

REGULAR P.O.A. BOARD MONTHLY MEETING MINUTES

February 11, 2009

Board Members Present: Al Smith, Patrick Wallace, Dave DiBerardino, Peter Carey and Carlos Gonzalez-Brito

At 6:10 pm, Al Smith, President of the Board, called the meeting to order.

Staff Members Present: Chris Behan and Linda Roberts

Others Present: Pat Del Tredici, Donnie Pereira, Andrew Shoup & Spouse

Approval of Minutes and Financials

Approval of October P.O.A. Board Monthly Meeting Minutes: The November 12, 2008, Monthly Board Meeting Minutes were presented to the Board Members for review prior to the meeting. Patrick made a motion to approve the November 12, 2008 P.O.A. Board Monthly Meeting Minutes. Carlos seconded the motion. Motion was unanimously approved. Board meetings were not held in December 2008 or January 2009.

Financial Report: The November 30, 2008 financial reports were presented to the Board including: the Cash on Hand as of November 30, 2008; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the month of November and a summary of CD accounts. After reviewing and discussing the presented materials, Dave moved to approve the financial reports as presented for November 2008. Peter seconded the motion. Motion was unanimously approved.

The December 31, 2008 financial reports were presented to the Board including: the Cash on Hand as of December 31, 2008; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the month of December and a summary of CD accounts. After reviewing and discussing the presented materials, Patrick moved to approve the financial reports as presented for December 2008. Carlos seconded the motion. Motion was unanimously approved. The Board reviewed the budget to actual for 2008. The 2008 budget had allowed for a transfer from reserves of \$40,000. In fact, reserves of \$47,738.70 were used. The reserves were used for Zamboni overhaul and painting, playground equipment and paving of the Teocalli Path. Chris will revise the format of the 2008 budget to actual and have it ready for the annual meeting in August.

The January 31, 2009 financial reports were presented to the Board including: the Cash on Hand as of January 31, 2009; Bank Reconciliation statements for the Money Market, Operating, Hockey Rink, and Performance Deposit Accounts for the month of January and a summary of CD accounts. After reviewing and discussing the presented materials, Patrick moved to approve the financial reports as presented for January 2009. Dave seconded the motion. Motion was unanimously approved.

Unscheduled Property Board/Owner Comment: Pat Del Tredici informed the Board that everyone is thrilled with the Spann Ranch Nordic Trails and the parking spaces provided by Metro. The Board discussed the cost of providing the Nordic Trails which will total approximately \$4,000 for the 2008-09 Season. The ideas of selling advertising on the trail signs, acknowledging donors/sponsors on our webpage or selling Associate Memberships to non-CB South residents were discussed. The board recommended that at least \$3,000 should be included in our 2009 budget for Nordic Grooming.

Carlos inquired about the status of the two (2) unauthorized sheds erected last fall. Sun Spot Condos has completed the paperwork and paid the application fee. They have until June 1 to bring the shed into compliance. Grant Frerichs has failed to respond to Chris' inquiries. Chris will follow up.

Patrick stated that in his opinion, it is important for the Board to take active steps to determine where the CB South community stands before the Board takes a stand on big issues where there are strong differing opinions. The Board has an obligation to represent the community, not just personal opinions. It was suggested that the P.O.A. conduct periodic e-mail surveys on single topic issues such as the Mine, Snodgrass, and Transfer Fees, etc.

Al raised the question of how to stimulate our own local construction economy. Waiver of fees and delay in dues payment were discussed, but would result in inequities between projects, and ultimately could be counter-productive. Patrick pointed out that increased marketing of CB South could help with property sales. Chris noted that he had recently given a talk to the Red Lady realtor's in which he presented the many amenities of CB South. It was recommended that Chris email "Amenities of CB South" to all of the local realtors.

New/Continued Business:

2008 P.O.A. Budget Summary: The Board reviewed the budget to actual for 2008. The 2008 budget had allowed for a transfer from reserves of \$40,000. In fact, reserves of \$47,738.70 were used. The reserves were used for Zamboni overhaul and painting, playground equipment and paving of the Teocalli Path. Chris will revise the format of the 2008 budget to actual and have it ready for the annual meeting in August. Given the current uncertain economic situation, Chris recommended not spending outside of the budget items in 2009.

New / Updated Trash and Recycling Service Possibilities for CB South:

Chris presented a worksheet with bids and service from: Waste Management, Gunnison Valley Disposal of Gunnison and Golden Eagle Trash Service of Gunnison. Chris informed the Board of the advice from the Association's Attorney, in addressing possible scenarios.

1. The P.O.A. can limit the days allowed for pickups with a contractual agreement
2. The P.O.A. can have an exclusive contract with the provider of our choice if we do the billing. We can't prohibit service providers, but we can insist people pay double if they do not use the provider of the P.O.A.
3. The P.O.A. cannot charge owners an "availability fee" for trash service on unimproved lots.
4. If the P.O.A. does the billing, a trash service fee has to be a separate charge from maintenance (P.O.A. dues), but it can be sent on the same bill.

5. The P.O.A. can pass through expenses to our owners, such as the fees billed to us for community trash service, however, the P.O.A. cannot make money on the transaction without a vote by the membership.

The Board reviewed Waste Management's (WM) proposal. The base fee would be \$9-\$14 more expensive than Gunnison Valley Disposal (GVD), plus WM charges an additional fuel surcharge and environmental surcharge. Collection is limited to 3 cans or 1 Bear-proof roll off. WM does not service certain areas in the 3rd and 4th filing in the winter. WM provides curbside recycling once a month, although feedback has been that their recycling requirements are difficult to comply with. WM transports the majority of their recycling out of Gunnison County.

Donnie Pereira presented GVD's proposal. Currently, for \$16 per month, and no extra fees or surcharges, they could provide Monday pickups. They do not have a limit on the number of cans, they can service commercial dumpsters and they accept bear proof roll offs. They accept up to 4 bags of yard waste per week, and they have a truck that can reach everywhere in the subdivision. They exclusively use the Gunnison landfill. Recycling is provided separately by Gothic Mt. Waste. If GVD became the exclusive provider and the P.O.A. did the billing, the recycling could be bundled with their service for a total fee of \$17.00 per month.

Andrew Shoup presented Gothic Mountain Waste Solutions (GMWS) recycling proposal. The P.O.A. would purchase the initial recycling bins for our members and would do the billing. For \$3.00 per month, GMWS would pick up twice a month. They will accept whatever Gunnison County accepts. All of the recycling stays local. It is anticipated that each household would get 3-18gallon bins. Some sorting is encouraged; however, paper and cardboard are not required to be tied with twine. GMWS needs full participation in order to make their offer.

The Board discussed the proposals and other ideas. Without economies of scale, the pay per can proposal of Golden Eagle will not be sustainable according to those present. While a central recycling compactor works commercially, the problems with maintenance and policing the area outweigh the advantages of this system. While the P.O.A. could do the billing, it would probably be a drag on our finances both with the additional expense of sending out bills and also collection efforts. Since Metro already bills monthly, we should explore working with them. Although a combined GMWS and GVD program would be most cost effective for our members, the transition from WM (which currently has a dominating 329 of the customers in CB South), will be the difficult part. If we do not make it mandatory, in order to be successful, the new service providers will need at least a certain minimum number of customers, probably 300+.

The Board discussed making the recycling portion mandatory to CB South residences with the P.O.A. doing the billing for this. It is in the best interest of the community. It supports our local recycling efforts in Gunnison County, it is less expensive and more convenient than Waste Management, it supports a local business, it requires less energy usage than trucking our recycling out of the County via WM, and by the P.O.A. providing the initial bins, and we are sharing the expense of promoting recycling. Chris will work on the details of such a plan and will seek legal review. The Board will need a formal motion/resolution to implement a new fee which will be addressed at a future meeting.

2009 Newsletter Draft Review: Chris explained that state law requires that we give written notice each year to our owners of certain information. Additionally, Chris explained that because of a state law passed in January of 2008 – our Association’s Attorney recommends that we now send out Statement of Intent to Lien notices to all delinquent Property Owners in May of each year, and if they have not paid by mid-June, we then lien them at the end of June for our protection. Since this is a change from our past practice, it should be on the front page of the 2009 P.O.A. Newsletter. Other items that will be included are: The 2008 P.O.A. Accomplishments and Highlights, A Spann Ranch Nordic Skiing Summary, A Hockey/Ice Budget Summary, Dogs on leash reminder, Noxious Weed Programs/Info., Clean Up Day Info. Number to Call info., P.O.A. Contact Info., P.O.A. Website Info., Annual Meeting Info., Board Member Election Info (2 seats), Annual Picnic and Meeting info., Encouraging Volunteerism, Priorities & future surveys.

The Board directed Chris to explore sending a post card to each owner directing them to the P.O.A. website for the 2009 Newsletter. This should satisfy the delivery requirement and save the P.O.A. the expense of a glossy newsletter preparation and mailing.

Gillaspey to Cascadilla Pedestrian Easement Offering – Results Summary: Pursuant to the Board’s direction, Chris had sent letters to the property owners on Cascadilla and Gillaspey adjacent to where there is currently an informal pedestrian path connecting the two streets. The letter had an exploratory offer of \$3,000 dues credit for an easement for a path that we would construct and maintain. All owners except one rejected the offer. Without unanimous acceptance, we can not go forward. The Board determined that no further action need be taken at this time.

CB South Transfer Fee Discussion (As a Possible way to Fund Transportation and Recreational Opportunities): The Board discussed the possibility of getting a transfer fee approved by the membership to fund a bus to/from Town and to support our parks & recreation. The Board was of 2 schools of thought. Those in favor, suggest that now might be the time to get it passed since nothing is selling and it was the preferred method of raising funds according to our last survey. Those opposed are of the opinion that many sales right now are not really voluntary, and result in little gain to the seller. To take on an additional fee for amenities that the seller will not get to enjoy is unjust. The Board determined that this topic would be appropriate for a future e-survey.

Manager’s Report: Chris reported that it has been a challenging year for the hockey rink due to the warm weather. The next Board meeting will be March 11.

With no further matters for discussion, Al Smith adjourned the Regular Board Meeting at 9:25 pm.