

Skyler Subdivision Homeowners' Association
Annual Meeting Minutes
January 31, 2008
395 Skyler Street

The meeting was called to order at 7:10 p.m. by President Mark Biesecker

The first item discussed was not on the agenda, but due to a mailing received by many of those present, the officers felt it necessary to address the issue of the legal existence of the association. Teresa Black, Secretary, went over the timeline of the formation of the Association, which went as follows:

The original Declaration of Covenants were filed with the mesa County Clerk on February 13th, 2001.

The Articles of Incorporation were filed with the Secretary of State by the original board on February 21, 2001. The original executive board consisted of Darren Davidson, Steven Voytila, and Kim Manzanaras.

The original bylaws were signed by the above-named executive board on April 4th, 2001.

The original executive board scheduled an annual meeting of the homeowners for April 5th, 2004. At that time, they were prepared to turn control of the association over to the homeowners. Christi Price was present representing Sunbelt Environmental Corporation (Great New Homes) and started the meeting off by explaining that they were turning over control of the association. She conducted a roll call and called for nominations of new officers. Those officers were elected by majority vote. Ms. Price provided copies of various documents, including new bylaws for the organization, and exited the meeting. Those bylaws were made available to all those present at the meeting, as copies were sitting on the table at the rear of the room, and have been on file with the secretary and available for inspection since that date. Copies have been provided for all who requested them, including those who have purchased their homes since that first meeting in April of 2004. Annual meetings have been held in accordance with those bylaws each year since, and elections for officers conducted at each of those meetings, save the January 30th, 2007 meeting when there was not a quorum, and thus a vote was not possible. However, those sitting officers were on two-year terms, and had been voted in in 2006, therefore they retained their offices until this meeting in accordance with the bylaws signed into effect on April 5th, 2004. Teresa Black has been listed as the registered agent for the association since 2004. She has also taken care of filing annual reports with the Secretary of State and a tax return annually.

The officers hope that this timeline and description clears up any confusion as to whether our association is/was legal. Owners wishing to see copies of any of the governing documents are welcome to inspect them, and make additional copies. They can do so by contacting the secretary, Teresa Black. She has them in electronic format which can be e-mailed upon request, and soon hopes to have them available on the web. Please contact her at teresablack@bresnan.net with questions.

- I. The meeting started with a roll call. Nineteen lots were represented in person or by proxy.
- II. Teresa Black went over the budget and financial statements.
 - a. Questions were raised regarding the lawn maintenance line item. It was decided that Teresa would get bids on season-long fertilization and weed control, which may affect the price. The target would be to get 3-5 sprayings of the common areas while staying around \$250 for the year.
 - b. Mark made a motion that the budget be approved with an upward modification of \$250 in the lawn maintenance line item. Teresa seconded the motion and it carried by unanimous vote.
 - c. As the budget was ratified by the majority of those present at the meeting, and was based on a continuance of the annual regular assessment (dues) at \$150 per lot, the dues will indeed remain at \$150 per lot for 2008 and are now considered payable. Bills will go out with the minutes, and are payable within 30 days of the notice.
- III. Landscaping
 - a. Park Maintenance --
 - i. The regular mowing of the lawn will continue to be done by Brandon Bikki from approximately April 1 to June 10th and August 10th to the end of season. Dakota Black will mow weekly from June 10th to August 10th.
 - ii. Teresa Black will continue to keep an eye on the sidewalks around the park after snowfalls. If she cannot get the sidewalk cleared as required by city ordinance, she will contact Andy Smith or Roger Porter to accomplish snow removal.
 - b. Front Entrance Landscaping –
 - i. A new planning committee was formed. It includes Andy Smith, Teresa Black, Debra Williams, Robert Voss and Roger Porter. They will meet the first week of March to discuss the design of the landscaping, fencing and entrance sign. A proposal will be made available to the association in March and the committee will apply for city funding by April 1.
 - c. Irrigation –
 - i. Les Bikki will schedule the cleanout of the holding pit.

- ii. The association bears responsibility for breaks in the line that occur below the brass fitting that connects the homeowner's system to the main line, except in cases of owner negligence. Owners remain responsible for maintaining their own equipment, or fixing breaks in the main line caused by the carelessness, negligence, or any plant or tree on the owner's property that interferes with the line. The owners are also reminded that damage caused outside the easement/setback during maintenance and repairs may be covered by the association, but any plantings or structures located within the easement/setback will not be replaced or repaired. This wording will be included in the changes to the bylaws. Kirk Black made a motion that the association reimburse Kenny Guidry for his expenses (less than \$115) to repair the break in the line that occurred in September 2007. Carrie Biesecker seconded the motion and it carried by unanimous vote.
 - iii. If we are notified when it is time to clean out the ditch prior to the water coming on, we will hire labor through the temp labor service to help with that again this year.
- IV. Updates/Changes to bylaws
 - a. The board will meet in February to go over the governing documents and suggest changes to them. All changes will be mailed to homeowners and a meeting set to vote on the changes before they are certified or filed.
- V. Block Party – The group present was in favor of a block party again this year. The planning committee will be made up of Lisa Bikki, Carrie Biesecker, Maryann Embry, and Teresa Black
- VI. Yard Sale – The group decided against a neighborhood yard sale again this summer. Individuals are welcome to conduct their own.
- VII. Board Officer Elections –
 - a. Debra Williams nominated Teresa Black for another term as both Secretary & Treasurer; Maryann Embry nominated Les Bikki for another term as Vice President; Teresa Black nominated Mark Biesecker for another term as President. Votes were conducted by secret ballot. The results were 18 votes for Teresa Black as Secretary, 1 vote for Debra Williams as Secretary; 17 Teresa Black as Treasurer, 1 vote for Debra Williams as Treasurer and 1 vote for Andy Smith as Treasurer; 19 votes for Less Bikki for Vice President; 19 votes for Mark Biesecker for President. The three officers accepted new terms as the officers of the board of the Skyler Subdivision Homeowners Association.
- VIII. New Business –
 - a. Bylaws – All of those present at the meeting received copies of the current bylaws. Anyone else wishing to obtain a copy is welcome to contact Teresa Black.
 - b. Meeting notices – In addition to mailing the notice, and posting reminders on the doors of owner-occupied homes, meeting notices are also posted at the Gazebo and will soon be available on the website.
 - c. Teresa Black has a source willing to create and maintain a website for the association. There will be no cost for creation, and annual renewal will be minimal (Less than \$50 per year). Terry Klein made a motion that we go forward with the creation of the website for posting copies of governing documents and announcements about other things like irrigation problems. Kirk Black seconded the motion and it carried by unanimous vote.
 - d. There were some concerns raised about violations of the covenants and city codes regarding junk vehicles, businesses being run out of homes etc. All owners with similar concerns about Architectural Control Committee items should forward their complaints to Teresa Black, who will give them to the ACC for action. A reminder that city code violations can and should be referred to the city if resolution is not reached through the HOA.
- IX. Hearing no new business matters from those present, Teresa Black made a motion that we adjourn the annual meeting of the SSSHOA. The motion was seconded by Carrie Biesecker and the meeting was adjourned at 9:40 p.m.