mr. Steinbrink talked to Mr. Crane's attorney who recommended he attend an Eagles Nest Property Homeowners Association (ENPHA) Board meeting to see if that Board would support the HOA's efforts to withdraw from the master association. The ENPHA President requested the Ponds HOA write a letter on which the Board will act.
- Per Mr. Pansing's recommendation, it was determined a statement clarifying owner maintenance responsibilities be included in a newsletter to the membership only after all reconstruction is completed.
- The owner of 131 Allegra submitted all necessary forms for permission to install a hot tub and the request was approved via email.

***RESOLUTION: Upon review and motion made by Mr. Kieber, seconded by Mr. Pansing, and unanimously carried, Board approval of the application to install a hot tub at 131 Allegra Lane was ratified.***

- Chairmanship of the Compliance Committee is currently vacant. Dave Raymond serves on this committee and will be contacted regarding the vacancy, but Ms. Lowery would also be willing to serve in this capacity if needed.
- Pursuant to an owner request, bids should be solicited for exterior window cleans that would be scheduled after the landscaping project is completed later this summer.
- There was concurrence to plan for a Reconstruction Open House following the annual meeting on August 16<sup>th</sup>. The North Pond Park was suggested as an alternative location, due to its proximity to the property. President Steinbrink and his wife have hosted a barbecue at the Eagles Nest Community Center in past years, and this location will also be taken into consideration.
- Mr. Steinbrink noted that his term of office expires this year and he will not be running for re-election.

#### **ADJOURNMENT**

***Upon motion made and duly seconded, the meeting adjourned at 5:45 p.m.***