

Mailed 2-12-03

WHISPERING PINES RANCH

HOMEOWNERS' ASSOCIATION

ORGANIZATIONAL MEETING

February 1, 2003

The Organizational Meeting of the Whispering Pines Ranch Homeowners' Association was held on Saturday, February 1, 2003, at the Wilderest Commercial Center. The meeting was called to order at 10:05 A. M.

ROLL CALL

Pursuant to the Bylaws, the representation of 50% percent of the lots is required to constitute a quorum. The unit owners noted below fulfilled said requirement:

<u>LOT</u>	<u>OWNERS PRESENT</u>	<u>LOT</u>	<u>OWNERS REPRESENTED BY PROXY</u>
10 LG	Grande	22LC	TGR Land Company, Inc
23BC	Dorsey	22SVC	Fisher
26BC	Novak	20 BC	Marks
18LC	Villani	40GPT	Baines
15GPT	Gibson	19RT	Esparza
12BC	Anier	37GPT	Rodli
30LC	Dimmitt	16 BC	Namoff
46LC	Lloyd	19BC	Kane
16RT	Scanlon		Sunrise Construction
28LC	Keen	24LC	Houlton/Quill
20LC	Lewark	15LC	Burris
48GPT	Pfeifer	16LC	Markel
21 RT	Webber	16MC	Morano
61SVC	Dieringer	25BC	Brimmer
	Ginis	27MC	Miller
	Rainold		
14LG	Kuwahara		
36LG	Kennedy		
47LC	Pannke		
31MC	Kimak		
44SVC	Apfelbeck		
49LC	Ladwig		
35MC	Jones		
34LC	Jones-Hagy		
SVC	Los		
50LC	Pisces Builders		
23MC	Austin		
	Marsh		
10BC	Olson		
41LC	Sokolis		
	Gallipo		

Also present from Wildernest [WPM] were: Barb Walter, Operations Director; Jo Medelman, Off-Mountain Property Management Director; Tony Snyder, General Manager; and Audrey Taylor, HOA Liaison.

Proof of notice of meeting was noted.

REPORT OF MANAGEMENT

Introductions to Wildernest staff were made and a quick overview of Wildernest Property Management was outlined. Owners were encouraged to gather a "VIP" card, which provides discounts around the county. All were reminded that due to Wildernest being the largest management company in Central Summit County, in addition to the VIP card, several volume discounts are provided, e.g., in insurance, maintenance rates, trash collection, etc.

The services as per the management contract were discussed. The members present were advised that common area property trash walks are scheduled twice per month. Landscaping services will begin in the spring. Meanwhile, accounting services are on-going. It was noted that rules enforcement is as a complaint driven system. Should there be problems, all were encouraged to call Audrey, 468 6291 ext 217 to initiate enforcement procedures.

Individual contracts are welcomed by Wildernest for services such as snow removal, hot tub servicing, in-house maintenance checks, short/long term rentals, etc. The membership was directed to Sheila Williams, 468 6291 ext 254, for home care services and Karen Kleckner, 468 6291 ext 234, for rental services.

The membership present had several questions, as noted with the answers below:

1. Can the membership seize control of the HOA? *No, but the developer can relinquish control at any time; when 75% of the project is sold, he must surrender the HOA to the owners.*
2. According to CCIOA [Colorado Common Interest Ownership Act] how many homeowner seats are required on the Board of Directors? *Upon the sale of 25% of the lots, 1 homeowner position is required; however the Developer agreed to amend the Association bylaws to expand the Board to 5 and seat 2 homeowners as members.*
3. By what authority was the Association formed and the Owners assessed? *The Association was formed by the authority of CCIOA and the Association covenants, i.e., the Declaration Recitals A through F and Article 11.1 and 11.4.*
4. Why was the area formed into a PUD? *In order to develop the land, one had to either join the Soda Creek PUD or form a separate one. The decision was made to form the Whispering Pines Ranch Homeowners' Association.*
5. How large is the PUD? *Initially, the plat called for 197 Lots; currently, the Development is being downsized to 165 Lots.*
6. How was the dues contribution determined? *The budget was established based on the Association's perceived needs and the cost of services to fulfill the requirements. The total cost was spread among all the Lots that have been platted. [121]*
7. Does the Developer pay dues? *Yes.*
8. Did the Developer consider other management companies? *No, the Developer has worked with WPM on other projects and was only interested in this company. However, the management contract has a 30 day, at will,, cancellation provision, and at the time of transference, the Homeowners can act as they deem prudent regarding the management.*
8. What does the HOA's liability insurance cover? *The coverage is on all platted common areas.*

Lastly, the membership present was notified that during the Board meeting [prior to the Annual Meeting] a resolution had been enacted to amend the bylaws to change the quorum requirements from more than 50% to more than 20%.

REPORT OF DEVELOPER

Homeowners were advised that further development in the community will be based on the real estate climate. Currently, one block of property is scheduled for development in 2004, another in 2005 and the final one in 2006.

Roads:

Detailed discussion of the problems encountered with the roads, i.e., soils, drainage and compaction problems, resulted in the understanding that the County does not want to absorb the roads into its roadway system due to budget limitations. It was stated that the County, currently, is actively maintaining its streets to its maintenance and care responsibilities. Owners were urged to come together to aid in petitioning/pressuring the County to absorb the WPR streets into its system so that the Association won't be permanently responsible for repair and snow removal/maintenance. The County Manager, Ron Holliday, may be an appropriate contact.

It was noted that many reviews and soils studies had been conducted; the road problems [and engineering to correct the problems] have now been identified. The current schedule is to complete a final overlay on the streets as housing development on that street has concluded so that there are not heavy construction vehicles on the roads.

The discussion ended with the statement that the County's standard is for the streets to remain "perfect" for 2 years. The Developer stated that he would meet that standard; however, there is no confidence that after meeting the requirement the County will absorb the roads into its system for maintenance/repair.

Trees:

Though the Developer has warranty responsibility [2 years], the Association carries the maintenance responsibility. The warranty responsibility has expired on Filings 1, 2, and 3. Escrow monies are still being held in Filing areas 4, 5, and 6.

That being noted, Filings 1, 2 and 3 seemed to have a significant number of stressed trees. Though the 2003 budget accommodates some tree replacement, it's possible that water restrictions will force the Association to postpone its landscaping plans. The membership, at the Spring Walk through, can determine which, if any, landscaping projects it wishes to undertake.

Park:

Question was raised as to the development of a park. The Developer stated that there is a park planned which will sit in the circle formed by Filings 4, 5, and 6. It is not expected that the park will be developed for 2 or 3 more years.

FINANCIAL CONSIDERATIONS

The Board, Bill Gallipo, Cathy Gallipo, and Walt Grande approved a budget based on the estimates provided by Wilderrest to provide the requested services. The financials from '98 to '02 were reviewed. To date, the Association operated on funds provided through the \$500 per lot sale. Those sales were audited, and, to date, 3 sales cannot be verified as having made the capital contribution. [Additional research is on-going regarding these sales.]

As of December 31, 2002, the balance sheet reflects that the Association had a balance of \$34,581. Since the formation of the Association in 1998, expenditures of \$16,918 were incurred by the Association in: legal, miscellaneous, insurance, taxes, water reimbursement, grounds/parking and landscaping.

The anticipated 2003 Association expenditures are: insurance, management, sprinkler system, noxious weeds, trim grass once a year, fertilizing, cleanliness, tree replacement, website, fence and ditch maintenance, and accounting. [Refer to budget]

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED WITH NINE OPPOSED, THE APPROVED BUDGET WAS RATIFIED AS PRESENTED.

REPAIR AND MAINTENANCE CONSIDERATIONS

Owners were reminded that:

They are responsible for the repair and maintenance of the culverts under their driveways.
No woodburning appliances are allowed.

ELECTION OF DIRECTORS

Due to the agreement of the Developer to amend the bylaws expanding the Board of Directors to 5, elections were held for two Board members [elected from the homeowners].

Britt Dimmit, Christine Scanlan, Mike Eddie, Asimina Ginis, Rebecca Dorsey and Joe McIntire were nominated. Written ballots were submitted; ballots were tallied and homeowners **Britt Dimmit and Rebecca Dorsey were elected to the Board of Directors.**

UNFINISHED BUSINESS

Question was raised as to who serves on the Architectural Committee. It was announced that the members are Walt Grande, Cathy Gallipo, Todd Walker, Britt Demmit and Gene Baker. All were reminded to contact the committee at the beginning of planning construction.

OTHER MATTERS

The website address is wildernesthoa.com. Minutes, financials, links, architectural committee links, etc. are posted at this site.

The Spring walk-through was scheduled for Tuesday, April 22, 2003 at 3:00 P.M. All owners are invited; the walk will commence at the stop sign at the Forest Glen/Whispering Pines intersection.

The Annual Meeting was scheduled for Saturday, October 25, 2003 at the Keystone Science Center. The general meeting will start at 10:00 A.M.; the Board of Directors will meet at 9:00 A.M.

ADJOURNMENT

The meeting adjourned at 1:00 P.M.