

2007 Mountain Valley Annual Homeowners Meeting Minutes

Date: August 2, 2007

Location: Chateau Roaring Fork Conference Center Meeting Room

Time: 4:00 PM

Board Members Present: Evan Boenning - President, Richard Haberman – Chairman
Architectural Review Committee, Keith Hatanaka, David Watson, Phyllis Smith –
Secretary, Grafton Smith, Paul Rudi, Jim Dowley, Shae Singer.

Guest Speakers: Paul Taddune - Attorney, Katherine Berg - County Review Engineer,
and Carrington Brown - County Code Enforcement Officer.

President Evan Boenning called the meeting to order promptly at 4:00 PM

Committee Reports:

Architectural: Rich Haberman reports there is one pending Architectural review (Bouton Residence) and that the adjacent property owners had been notified. A discussion followed on what controls the committee had and several homeowners present wanted something done about the Architectural Review Process as it related to the new home. There was much discussion regarding the contemporary home being constructed on East Lupine. Many felt it did not fit the neighborhood, while many feel we should not dictate taste.

There was a discussion on possible landscape mitigation and the board suggested that builders to ensure performance of promised improvements – particularly landscaping plans, post a bond.

The point was also made that approved architectural plans not be changed without additional committee approval. It was explained that the set backs, F.A.R, building heights, etc., were the prevue of the County Land Use Code and not subject to our HOA rules. Evan mentioned Paul Taddune was here to discuss the changes needed to enforce our own HOA rules and regulations.

Budget Review: The Profit and Loss Report for Aug 06 –Jun 07 was handed out to Homeowners present. There was much discussion and a request for a comprehensive budget as well as hard numbers for any additional management or legal expenses.

East Aspen Metro Mosquito District: Evan Boenning mentioned the work the EAMD was doing and in general all the present homeowners were in agreement that mosquito control efforts were working great.

Landscaping: Phyllis Smith reported the estimated cost to hook up the sprinkler system for the front entrance to our new water tap. The bid to bring both water and electric line across road was \$35,000. This would require 3 road cuts and trenching of apx, 200 feet from the tap in front of the Mayrich house, along Sy Kelley's property inside the County right-of –way to the island and then to the bank and both sides of the entrance.

There was also discussion about installing new lights at entrance, and comment's on the cost and the possibly of lowering the cost by having one portion of the water and electric lines dropped stubbed in when County makes their road cut and repair of the concrete gutter across the entrance this fall.

Homeowner Bill Senns has been supplying the water from his tap. Evan confirmed we need to tap into our own water supply and that the subject should receive further study and bids.

Bears: Again the need to have bear proof containers was stressed. Don Wrigley had checked into same day pick up by all trash vendors with no response but will check into this again. There was mention of keeping trash in the house until trash day and Evan explained that not all homes have room for indoor trash.

Mr. Carrington Brown, County Enforcement Officer, said that the County was a complaint driven in managing the bear situation and if HOA members had complaints to feel free to contact him personally at the County. He also said there is some new County legislation being drafted which would make it easier to address the trash issue and people not using bear proof containers, but what the County really needed was a proactive approach to the problem and a full time enforcement officer. Homeowners stressed they would like construction management rules. Mr. Brown said to contact him if we see construction sites are in violation but design issues where not there department. Call him if bears are getting into unsecured trash containers.

The attorney Paul Taddune was introduced. His firm represents a number of HOAs including Meadowwood and Starwood. Property owners Shae Singer and John Summers suggested that the HOA contact Mr. Taddune to advise us how to implement current our current Architectural Review Rules, or to help us establish new ones. He reviewed what other subdivisions were doing, noting the balance between doing nothing and establishing new rules and regulations with enforcement. Starwood has strict rules and high association dues in order to support the staff it takes. The County cannot enforce our homeowner's association rules but can be contacted for violations of County rules, which overlap ours. Concern was voiced about potential lawsuits if people were denied their development rights and about not legislating taste when it comes to house design. There was a set of new HOA Architectural Review Standards distributed for discussion. While most HOA members thought the implementation sections were ok, even laudable; those regarding design and taste seemed problematic. Evan stated these rules would only apply for new construction and that we should think about what to do about remodels. The cost and control factor of what it would take to implement the rules in the handout was a concern to several property owners. Evan assured everyone that these new rules were for only for discussion purposes and were not being considered for immediate adoption.

Professional Management: The subject was then brought up that as Mountain Valley becomes more redeveloped and with more sophisticated homeowners that we perhaps need to look into help from professional management as some of the issues require more time and attention than a volunteer board can give. To move forward in this area we would obviously need to increase homeowner's dues to cover the added expenses. Evan

insisted that we not dip into reserves for such expenditures and various motions were proposed regarding permanently increasing the dues. There was some resistance to the idea as it was felt that such a dues increase should be undertaken only to fund a specific budget and a reevaluation of cost.

Jim Dowley put forth a motion to have a one-time special assessment of \$375 that would be effective immediately in order to fund looking into the management possibilities and the landscaping/irrigation improvements to the entrance.

The Motion was approved. 29 approved 2 opposed

Jane Moy wanted a firm slate of officers proposed and the names circulated to the homeowners.

A second vote was taken regarding support for the idea to continue forward with the possibility of new rules and regulation and research the possibilities of hiring outside management.

Motion approved 33 approved 4 opposed

Jane Moy brought up the question of whether we needed to formally elect new board members or to at least reaffirm the current board specifically, Evan Boenning/President, Phyllis Smith/Secretary and Treasurer, Grafton Smith/Vice-President, Richard Haberman/ Chairman of the Architectural Review Committee and Shae Singer, Paul Ruid, Jim Dowley, Dave Watson, and Keith Hatanaka as Board Members at Large. Jane Moy put forth the motion and it was seconded and approved.

Tom Van Straaten again invited all the members to the annually block party.

Evan Boenning –then adjourned the meeting at 7Pm.

Respectfully Submitted,

Phyllis Smith-Secretary