

MINUTES OF THE WOODMOOR IMPROVEMENT ASSOCIATION

BOARD OF DIRECTORS MEETING

June 1, 2005

1. John Ottino, WIA President, called the meeting to order at 7:00 p.m.
2. WIA Board Members present:

John Ottino	President
Susan Shields	Vice-President
Betty Hutchinson	Treasurer
Elizabeth Miller	Architectural Control
Allan McMullen	Common Areas
Laurie Healy	Covenant Enforcement
James Woodman	Forestry
Hans Post	Public Safety
3. WIA Board Members absent:

George McFadden	Secretary
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4. Staff in attendance:

Kevin Nielsen	WPS Chief
Camilla Mottl	WIA Executive Director
5. Visitors present:

Curt Ormond	Resident
Bill Walters	Resident
	Tribune
Chris Pollard	Community News
6. Approval of minutes: The May 4, 2005 minutes were approved as written.
7. Ottino welcomed visitors to the meeting.

New Business

8. McMullen announced that Tri-Lakes Views would be holding their Third Annual Art Show and Benefit on June 4, 2005. The gala will be held from 7 to 10p.m. at the Tri-Lakes Center for the Arts with tickets at \$35 each. He told members that the featured art comes from artists living in the area and encouraged members to attend.
9. Curt Ormond addressed the Board regarding the possibility of using a parcel of land that adjoins the Lake Woodmoor Townhomes for a small medical facility. The land currently belongs to Woodmoor Water and Sanitation but is to be given, in trade, for five lots belonging to the townhome community that are located in the lake adjoining that property (Lake Woodmoor). The community is looking at offsetting some large expenses in exterior maintenance (roofing, siding, etc.) by accepting the land in trade from WW and San and then selling it to an interested party for medical offices. The townhome owners want to know if this is feasible. Ottino explained that, according to the WIA covenants, if the land to be used

took any portion of the current common area, approval of 75% of the ownership would have to be obtained. Ottino also asked whether or not the neighboring property (Moorwood), had been briefed on this possibility and what their response was. The item was tabled for lack of information and Mr. Ormond stated he would look into the legal issues raised and get back with the Board at a later date.

10. The Architectural Control Committee received a request from the Woodmoor Pines Golf and Country Club and a Woodmoor owner to allow the Country Club to acquire use/and or official ownership of a small piece of land on two sides of the boundary of the owner's lot where it borders on the golf course. The ACC referred the owner's request to the Board of Directors. The area in question has been used for years by golfers with their carts to access the golf course. This acquisition will reduce the size of the lot approximately 2/10^{ths} of an acre less than its current size, leaving it at over one-half acre. The covenants allow, in circumstances such as this, for the Architectural Control Committee to approve a subdivision as long as the home in question will still be located within the setbacks as designated by the WIA covenants. McMullen **moved** that the Board approve the subdivision as long as the setbacks for the lot were kept within the guidelines dictated by the WIA covenants. Woodman **seconded** the motion. All were in favor. The motion **passed**.
11. Ottino asked if any other nominees had been received for the Good Neighbor Program. Mottl stated that we have one candidate. Discussion ensued. Upon questioning of a reporter present at the meeting Ottino explained that the Good Neighbor Program is an informal program to recognize Woodmoor residents who perform "random acts of kindness." Examples of what residents might want to acknowledge someone for include, but are not limited to volunteering to take you shopping when you otherwise have no way of getting out; shoveling your driveway for you during severe snowstorms; helping with yard work such as raking up dead pine needles and leaves to promote fire safety; clearing debris out of gutters; or any other kind act that you want to recognize someone for. This is just a more visible way of saying "thank you" and recognizing some of the outstanding residents we have living in Woodmoor. This recommendation came from an owner and the Board thought it was a good way to recognize the many neighborly deeds that normally go unnoticed. There is no special format, or criteria to nominate someone for this award. If someone in Woodmoor does something that you think is deserving of special recognition, all you have to do is write up a brief narrative of what they did and submit it to WIA. The plan is for this to be a quarterly or semiannual award depending on the number of nominations received. WIA will post those that are recognized on the Woodmoor web site and future newsletters. The only stipulations are that self-nominations are not allowed; nominees must be a resident of Woodmoor; and nominations must be submitted prior to the end of each quarter (1 March, 1 Jun, 1 Sep, and 1 Dec). David and Wendy Reinecke were nominated by fellow resident, Ross Meyer, for being model residents that maintain their house and property in immaculate condition, even while making ongoing improvements. They comply with all the Association's rules, regulations and covenants and are friendly, outgoing and available to assist their neighbors whenever called upon. Mottl noted that David Reinecke took the lead when it was realized an absentee neighbor had Mountain Pine Beetle. Once WIA staff member, Matt Beseau, contacted the absentee owner, Reinecke offered to personally work with the owner in getting bids and seeing that the removal of the MPB trees was properly performed on his neighbors property since he was unable to oversee it himself. Members of the Board agreed that the

Reinecke's actions qualify them to receive recognition by Woodmoor as examples of what being a "Good Neighbor" is about.

12. Betty Hutchinson reviewed the financial statements (Balance Sheet, Budget versus Actual and Profit and Loss) and her Treasurer notes for the month ending April 30, 2005.
13. Ottino and members reviewed the Town Meeting Overview. It was noted that, as a result of discussion with owners during the meeting, the following items will be placed on the website for resident feedback:
 - Allowing more than two vehicles to be parked in the drive and/or making
 - Ancillary Building Design Changes
 - Voting for WIA Board members via the proxy form
 - Allowing ice skating on ponds regardless of risk and/or
 - Possible construction of open air, natural frozen ice skating rink
 - Developing walking/access trails
 - Trying to improve driving habits of those using the roads to access the high school
 - Have a category for other subjects for discussion that residents can use to notify us they would like to address and get feedback on

14. Mottl reviewed the reserve expenses that are currently scheduled for 2005 as follows:

1) Asphalt sealing of parking lot	3,450
2) Electrical Equipment Replacement	6,500
3) Replace Barn entrance doors	900
4) WPS office furniture replacement	3,500
5) Office Equipment Computer/Program Replacement	21,500
6) Gutter downspout repair	1,000
7) Patrol Vehicle - Replace	20 - 22,000

Mottl noted that repainting the exterior of the Barn and offices is not scheduled until 2007 but need to be scheduled sooner at an estimated cost of \$4,692. Also, we need to power clean and stain the community center decking at an estimated \$1,500.

Mottl stated that, due to an overabundance of cattails, a resident had requested we look at dredging Wild Duck pond this year. According to the 2003 Reserve Study, it is not scheduled for dredging until 2008. McMullen stated that whoever did the last work on Wild Duck did not do a very good job. Nielsen stated that the same contractor did the Twin Ponds and that work has been judged to be excellent. Nielsen noted that when treating the pond for mosquitoes you can tell that Wild Duck Pond experiences much more runoff from surrounding areas that he believes contributes a great amount of silt and other debris which contributes to the condition of the pond. McMullen stated we would not be dredging the pond this year, as he believes that volunteers can remove most of the cattails.

Mottl also distributed pictures of the pond in Winding Meadow showing that it also needs some clean-up work.

Members agreed that Mottl will pursue bids on the computer system, gutter work, asphalt sealing, deck seal and exterior painting and repair of the Barn and offices.

Post stated that WPS will not be replacing a vehicle this year and Nielsen will make recommendations on needed office furniture.

McMullen will inspect the Barn doors and make a recommendation on replacement.

Replacing the carpet in the Woodmoor Room upstairs was discussed. Mottl will pursue another type of cleaning prior to making a decision on whether or not it needs to be replaced.

15. Title Companies are, by law, required to deliver all documents filed with the county regarding the existence of the WIA. This means that purchasers always receive a copy of the covenants. Unfortunately, as Susan Shields reminds us, even though realtors are suppose to be held to a higher standard and *should* be giving out all the governing documents, we still have purchasers that do not receive our Rules and Regulations and other pertinent association materials until we mail them our Welcome Packet. The Welcome Packet is mailed when WIA receives the warranty deed from the Title Company. Therefore, WIA wants to make sure that owners are informed that there are Rules and Regulations and Design Standard Guidelines that are not filed with the county because they are subject to amendments due to the constantly changing needs of the community as well as the continual introduction of new construction materials that come on the market. Therefore, Post **moved** that the WIA Board resolve to file the following NOTICE OF ARTICLES OF INCORPORATION, BY-LAWS, RULES AND REGULATIONS, Parts I, II and III and RULES AND REGULATIONS, Part IV -DESIGN STANDARDS of WOODMOOR IMPROVEMENT ASSOCIATION with the El Paso County as follows:

NOTICE IS HEREBY GIVEN that Woodmoor Improvement Association (the "Association") operates under its Declaration of Covenants, Conditions and Restrictions (the "Declaration") which was recorded on July 12, 1971 in Book 2421 beginning at page 215 and on December 2, 1971 in Book 2452 beginning at page 936 of the real property records of the Clerk and Recorder of El Paso County, State of Colorado, which includes the property described on Exhibits A and B attached hereto and incorporated herein by this reference.

AND THAT the Association operates under its Articles of Incorporation, Bylaws and Rules and Regulations, Parts I, II, III and IV- Design Standards (the "Rules") adopted pursuant to the Declaration and incorporated herein by this reference.

Said Articles of Incorporation, Bylaws and Rules may impose duties, provide rights and affect the ownership, use, encumbrance, possession and control of the real property described in the Declaration and may bind all owners and other persons or parties who use, occupy, possess, encumber or own any interest in said real property.

Violation of said Articles of Incorporation, Bylaws and Rules may result in the imposition of fines, recovery of attorneys' fees, and other legal remedies, and the Association may require payment of all fines, assessments, and other sums and correction of all violations on or before any sale, transfer or conveyance of any portion of the above described real property.

Copies of said Articles of Incorporation, Bylaws and Rules may be obtained from the Association's administrative office, its officers, directors or registered agent. They are also available on the WIA website (www.woodmoor.org). Said Articles of Incorporation, Bylaws and Rules are subject to past, present and future amendments, change, addition and modification without additional or further recorded notice.

Homeowners and prospective purchasers of property located within the Association are entitled to a copy of these governing documents and are strongly urged by the Association's officers, directors

and registered agent to review them before purchasing property within the Association and at regular interval thereafter.

Laurie Healy **seconded** the motion. All were in favor. The motion **passed**.

16. A sample of the reworded violation notice, noting WIA's desire to communicate, answer questions, and work with the resident in resolving the issue, was distributed and discussed. Woodman **moved** to adopt the letter for covenant violation notices. Miller **seconded** the motion. All were in favor. The motion **passed**.

The Board adjourned to Executive Session at 8:15 p.m.

The Board resumed regular session at 9:12 p.m.

Unfinished Business

17. Director of Forestry Jim Woodman gave the following update regarding mountain pine beetle (MPB).

- ❑ In the past 6 weeks Forestry has received sixty requests to inspect lots
- ❑ There are 70 lots with known MPB. As of this date, 44 of those lots have removed the infested trees and WIA Forestry is tracking the others for action
- ❑ The Forestry department does not have enough volunteers to address all the lots that are suspected of having MPB
- ❑ Bids for removal of 32 MPB trees in the common areas are being procured. The bids are due this Friday and the trees will be removed no later than June 21
- ❑ The Country Club still has many MPB trees and slash that need to be removed. Ottino stated that he will contact Gene Hoffman, the newest principal, and request the Country Club make sure this problem is taken care of before the beetle fly date. Forestry will be happy to help the Country Club to be sure they know where the MPB trees are located.

Ottino expressed thanks for the entire Board and the residents of Woodmoor to Jim Woodman for all his hard work and for the hard work of the Tree Monitors. They are to be commended for the many hours they have spent in trying to protect the interest of all Woodmoor owners and their property values.

18. Rather than go through the entire design standards for multiplex units, Miller is going to forward the most recent edited version to Ottino for his review.
19. Post explained that the WPS staff has become increasingly busy due to an increased workload in the number of vacation checks that are being requested. WPS is currently scheduled to take on an additional employee in September. However, they would like to begin the employee two months earlier on July 1. In reviewing their revenue to date, Post states that they will bring in enough unbudgeted additional revenue to fund the two extra months. Discussion ensued. Hutchinson **moved** to approve the early hire. Miller **seconded** the motion. Hutchinson, Miller, Post, Ottino, Healy, McMullen and Woodman voted yes. Shields voted no. The motion **passed**.
20. Wishing to ratify previous instructions to Camilla Mottl regarding paying the taxes on road easements to prevent them being purchased via auction in order for a developer of a neighboring parcel to gain access through Woodmoor to his development Shields **moved** that that the WIA

Board adopt the following resolution:

WHEREAS: It has come to the attention of the Woodmoor Improvement Association Board of Directors that the Woodmoor developer, Steve Arnold, is the titled owner of numerous road easements in South Woodmoor connecting South Woodmoor residential roads to adjacent rural and developed tracts; and

WHEREAS: Steve Arnold has failed to pay the county taxes on the road easements in South Woodmoor; and

WHEREAS: Developers of adjoining residential and commercial property not within the boundaries of the Woodmoor covenants have sought to gain access to the residential roads of South Woodmoor by payment of the county taxes through foreclosure and county auction of one or more of the road easements; and

WHEREAS: The Woodmoor Improvement Association was formed “to provide for maintenance, preservation and architectural control of the residence Lots and Common Areas” within Woodmoor and “to promote the health, safety and welfare of the residents” within Woodmoor and to aid and help “better, improve and develop the Properties in any of the Woodmoor subdivisions filed by the Woodmoor Corporation, El Paso County, Colorado” and “to prevent nuisances; to prevent the impairment of the attractiveness of the property, and thereby to secure to each individual owner the full benefit and enjoyment of his home and/or property...and to insure the lasting beauty and investment value of the property”; and

WHEREAS: The Woodmoor Improvement Association is specifically empowered in its Articles of Incorporation to “acquire” “real or personal property in connection with the affairs of the Association”;

IT IS HEREBY RESOLVED that the Woodmoor Improvement Association, through its Executive Director and other agents and employees, is authorized and directed to protect the road easements in South Woodmoor from being purchased or acquired by adjoining residential or commercial developers in order to prevent further residential or commercial traffic from using Woodmoor residential roads. This authority includes payment of back taxes on any such road easements on which El Paso County may foreclose (and hereby ratifies the action and conduct of the agents and employees of the Woodmoor Improvement Association in paying back taxes on road easement No. 7123101009) and directs the agent and employees of the Woodmoor Improvement Association to take all further effort to acquire title to, and control of, the road easements identified in South Woodmoor, to preserve same from use by adjoining residential and commercial property owners, thereby preserving the peace and quiet of the Woodmoor neighborhoods involved.

Post **seconded** the motion. All were in favor. The motion **passed**.

21. Mottl confirmed attendance to the Hearings/Variance Meetings to be held on Wednesday, June 15.

The meeting adjourned at 9:35 p.m.

RESPECTFULLY SUBMITTED:

Date

Camilla Mottl, Executive Director