

**MINUTES OF THE WOODMOOR IMPROVEMENT ASSOCIATION  
BOARD OF DIRECTORS MEETING**

**November 26, 2007**

1. Hans Post Uiterweer, WIA President called the meeting to order at 7:05 p.m.

WIA Board Members present:	Hans Post Uiterweer	President
	Bill Walters	Vice-President
	Elizabeth Miller	Architectural Control
	Amy Smith	Forestry
	Terry Holmes	Treasurer
	Steven Malfatti	Covenant Enforcement
	George McFadden	Secretary
	Gary Marner	Common Areas
	Jake Shirk	Public Safety

Staff in attendance:	Kevin Nielsen	WPS Chief
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Visitors present:	Chris Pollard	Community News
	Phyllis Tatman	Homeowner
	Jane Costanza	Homeowner
	Monti & Taeko Riordan	Homeowner
	Allan McMullen	Homeowner
	Kevin Weese	Homeowner
	Robert Gountanis	Homeowner
	Anne Stevens-Gountanis	Homeowner
	Michael D. Welch	Homeowner
	Jim & Linda Tronnes	Homeowner
	Lisa Buhler	Homeowner
	Janet Sellers	Homeowner
	Cari Canaday	Homeowner
	Misti Vazquez	Homeowner
	Joan & Steve Powers	Homeowner
	Carolyn & Joe Beavers	Homeowner
	Nicole Chillino	Tribune Reporter

2. Approval of minutes: There were a number of corrections to the minutes:
- a. Page 5 of 7: Sentence “no change was made regarding checking the playground equipment” was struck.
  - b. Page 5 of 7: The motion on updated administrative filing fees was incorrect. The board modified the motion to read: “**The administrative filing fee (non-refundable) for major modifications and ancillary buildings less than or equal to 530 square feet be set at \$250. The administrative filing fee (non-refundable) for additions greater than**

**530 square feet will be \$250 plus \$1 per finished square foot greater than 530 square feet up to a maximum charge of \$500.” A motion to correct this wording was made by Miller, seconded by Malfatti and passed with Holmes, Malfatti, Miller, Shirk, and Smith voting for.**

- c. Page 6 of 7: Item 19 was amended to state that Smith recommended that a different method be developed for attendance to hearings to assure equal participation by the board members.
- d. Page 7 of 7: As there were no motions made after the Board ended Executive Session the word “Motion” was stuck.

The Board then approved the minutes as corrected. McFadden will make the corrections and send to Mottl for the records.

3. Welcome of Visitors: Post welcomed the visitors. The majority of homeowners present wished to discuss the proposed Toboggan Hill parking lot. As Marner had not yet arrived, this issue was held off temporarily. Mr. McMullen provided an update on the pond projects.
4. Approval of Agenda: A number of agenda items were postponed to the December meeting in the interest of time. One item (recording of vote on Executive Director Employee Evaluation) was added to the agenda and the agenda was approved as modified.
5. Election Process: Post discussed the issue of blank proxies sent by homeowners at the annual meeting. Traditionally the Secretary has voted these proxies. Due to the fact that the current Secretary is also a candidate for election, Post felt this might be viewed as a conflict of interest. The board discussed the issue and felt that no BOD member should vote the blank proxies. **Walters moved to allow only instructed proxies for the annual meeting. McFadden seconded and the motion passed unanimously.**
6. Toboggan Hill Issue: The board resumed discussion of the Toboggan Hill parking lot issue. Mr. Tronnes spoke for the homeowners/neighbors in the area of the proposed lot and stated that there was unanimous opposition to the parking lot. (letters and signatures were presented to the board and included in the board packets). He stated there were concerns with the placement of the lot, ice, traffic, etc. He stated that extending the existing lot would be more acceptable. He also had concerns about the trees that would need to be removed for such a lot. Mr. Tronnes also expressed the homeowners’ dissatisfaction with the manner in which notice had been served (the day after a holiday and 3 days prior to the BOD meeting).  
Ms. Costanza spoke next. She stated that there are many non-WIA members using the hill and was concerned that additional parking will make the situation worse. She was worried about the impact of an additional lot on the neighborhood and asked that a group of volunteers be set up to craft a solution.

She also stated she was unhappy with the short notice and stated that in the future, homeowners should be given at least 14 days notice.

Ms. Sellers spoke next. She was worried about kids hanging out drinking and throwing bottles, as well as safety issues related to Deer Creek Rd. She also stated that she has witnessed kids night “skiing” on Toboggan Hill from Midnight to 3 A.M utilizing car headlights to illuminate the hill.

Ms. Buhler stated that although she lives in the affected area, she did not receive any notification and asked how the WIA determines which homeowners receive notice.

Marnier responded to the homeowners concerns. He stated that no trees over 4” would have been cut, and that no final decision had been made by the BOD on the parking lot yet.

**Walters moved to table the Toboggan Hill Parking lot issue. Malfatti seconded and the motion passed unanimously.**

7. 2008 BOD Candidates: McFadden, as head of the Nominating Committee, presented the names of the candidates running for the BOD. They are Steve Kearney, Thomas Kelley, Chuck Maher, George McFadden, Stephen Steffey, Anne Stevens, and Kevin Weese. McFadden stated he had confirmed each candidate was the record owner of his/her house. McFadden then invited the candidates present to address the board. Ms. Stevens and Mr. Weese chose to do so.
8. October Financial Report: Holmes gave his Treasurers report. He stated that the Association was currently \$40,000 over budget in net income. There was a discussion regarding renaming the balance sheet item entitled “Reserve Fund Balance-Other” to “Capital Replacement Reserve” to better describe the fund. Walters noted that he would discuss the Unallocated Operating Reserve during the Strategic Plan agenda item.
9. Staff Reports: Chief Nielsen provided the Public Safety Report. Highlights were that there have been reports of mail theft in the vicinity of the Country Club; there have been reports of Christmas light vandalism; and the road survey has been completed.

## **Old Business**

10. Monument Charter Academy (MCA): Malfatti provided information regarding whether the WIA covenants apply to the MCA project (there is some uncertainty). Hours of operation and screening are the main issues. Mr. Pollard stated he had attended a planning meeting and that the county, in approving the project, said that the Knollwood Covenants apply. Malfatti recommended that we ask for legal advice and will work with Mottl on this.

11. Woodmoor Water & Sanitation/Road Cut: Smith reported on a visit by herself and Malfatti to the road cut on Indian Summer that was brought to the attention of the BOD at the October meeting. Smith stated that an email had been sent to WW&S requesting action on the issue (erosion).

### **New Business**

12. 2008 Operating Budget: **Malfatti moved to accept the 2008 Operating Budget as presented. Shirk seconded.** Discussion: Walters asked if the homeowners would get a chance to vote on it. The answer is that the BOD passes the budget and presents it to the homeowners but there is no requirement for homeowner vote/ratification. Walters also raised a concern that the budget as presented was not balanced. A vote was called and the **motion carried 5-3, with Holmes, Miller, Malfatti, Smith, and Shirk voting for, and McFadden, Walters, and Marner voting against.**

13. Strategic Plan: There were three sub items under this agenda item.

- e. Adjust Expectations to Budget: Post asked for changes to the Strategic Plan to be presented. Malfatti (Covenants), Smith (Forestry), and Shirk (Public Safety) had changes. McFadden captured the changes and will update the Plan and send out to the BOD. McFadden pointed out that all the additional staffing called for in the original Plan (1 Admin and 1 WPS officer) could be provided for approximately \$14K less than current Admin staff costs by contracting out Admin support.
- f. Annual Question for Residents on Ballot: This item will be addressed via email, with Smith coordinating a suspense date.
- g. Unallocated Funds Status: Walters led a discussion of the reserve status, in particular, that of the unallocated operating reserve, currently in the amount of \$235,221. He stated that in 2002 it was approximately \$409,000 and at or around that time, a Reserve Fund was created and some of this money allocated to this Reserve Fund. He stated that his research has determined that there are 3 ways the remaining, excess money should be handled: 1) Transfer to the following years budget to offset expenses; 2) Moved into a Capital Improvements Reserve Fund which could be created by the Board; or 3) Returned to the homeowners. Walters asked that a poll question on the excess unallocated funds be placed on the ballot. **Post appointed Walters, Marner and Holmes to draft poll questions.** Holmes will have Mottl send out prior years reserve poll questions to the BOD.

**Malfatti moved to approve the Strategic Plan as amended which was seconded by Miller. The motion passed 6-1, with Holmes, Miller, Malfatti, Smith, Shirk, and Marner voting for, McFadden voting against, and Walters abstaining.**

14. Forestry Update: Smith reported on forestry grants and projects. She stated that grants had been received in the amounts of \$2000 and \$1500 and that work has been completed on Greg's Pond & Bent Nail Easement. Smith reported that the Forestry Christmas Party for Forestry Volunteers will be held Dec 14, and that she envisions that next year the party will be open for all WIA volunteers.
15. Common Areas: Marner provided information on bids to do work on Greg's Pond (to redo the dam) and Wild Duck Pond (dredging). The Greg's Pond project will cost approximately \$990 and may be done within the week. The Wild Duck Pond cost is approximately \$11,720. Marner will have Mottl send out notification to the residents that these projects will occur. Smith asked about the bidding process as did Walters (regarding number of competitive bids sought). Marner will get another bid for the Wild Duck Pond work. Smith requested that the BOD take a look at the process regarding obtaining bids for work – she stated that there needed to be a better process to bring items to the boards attention before sending information out to the homeowners.
16. Attendance to Dec Hearings. Post confirmed that a quorum would be available to attend the Dec hearings.
17. Annual Meeting Presentations. Post requested that all presentations be due by Jan 9<sup>th</sup>.
18. December & January BOD Meeting Dates. Due to the holidays, the December BOD meeting will be held December 17<sup>th</sup>, and the January BOD meeting will be held January 14<sup>th</sup>.
19. December Agenda Items. The items deferred from this meeting will be placed on the agenda for the December meeting:
  - Aggressive Animal Behavior
  - Tall Grasses
  - Employee Evaluation Form
  - Toboggan Hill Parking Lot
20. Ratification of vote on the Executive Director's Evaluation: McFadden read the motion and results of the vote taken during the budget meeting so they could be recorded: **Motion to approve the Executive Director's Employee Evaluation as presented was passed 5-3, with Smith, Shirk, Miller, Malfatti, and Holmes voting for, and McFadden, Walters, and Marner voting against.**
21. The Board moved into Executive Session at 9:30 PM
22. The Board returned from Executive Session at 9:45 PM. **Holmes moved to request our attorney to investigate/advise us on the WED, LLC easement request and the applicability of the WIA covenants to the Monument**

**Charter Academy. The motion was seconded by Marner and passed unanimously.**

23. The meeting was adjourned at 9:50 PM..

RESPECTFULLY SUBMITTED:

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Date

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George McFadden, Secretary