

Cima Vista Condominiums Homeowners Assoc. Inc.

BOARD OF DIRECTORS MEETING AGEND/MINUTES Monday, July 11, 2022, 10:00 AM MST Teleconference

Board Member Attendance:

- Joanna Harmon - P - Present (Phone)
- Kendall Crouch - S - Present (Phone)
- Gary Holcomb - T - Present (Phone)
- Brian OBara - Absent (Phone)
- Janice Frazier - Present (Phone)

Others Present:

Darren Burns - Z&R
Brady - Z&R

A. Call to Order: 10:00 A.M. MST

1. Review Minutes (February)
2. Approval of February 2022 minutes
3. Joanna motions to approve - Gary seconds - All in Favor - Motion passes

B. Financials

1. Darren discusses June 2022 Financials

- \$344,979.29 in reserve
 - South State Reserve: \$65,571.52
 - RBC Wealth: \$20,141.58
 - RBC Securities : \$259,266.19
- \$12,500 in cash
- RBC statements are available on the portal
- Budget comparison
 - No cash readily available to put to reserves due to water payments
 - Operating expense YTD \$28,000 - YTD Budget \$34,000 - Under budget YTD
 - Water expenditures are now in line with the budget
 - Gary - A few outstanding bills not paid
 - Gate primary
 - Darren - Do not pay for the gate
 - No response from the gate Mountain Fox
 - Gary - Time to get a new company
 - Darren - Will get Taylor Fence involved
 - Janice - Past 3 years the gate has not worked yet Cima Vista is advertised as having security
 - And we've discussed that the cameras are not for security
 - How can the Cima Vista advertise ourselves as having security?
 - Darren - Cima Vista does not, and never has, advertised itself as having security
 - It's not in the budget

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- There are cameras, but they do not provide security
- Cameras can only be used after the fact
- The gate are not security gates, but they are a deterrent
- The gates have worked on and off for the past 3 years, but about 7 months ago issues began
- 7 months ago is when the COA began looking at bids to upgrade
- Real Estate agents might advertise

C. New Policies

- New legislation
 - Treat delinquent owners like delinquent tenants
 - Late statements will need to be sent certified mail, posted on the door of the unit with pictures showing that it was done - otherwise we cannot collect past dues
 - Z&R will have to send letters and physically post the notices
 - Z&R trying to prevent raising prices on all owners and pass through the extra costs to the delinquent owners
 - State is forcing associations to amend their rules and regulations to fit new state requirements for notification for violations, timeframes, giving people the right to cure the violation, and maximum fines
 - New state laws limit fines to a maximum of \$500
 - Example: Owner puts solar on a unit putting holes in the roof and association orders it removed and applies a \$500 fine, the owner could pay the fine and then do nothing about fixing the violation. The association must then sue the owner to get this removed.
 - Ability for associations to enforce rules and collect fines are now hamstrung
 - If owner provides a cell phone number, the association must text the owners about their dues in arrears
 - Management companies will have to up fees to pay for this method of delivery.
 - State requires new policies to be in place by August 9th, 2022
 - Darren recommends the approval of the new policies drafted by Altitude Law
 - Joanna - Is the \$500 max for each violation or is it within a certain period?
 - Darren - for each violation
 - Joanna - What about legal fees?
 - Darren - Costs to the association, can be made payable by the owner
 - Joanna - Additional fees due to posting of notices by Z&R, will these be charged to the owner?
 - Darren - They must first be charged to the association, and then passed through to the owner
 - Joanna - Does Z&R have a set fee for posting of the notices?
 - Darren - It is listed in the new contract
 - Darren - Some fees have gone up and some have gone down
 - Joanna - What if people just pay the fines and never rectify the situation?
 - Darren - New rules are that you send out the first notice, the second notice includes a \$250 fine, and the third notice includes a \$250 fine, and then there can be no other fines. After this it will be turned over to legal to file a suit for injunctive relief
 - Darren - One good point of this change is we won't have to have a hearing for each fine

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- Darren
 - First notice must give 10 days to rectify the issue
 - Second notice \$250 fine and 30 days to rectify
 - Third notice with \$250 fine and another 30 days to rectify
- Joanna - Based on this information, we need to increase our legal budget
- Gary - What if it's a violation of state law?
 - Darren - The new rules are around association regulations, not laws
 - Darren - Towing rules will now require no towing without a minimum of 24 hour notice including fire lanes. Vehicle must be tagged and then in 24 hours could be towed.
- Darren - recommends that we sign the new policies
 - Joanna - motion to approve the new policies - under duress
 - Gary - Seconds the motion
 - All in favor - motion passes

D. Ongoing Business

- Unpainted Garage Doors
 - Darren
 - Believes that notices have been sent out
 - Recalls getting responses from owners
 - Will wait to hear back from Jason on the issue
- Fence in the NE corner
 - Bordering adjacent property
 - Joanna - Gary might have some information from Jason
 - Gary - Jason discussed it with Gary last week
 - Owner adjacent to Cima Vista put up a stone wall and piled 3 feet of dirt against existing fence
 - Fence company stated that a new fence won't last more than a few months due to the dirt
 - Jason was reaching out to the owner of the adjacent property and the owner would pay for half of the fence. Jason was to report during this meeting
 - Darren - Having Brady make a note on garage doors and the fence
- Lighting
 - Forwarded the approved contract to Smith lighting
 - Smith - Poles are on back order
 - No further update yet
 - Joanna - Bid was for 2 light pole replacements, but there is a third pole that is now damaged.
 - Joanna - Please have Smith replace all 3
- Weisburg
 - Kendall - We walked through
 - I asked for Weisburg to give recommendations as to areas to zero scape
 - They sent the map
 - Darren - We received information from them, but Joanna had also produced a map
 - Joanna - Biggest issue is total amount for work to be done

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- It would be nice to reduce sprinklers that are used as they are old and will be in need of an update some day.
- Weisburg wanted to take out grass around the dog bag dispensers - don't want to see that happen
- Kendall - They were recommending to not remove the dog stations and just replace the grass with a special dirt because the grass around the stations has been killed out by the dogs.
- Darren - And we were wanting information about boulders to place next to drives and clean outs
- Joanna - We didn't get anyone out to do walk-through regarding the boulders
 - Would like to get this done and see costs
- Joanna - Do grass removals in phases. Some this year and some next year
- Darren - emailed Blaine at Weisburg

- Street Repair
 - Jason issue - Seals and Stripes - Tim
 - Darren will send Tim and email
 - Gary - No response from Seals and Stripes lately
 - Gary - Another company called Avery
 - Darren - Avery, McDonald, All-Purpose are all good companies
 - Darren - Seals and Stripes are able to deal with smaller jobs like Cima Vista
 - Darren - Transverse Cracks need more than just apply rubber glue
 - Remove and replace, compact soil, redo asphalt, crack fill seams, clear coat entire patch
 - This will allow company to see issues
 - Problem is 2 new seams
 - Will help make it water tight
 - Gary - disappointed in Seals and Stripes because work could have been done months ago
 - Gary - Please get bids from other companies
 - Darren - Will contact other companies

- Sidewalk Fix
 - Darren - Is this about the sidewalk outside of the fence?
 - Joanna - No, by Barb's unit
 - Darren - Steve is involved in this and has made an appointment to get inside the unit to check on issues
 - Joanna - Is this an insurance issue?
 - Darren - Not likely
 - Joanna - Worried it's more than just the ground settling
 - Darren - Not just the ground settling, but also the foundation settling
 - Darren - First just get the issue fixed, then figure out who is responsible for paying for the fix

- Second sidewalk fix
 - Darren - Moving truck that popped the handy-cap ramp out of place outside of the gates.
 - This is being paid for by the insurance carrier for the truck company.
 - \$6000 repair
 - Work has been approved

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- New Towing Laws and Implications
 - Darren - Already discussed
- Trash Cans left outside of units
 - Hoping to get information from Jason
 - Jason and Brady trying to get letters out
- Vehicles on Landscaping
 - This is where the boulders would come in handy
 - They look nice and will prevent people from driving off of the driveways and onto the landscape
- Vehicles parking in the cul-de-sac
 - Would be nice to have stripes
 - Kendall - Yes, stripes so people are parking in correct areas
 - Darren - Not a fire lane, so could be done
- Grills on Balconies and Decks
 - Jason and Brady send out letters about enforcing these rules
- Gate Keypad
 - Already discussed
- Dog Registration
 - Jason question
- Are notices being sent
 - Darren - Yes. They are time based
 - Items are being set up in CINC system
 - Board will be able to set up reports
 - Kendall - Will board have access to see what letters have gone out? Help prevent duplication of reporting violations
 - Darren - Yes
 - Joanna - Why are we getting multiple emails about passwords being set up?
 - Darren - Believes that there are 2 different accesses to the system. Board member and owner
 - Brady - Will check with Reagan
 - Gary - From his account he has access to approve invoices
 - Brady - Believes that board members accounts have been set up to be able to access multiple areas
 - Darren - Gary have you looked through your accesses to see what you can get to?
 - Gary - Some things
 - Darren - Will have Reagan look into it
 - Darren - Should set up a tutorial

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- Darren will report on Jason's action items

E. Follow-up Items

- Zeroscape map
- Boulders
- Street Repairs
- Sidewalk fix
- Towing laws
- Portal access to board for notices
- Dog registration
- Keypad contractor
- Fence in NE corner
- Lighting

- Joanna – Postal Box Damage
 - Darren – Post Office is looking into it
 - People have been notified that they can pick up their mail at the main Post Office

- Gary – Accounts Receivable
 - We have an individual that has declares bankruptcy with companies every so often and currently owes Cima Vista \$15,000
 - Currently with the lawyers
 - Another individual with \$3,100 in receivables
 - Can the association take care of these receivable before the new laws go into affect
 - Darren – Will contact legal – that since these are in collections, the process slows down

- Joanna – How is Z&R tracking the violations so that the violation is escalated or has been fixed?
 - Darren – Once the violation is in the CINC system, Brady and Jason verify them during the walk-throughs
 - If repeat violation, they go to the next step
 - If it's a first time violation, they go to the first step

- Janice – Prior discussion regarding painting of decks and porches
 - What is the color?
 - Darren – It's in the rules and regulations

- Janice – Also, thanks to Joanna for the newsletter
 - Is it going to be placed around the complex
 - Joanna – Yes. Now that the new bulletin boards are in place

- Joanna – And a resident has put up notices about 'knowing your towing rights'
 - Can these be taken down
 - Darren – Yes. The boards are not for public use

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- Darren – Matt at Smith Electric has been told to do the light poles
 - Poles are not available yet
- Joanna – Violations letters for the vandals
 - Darren – Camera footage has been obtained from someone in the complex
 - Still needs to pull Cima Vista footage
 - Involved plant damage, screens, lights
 - Joanna – Believes that renters involved may have moved
 - Darren – Doesn't matter, this will go back to the owner
- Brady – Reagan will be sending out emails to the board members with login information and access
 - Joanna – Since we already have access, why do we care?
 - There are 2 CINC sites that you will need access to
- Gary – When is the next meeting?
 - Janice – Should be 8/8/2022
 - Darren – We will need to have budget discussion then
- Gary – Can we get moving on actionable items before then?
 - Darren – Yes, we will get votes via email

F. Adjourned 11:13 A.M. MST

- Joanna makes a motion to adjourn
- Janice seconds the motion
- Unanimously passed