

Cottonwood Green Association, Inc.
Annual Meeting Minutes
September 21, 2013

Call to Order: The annual meeting was called to order at 9:11 am at the home of Richard Kerr located at 303 Cottonwood Circle.

Calling the Roll and Certifying the Proxies:

Board Members present: Ted Gabreski, President; Drew Smith, Secretary

Members present: Elaine Adams, Joe Anderson, Margy Brown, Jeff Fowler, Glorriane Elmer, Chuck & Areta Heard, Asa & Barb Geiger, Chris Harris, Patti James, Paul Jensen, Rick & Carol Kerr, Nancy Koecher, Michael Lloyd, Anita & Tom Luster, Babes & Cherith Marchase, Carol Moore, Rick Pilgrim, Lourdes Smith, John Sulley, Ed Trail, Janet Troyer, Joe Volk, Leslie Walker, John Wehrman.

Proxies received: John & Susan Bevington, Mary Beth Parisi & Isabel Carvalhal, Mark & Susan Ceglowski, Mark & Cathy Costanza, Kail Glenn, Laura Gross, Cheri Jensen, and Pierre Prouty.

A quorum was established.

Proof of Notice: The Notice of the Annual Meeting was given in accordance with the bylaws of the association. The notice is filed with the permanent records and is available for inspection by the members.

Annual Meeting Minutes: Asa Geiger moved to approve the September 22, 2012 minutes with correcting the date the common area title was transferred from the developer to the Association. Rick Kerr seconded. Motion passed.

Election of New Directors:

Ted announced that Drew Smith submitted his resignation from the Board of Directors and thanked him for his service. Drew will continue serving on the Design Review Committee.

Ted introduced Nominating Committee members: Margy Brown, Janet Troyer and Nancy Koecher.

A. The following slate of candidates were presented as nominees:

1. Zack Cordova - three-year term – expires September 2016
2. Michael Lloyd – three-year term – expires September 2016
3. Chuck Heard – two-year term – expires September 2015
4. Leslie Walker – two-year term – expires September 2015
5. Nancy Koecher – one-year term – expires September 2014

B. Call for Nominations and Election of Directors:

There were no further nominations for the board of directors from the floor and nominations were closed.

C. Election of Directors: Rick Kerr moved to accept and elect the slate of candidates as presented. Elaine Adams seconded. Motion passed.

Member Comments:

Update on Salida Golf Course Discussions: Rick Pilgrim reported that he and his wife Carol contacted the Salida Golf Course Board concerning safety issues on their property and received a thoughtful response. They have erected a temporary net, installed a small berm and three trees to see if that would help deflect errant golf balls. The Pilgrims are proposing to erect an unobtrusive screen and asked for comments.

Drew Smith noted that a decision from the Design Review Committee could not be made without feedback from the Design Review Committee and association members. Joe Anderson and Drew Smith (members of the Design Review Committee) are scheduled to meet with Rick Pilgrim following the meeting to look at the placement and the materials to be used to erect a safety net.

It was suggested that a white net be used instead of a green net, as a lighter color would be less obtrusive.

Jeff Fowler reported that errant golf balls were also a topic with Cortona Courts Condominium members and that doing something cooperatively might be considered.

Rick Kerr reported that he, Zack Cordova, Patrick Post and Nancy Koecher met with Greg Powell, former attorney for the association, about trespassing issues. Correspondence with the City indicates that the city has no interest in changing the CGA Declaration of Covenants "Special Declaration Rights and Additional Reserve Development Rights and Easements," Section 9.10 Golf Course Easement. The split rail fence counts as a fence. Anyone not invited to cross the fence is considered a trespasser. The Design Review Committee will be asked to look into "No Trespassing" signs to be placed along the fence for liability reasons. Ms. Walker suggested that putting up nets, etc. to protect property from damage caused by errant golf balls could be decided individually or a standard be developed and offer a solution concerning Golf Course issues.

It was also suggested that a letter be posted at the golf course letting golfers know that crossing the fence line is in violation of private property and that, if possible, a sign could be posted to the T box stating: "Golfers beware that you are responsible for personal and property damage. Please stay within the boundary lines."

It was noted that Cottonwood Green Association (CGA) is a Common interest Community and that it is a perpetual right for golf balls to enter the property.

Members gave examples of what other HOAs have done concerning golf course issues.

As to whether or not property along the fence line belongs to the HOA or to adjoining properties was discussed. The board needs further research before a decision is reached.

Old Business:

Speed Limit: A speed limit of 25 MPH for our community seems inappropriate. Babes Marchase reported that the 25 MPH speed limit had been a topic at a previous meeting. He recommended that a 15 MPH speed limit sign be posted at the front entrance. In the meantime, we'd like to remind everyone to drive slowly when entering or exiting our community.

New Business:

Grounds Committee Report: Asa Geiger reported that a lot of catch-up in tree and shrub maintenance has been done to the common areas. The Grounds Committee takes care of 102 trees and 100 bushes. So far this year, \$30,102 has been spent on the entrance sign, berms, sealing of colored concrete, replacement of trees and shrubs, grounds keeping, drip lines, sprinkler heads, etc. The berms look good but the deer, kids, and weather disrupt the rock and at some time in the future, we'll need to look at a fix for this problem. Projected grounds keeping and tree and shrub maintenance expenses for 2014 are approximately \$19,000. Two trees in the NW corner need to be replaced. Asa Geiger and Carl Koecher do a weekly walk through with the lead at Altamont to point out items needing attention. Big trucks with trailers leave black marks on the concrete areas.

Landscape bids have been received for the Common Area and will be presented to the Board at its next meeting.

Design Review Committee: Joe Anderson reported that colors have been submitted for the Heard home. Colors for the Trail home have been approved. He is awaiting color samples for the Lloyd home. Joe noted that the website has been very helpful for those building homes in the community.

Finance Report: Rick Kerr reported that the opening balance for 2013 was \$35,689.17. The yearend operating expense is estimated to be \$6,878.16. A total of \$17,859 was spent on the entrance sign and berms. The board approved opening a savings account with \$12,500 from operating revenue at its August 31, 2013 meeting. At yearend, \$2,854 projected available ending balance for 2014 may not be available to transfer to the savings account if \$3,440 in past due assessments are not received.

It was noted that the \$5,000 approved at the 2013 annual meeting for transfer to a savings account was never transferred. Since the funds were never separated, the entrance sign and berms expenses were taken from operating funds.

Liens for past due assessments have been placed on three lots. A new state law requires an HOA to offer members with past due assessments a six-month payment plan contract. Legal language and a policy need to be written as well as a contract to be offered to those with past due assessments spelling out a payment plan. If a member with past due assessments does not enter into a payment plan, a lien can then be placed their property. Developing a collection policy and writing up a payment plan contract is one of the Board's first assignments to address.

Ratification of 2014 Budget approved by the Board on 8/31/13.

Rick Kerr moved to ratify the budget, Ted Gabreski seconded, motion passed.

Web Update: Rick Kerr reported that members could find information about upcoming meetings, minutes, etc. on CGA websites: <http://Cottonwoodgreen.org> or <http://members.cottonwoodgreen.org>.

Proposed Bylaw Amendment Changes:

The board has the authority to change the bylaws of the Association with notification to CGA members and is recommending the following:

- 1. Reduce quorum from 50% to 40%:** To ensure that a quorum is reached at meetings so that they are effective and do not have to be rescheduled the board is recommending that the quorum in the bylaws be reduced from 50% to 40%.
- 2. Add email option to Notice of Meetings:** To reduce the cost and time it takes to mail meeting notices, agenda, minutes, etc. to members, the board is recommending that an email option be added to the bylaws.

Owners Obligations for Maintenance: As part of member education, Ted reviewed Owner Obligations for Maintenance as stated in Section 4.8 in the Declaration.

The Design Review Committee reviews and approves all building plans as well as any landscape plans or improvements before work can be commenced. In addition to the CGA Architectural Control Guidelines and Policy, owners are responsible for complying with the City of Salida ordinances concerning trees, shrubs and other landscaping. City code requires one tree for every 800 feet of landscape area. That amounts to 5 trees per lot. The board will discuss process of notifying homeowners not in compliance. Joe Anderson noted that he would provide a form for those who need to obtain Architectural Control approval.

Member Comment: It was noted that wire fencing to protect landscape vegetation from deer is allowed. Asa reported that deer do not like black plastic fencing. Tree trunks wrapped in paper keeps deer from rubbing on it.

The board was asked to publish a member list so that members know the names of those living or owning lots at Cottonwood Green. That information cannot be shared without member approval. Members will be sent an email asking if they do not want their personal information such as name, address, phone and email address shared with other members. If a response is not received, this information will be shared with members requesting this information. The member list will not be used for any other purpose.

Meeting adjourned at 11:54 a.m.

Respectfully submitted,

Signature on File

Nancy Koecher, Secretary