

Meeting Minutes
September Executive Board (Board of Directors) Meeting
MISSION VIEJO HOMEOWNERS' ASSOCIATION, INC.
Holy Love Lutheran Church,
4210 South Chambers Road
Aurora, CO 80014
September 18, 2012
6:30 PM – 8:30 PM

Guests: Bob Broom, Clarence Fuhrer, Chris Sawyer and Cass and William Terry

Meeting chaired by Jeremiah Banigan, minutes Todd McMahon

1. Call to order and the establishment of quorum was initiated at 6:45 pm. Board Members present were, Todd McMahon, Alan Engels, Tom Brandhorst, Barb Wahl, Troy Haller and Jeremiah Banigan. Todd asked about any changes to the agenda and asked that issue 6e be discussed which is to use on-line voting for the annual meeting in January. Todd McMahon asked if he could delegate the chair to Jeremiah, which he accepted, and Todd took minutes.
2. Open Members' Forum - Clarence Fuhrer asked if something could be done to adjust the light at Quincy and Memphis since it takes forever to exit the neighborhood and the timing of the lights causes danger to those making a left hand turn onto Quincy. Councilman Broom heard the remarks and may look into it. Councilman Broom also provided the Board and guests with some information on referendum B2 that would provide some transportation enhancements to Aurora's streets. This is not a new tax but the extension of an expired tax. Barb Wahl said we should consider 3A and 3B for Cherry Creek Schools as well.
3. Approval of Minutes and Review of Financial Matters – The August meeting minutes were reviewed. Alan made a motion to accept. Tom seconded the motion and the minutes from August were approved unanimously. Alan presented the Board with the latest set of financials. Our current ending balance is \$12,517.77. Tom made a motion to accept the financials as presented, Troy seconded that motion and the financials were unanimously accepted.
4. Committee Reports - Todd spoke about the Welcome committee headed by Tricia Roush had been very busy delivering welcome packs (an average of 8 a month) for the past few months. Todd passed on that Tricia is out of neighborhood bags and would like to request more in next year's budget. Alan said there still is money in this year's budget to order additional bags.

Todd also gave a brief update from the Heritage Committee; the exhibit is up in the library and there will be an article about the neighborhood in the Aurora Sentinel; also the historic survey is progressing with an RFP too soon be released with several bid requests.

Unfinished Business

- a. New Storage Unit - Alan and Todd said they took about 4 hours to move and assemble shelving for the new storage unit which is much bigger and easier to access than the old one. Todd and Alan said there is now enough room to accommodate other material that Board members may have.
- b. Thrive Recreation Center Discount Agreement– Todd said he and Jeremiah met with Brad Askren from Thrive and the new Recreation Center HOA agreement has been finalized. Brad also provided the HOA with a copy of his insurance policy.
- c. Holiday Hay Ride – Todd said the Hay Ride has been set for December 15th and Cherry Creek Schools has given preliminary approval for the use of the cafeteria for the event.
- d. Right-of-Way Tree Trimming Response from City – There was no update from Todd via the Mayor however, Councilman Broom said he did see a memo on the issue but he was not at liberty to convey that information. Bob will ask Mayor Steve Hogan to contact Todd.

5. New Business

- a. Drainage Access between Fences on Mansfield Cir. Issues – The Board was joined at the suggestion of President Todd McMahon by homeowners, Chris and Pearl Sawyer and Cass and William Terry. Todd explained that this issue came to the attention of the Board at our last Board meeting after it was noticed that there appeared to be a new fence opening near Mansfield and Buckley. Chris Sawyer said the fence came down after the City cited him for a dead tree, which he was told by the code enforcement officer, had to be removed. The City's Sanitation Department then asked that the drainage area be opened up since it was a City right-of-way. The Sawyers then decided to put up a temporary plywood fence just for security reasons. The City then cited the Sawyers for erecting an improper fence. Todd asked the owners to come and see if the HOA could help facilitate and improve the situation. Cass Terry who lives at 16787 E Mansfield introduced herself said that since the area was opened up there have been quite a lot of traffic in the area at all hours of the day and night along with trash. It exposes the area to crime and they are concerned. They would like the area to be closed off. The Terry's were looking erecting a chain-link fence. Ms. Terry found out that the wood fence over the right-of-way was permitted by the original homeowner with the City of Aurora and it has been there for over thirty years. The City is now asking the Sawyer's to put up a fence that was not there. Alan said a chain-link fence can be climbed and easily accessed. The fence was

permitted in 1980 according to the Terry's. Alan said that what is needed is a wood fence with an iron fence below it. All parties believe it should be at both ends. The Sawyers are in financial need and are burdened by the issue of building a new fence. Alan said the issue is really unfair. Alan said the issue does not need to be addressed by one person and the HOA is here to support the neighborhood and try to solve these types of problems. Alan made a motion that if the City agrees to pay for funding a portion of the fence along Buckley and along Mansfield, the HOA would pay the appropriate cost for the correct iron work to allow the water drainage to occur. The motion was seconded by Barb. Tom amended the motion to be "a reasonable cost" to the HOA at the same location as where the fence had been. Todd asked about who would own the revocable license? The motion was voted on and the motion was passed unanimously. The Sawyer's did not have the resources for another fence but they are concerned about the accessibility to their property. The Sawyer's said they estimated no more than \$2000.00 for a new fence. The Board discussed fence costs. Alan made another motion to consider an interest-free loan under contract with the HOA of no more than \$1500.00 to be repaid within a year. Barb seconded the motion. Councilman Bob Broom was at the meeting and the drainage fence homeowners shared photos of the area with him. Jeremiah questioned the protocol of loaning funds to homeowners. Jeremiah stressed that the caveat of loaning this funding is strictly because of safety reasons and this is an unusual exception. Jeremiah stressed that we do not normally lend funds for what is normally a homeowner's responsibility. Mr. Sawyer said it is a safety issue and that the headlights from Mansfield shine right down into his property. Mr. Sawyer said the code enforcement officer said the issue was brought to his attention by the HOA. The entire Board including Todd McMahon said this was not true and Todd said he would try to address the City if they are using the HOA to cite zoning violations. Ultimately, Tom said it is best for this property to close the drainage area off. The motion was voted on and passed unanimously. The HOA will follow up. A contract will be issued. Alan made a motion for a legal review and draft of the contract at a maximum cost of \$400. Tom seconded the motion and the motion was voted-on and passed unanimously.

- b. Neighborhood Clean-up – Jeremiah made a motion maximum cost \$500 to hold a neighborhood clean up in the Mission Viejo Park area on October 27th. Picking up trash and weeds around the Park. Alan suggests that a roll-off be placed at the edge of the Park and see

if Pro-Disposal pick it up after 12:00 pm that Saturday. Alan seconded the motion and the motion was voted on and passed unanimously.

- c. Long Range Planning/Non-profit Status. Todd said he really has not had the time to look into this. Tom Brandhorst said he would look into if he has time. Jeremiah asked about the suggestion of creating a separate 501c4. Todd and Alan said that would require a separate Board with separate accounts. The group agreed this seemed untenable for the HOA.
- d. Membership Cards and Annual Meeting, First Call 2013 Budget Requests - Alan said not much has been done on the cards and unless he hears from us or a committee soon he will draft out the 2013 budget just like the 2012 budget and there is a good chance he will not be at the December meeting, so the aim will be for November for committees to submit budget requests for 2013.
- e. Electronic Voting - Todd brought up the idea electronic voting using vote.now Todd said he has used the service and it seems to work well. Todd thought we should consider it because it increases participation. The cost is around \$1.28 per member. They send out a post-card which gives them a code to vote. We would still have a meeting could still have voting at the meeting with computers. It may exclude members who want to stand up at the meeting. Todd said most organizations have a nominating committee. If anyone on the Board knows someone he would be happy to call them. The Board discussed the pros and cons of using this as well as logistics. The hope is that using this system and giving more options will result in greater participation. There will still be discussion on the issues at the meeting. Todd made a motion for about \$1400 for this service. Tom seconded it. Alan said we should really put the word out about volunteering for the Board. The word should be to nominate yourself or someone else and contact the Board. The open seat is a two-year position. Up for re-election are Jeremiah, Tom, Alan and Todd.

- 6. City of Aurora Project Plan Reviews – The Board discussed again the new 7-11 proposal across the neighborhood on Chambers will be open 24 hours will be going before the planning commission. The City asked 7-11 to address the traffic concerns.

Closed Door Executive Session: Covenant Issue:

The Board resolved to issue another notice on the issue from the HOA attorney.