

MASTER COMMUNITY ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING MINUTES

SEPTEMBER 8, 2004

CALL TO ORDER

The meeting was called to order at 9:15 a.m. Board members in attendance were John Lehigh, Jim Chrisman and Denise Gammon. Forest City Representatives in attendance were Mark Loeb and Diane Deeter. District 2, Delegate in attendance was Tom Keyse. In attendance from Management Specialists, Inc. was Debra Troppman.

OPEN FORUM

There were no Open Forum attendees or issues.

APPROVAL OF PREVIOUS MEETING MINUTES

The minutes from the Board of Directors May 24, 2004 Meeting were approved with one change:

- Under New Business, HOA Park Use Policy, first sentence, insert the words, “to use” between permission and various parks. The sentence should read, “Debra and Diane informed the Board that several requests for permission to use various parks within the community has been made.”

The Board motioned that minutes would not be posted on the community intranet until approved. Motion carried.

MANAGER’S REPORT

Financials – Debra reviewed the most current financials for the period ending July 31, 2004. Debra stated from the Cash Flow, the Beginning Cash Balance was \$73,336.25, Total Inflow under Cash Received was \$54,303.22, Total Cash Disbursed was \$68,880.99, leaving and ending balance of \$58,758.48. From the Budget Comparison for July 2004, the Board requested Management Specialists, Inc. adjust the entry for Pool Maintenance for May 2004. The Pool Maintenance and Pool Lifeguarding Contract totals were entered under Maintenance and should be separated between the two categories of Pool Maintenance and Lifeguarding. Debra will follow up with the Accounting Department.

Two items that are currently over budget were discussed, those items being Pool Chemicals and Pool Supplies. Due to the pool closure and insurance claim, these two items incurred unexpected expenditures during the pool season. Debra reported the insurance claim from the wind event at the pool had been finalized. The total claim exceeded \$17,000 and is currently being reviewed by the Insurance Adjuster. Action being taken to prevent further occurrences involving umbrellas and damage includes drilling umbrella poles so hardware can be installed and attached to keep umbrellas from lifting out of holders.

Delinquency Report – Debra reviewed the most recent Status Report provided by Orten & Hindman for period ending August 27, 2004. The current amount of delinquent assessments due the MCA is \$7,799.52.

Grounds Update – Grounds maintenance bids and contracts have been received for Aviator Park, the three pocket parks and the Town Green. The Grounds Maintenance Contractor, Colorado Total Maintenance is providing bids for two items requested:

1. Subsurface irrigation at the pool
2. Installation of a centrally operated irrigation control system

These bids will be reviewed and discussed at the next meeting.

Debra reported three areas of concern for grounds management in the community:

1. At Aviator pool, ponding water in the sod by the outdoor shower is occurring due to a drainage problem. This is being discussed with Alex Hill and Mortensen and a meeting will be take place to resolve the problem.
2. The pocket park at 25th and Spruce, there is a power problem including varying or fluctuating voltage. Debra reported Xcel Energy and an electrician will inspect and report their findings.
3. Pocket park at 28th and Valencia, there is a ponding water problem from the drainage swale that runs across Valencia Street.

OLD BUSINESS

Community Fee Waiver Application from Commercial Federal Bank – At the request of the Board, Loura Sanchez reviewed and provided comment for the waiver application. Loura's recommendation was that the community fee be waived for this request. Debra will format letter to applicant at Commercial Federal Bank.

Commercial and Builder Delinquency Policy – The Board adopted the following delinquency policy effective November 1, 2004, in accordance with Article 6, Section 15 of the Community Declaration for the MCA:

- Action to be taken on accounts shown on Aging Report as 30 days past quarterly due date, receives a letter to notify.
- 60 days past quarterly due date, receives a letter, late fees and interest
- 90 days past quarterly due date, receives letter of intent to file liens and a phone call to the builder contact.
- Over 90 days past quarterly due date, a lien will be filed, late fees and interest assessed.
- The late fee is \$10, the interest rate is 18%, the lien fee is \$50, the attorney for collection is Orten & Hindman and Board approval is required prior to turning over to the attorney.

Debra will inform the Accounting Department of the adoption of this policy. A copy of the policy will be mailed to all builder and commercial owners.

Ratification of Previous Non-Meeting Board Action – Floral pots and annual flowers were installed at the Town Center and at Aviator Pool. Irrigation lines were installed at the pool to provide watering to the flowers and pots installed. These expenses are to be allocated to the grounds improvement line item in the budget.

NEW BUSINESS

Debra recommended that in order to assist in the day-to-day operation and fiduciary matters of the Association, it would be in the best interest of the Association to appoint Diane Deeter as an additional managing agent of the Association. By granting this authority to Diane, the Board will authorize Diane to approve expenditures within budgeted line items in the approved budget. Debra will review with the Association's attorney and draft a resolution for Board signature at the next meeting.

Legal Representation by Orten & Hindman – Orten & Hindman provided a letter of correspondence regarding dual representation concerns. Orten & Hindman reminded the Board that Loura Sanchez is legal counsel on behalf of the Master Community Association and Jerry Orten is legal counsel on behalf of Forest City. The Board signed the letter acknowledging this is understood and communication with the proper contact will result.

Grounds and Maintenance Agreements – The bid and contracts for the 2004-2005 Season was tabled at this time due to a maintenance agreement with the Park Creek Metro District and the MCA being drafted.

Delegate Update – Tom Keyse reported the current issues being discussed are the traffic task force and safety within the community, preliminary study by the City evaluating traffic patterns. The City and County agree to a four way stop sign at 28th and Spruce, creating safety zones at 28th and Ulster and 28th and Tamarac and installing crossing striping.

Pool Policies – Currently a meeting is scheduled on October 6, 2004 to discuss pool policies, the hours of operation at the pool and guest passes.

Permanent Shade Structure at Aviator Pool – Due to the insurance claim resulting from the wind event, a permanent shade structure has been requested by various residents. The Board discussed this item was originally included in the specifications, however eliminated due to funding. Diane and Debra stated a bid was received for installation of a retrofitted permanent structure in the amount of approximately \$37,000. This item was tabled for evaluation of the second season of pool operation.

The RRRDR (Residential Renovation and Remodeling Design Review) – The Board is appointing the following members to the RRRDR Committee:

- Lisa Hall – Forest City Representative
- Mark Loeb – Forest City Representative
- Diane Deeter – Forest City Representative
- Diane Gordon – Resident/Homeowner
- Sara Christensen – Resident/Homeowner

These members will serve as homeowner members.

Debra will mail confirmation letters to Diane and Sara and facilitate the first meeting of the committee.

Public Arts Committee Nomination – Diane stated Joyce Thomas had been nominated and is being appointed to the Public Arts Committee. The Metropolitan District is responsible for installation of public art throughout the community as part of a public art master plan.

Fountain Area/West Crescent – Debra informed the Board that various recommendations by the Insurance Agent, the Insurance Lost Prevention Agent and legal counsel for MCA have been received for the installation of signage at the water feature in the west crescent. Debra provided the Board with specific verbiage that had been recommended for posting and placement at the fountain area. Diane will meet with various contacts at Forest City to finalize signage placement and verbiage and post signs as soon as possible. The Board discussed the water would be shut off at the fountain area in October.

Alley Maintenance Resolution – The Board discussed the fact that the Metro District owns the alleys and the Association is responsible for maintenance of the alleys, not including snow plowing. The Board discussed the need to clearly state the snow removal policy as mirrored by the City and County of Denver that snow will not be removed from alleys as it is cost prohibitive on a regular basis. In the event of major snow event of one foot or more, the Board will consider taking action on a case-by-case basis.

NEWSLETTER ITEMS

Currently the Front Porch is to remain the primary newsletter distributed to members in the community. The following articles are recommended for the next issue:

- A pool policy review
- The ABC's of common area maintenance and ownership of the Association
- An events calendar
- The top 20 frequently asked questions.

NEXT MEETING DATE/TIME/LOCATION

The next Board meeting is tentatively scheduled for Tuesday, November 9th at 9:00 a.m.

ADJOURNMENT

With no further business to conduct, the meeting was adjourned at 11:10 a.m.

DT/ras/MCA