

**WOODEN CANOE  
BOARD OF DIRECTORS MEETING  
MAY 7, 2010**

**MINUTES**

1. **Call to Order.** The meeting was called to order at 3:055 p.m.
2. **Affirmation of Attendance and Quorum.** All Board members were in attendance (Jim Hafemeister, Pat Wallace, Jack Schiller, Charles Williams, and Dodie Davies). A quorum was established.

Also in attendance was Betsy Burton (DRC).

Representing Mountain Managers were Phil Wells and Judy Freese (via phone).

Jim Hafemeister is resigning as President but will remain on the Board. Dodie was nominated to assume the presidency and was elected.

Betsy Burton addressed the Board regarding Mr. Sanderman's (lot #53) request to install fencing to keep people from crossing his property instead of using the path. Betsy showed the Board what Mr. Sanderson proposes to do and outlined what the DRC wants to approve. The DRC is opposed to the amount of fencing that Mr. Sanderman wants to put up. They have consistently denied fences in the past and would rather see natural vegetation barriers instead. The Committee feels that a couple of diagonals, signage (arrows) and plantings will clearly delineate the path without the need for extensive fencing. Betsy stated the DRC will respond to Mr. Sanderman and let him know what would be approved. Anything that is added to the property must remain within the lot's envelope. Not all Board members were in agreement and were willing to give Mr. Sanderman more in the way of fencing than the DRC wants. Betsy reiterated concerns that if this fence is allowed, other owners will also want to fence. She would much rather encourage planting natural barriers. It was also noted that in accordance with the DRC guidelines, no owner may fence in the perimeter of his property. No fencing, etc. (including the use of "corners") can be on any easement.

Part of the fence requested by Mr. Sanderman would literally put fencing between lot #53 and lot #52. The Harnett's (lot #52) are opposed to any fencing. Mr. Harnett has put in some trees that seem to be well placed. At one time there was concern about the roots being too close to the pond but Pat doesn't feel this is a major concern at this time.

Jim noted that the HOA had planned to get rid of all lumber on the grounds. The wood would be shredded and left in place. He also noted the need to finish the paths and make sure all are clearly marked to keep people from crossing private yards. All paths should have adequate signage that shows people where to turn on the path. Finishing the paths can be spread out over time. Wood chips can be used at first and later replaced with gravel. Eventually all paths will be gravel.

Phil spoke about insurance and has spoken with Farmers. If a town bike path crosses the Association's property, there is no liability. If the Association allows public access to common areas then they may be incurring liability. The Association will be posting signs indicating private property and no trespassing. Access for the Nordic Center needs to be clearly posted along with every location that penetrates the Wooden Canoe neighborhood. Locations were discussed. Signs will be mounted on wood posts (only one sign per post). If this becomes too labor intensive,

there are other materials besides wood that could be used. Metal posts would not look as rustic but would last longer and require less maintenance. Nothing new will be started at this time. Posts should be set in concrete and must be completely painted before setting in the ground. There is one sign on the street to the Nordic Center that is tied to a tree. This needs to be put on a post.

Pat had some sample signs for the Board to review. There is no rush on this. The Board will review and let Pat know what their comments are.

The letter from Bruce and Polly Douglass regarding encroachment by Michael Hilbert into the easement (plants) was discussed. The Douglass's are concerned that the easement won't remain open and don't want any new owners assuming the property belongs to them. They want written notification sent to the homeowner that they have breached the property line. They also want Mr. Hilbert to have this recorded in the deeds with the county. Betsy stated that Mr. Hilbert knew the easement was there and was aware that his plantings were too close. She has correspondence to this effect. The Board feels the easement has been duly recorded and will always remain open. If Mr. Douglass wants to pursue this issue further he is welcome to do so but the Board feels this was addressed in the past and there is no need to do anything else. Betsy will forward the Hilbert correspondence to Phil and a response to Bruce and Polly Douglass will be prepared following review of these letters/e-mails.

At this time the Board returned to the regular agenda.

3. **Approval of Minutes from the 1/2/10 Board meeting.** A motion was made, seconded, and passed to approve the minutes as written.
4. **Repair and Maintenance Report.** Phil read through all items on the report.
  - A. It was noted that the dues increase was mailed out with the annual meeting minutes and went into effect 4/1/10. Owners will not receive new coupon books; they were instructed to add the additional \$15 per month to the total reflected on the current coupons. This will save the HOA from the expense of ordering new coupon books.
  - B. The landscaping renovation project for the entrance should be underway by mid May.
5. **Financial Report.** Phil reviewed March financials.

The amount of dues collected exceeded the budgeted amount primarily due to prepayment by some owners.

On the expense side, everything is looking pretty good. Trash was over budget (Waste Management did not charge for an additional pick up over the holidays but the HOA was charged for excess trash). Landscaping was over budget due to the deposit being paid for the entrance renovation. Year-to-date, the HOA is \$4,103 on the plus side.

The balance in the checking account was \$12,127.67 and the money market account balance was \$46,029.59. The 2010 yearly budgeted amount going into reserves is \$19,380 (\$1,615 per month).

Delinquencies were discussed. 510P paid in April and is now current. 590WD has been liened and a letter stating intent to take to Small Claims Court has been sent to the owner. Phil noted that the courts are running about 3-4 months behind so this could be a problem. He suggested that an attorney "demand" letter be sent stating that if the account is not paid in a certain amount of time, foreclosure proceedings would be started. The Board would like the attorney demand letter sent to all delinquent accounts.

6. **Old Business.**

- A. Addition to the DRC Guidelines regarding solar panels: Betsy Burton had already left the meeting and this matter was tabled until the next Board meeting.
- B. Perimeter fence and post staining bids were reviewed. 4 bids were received ranging from \$1,180 to \$6,295. All contractors have done work for Mountain Managers before. Most bids do not state what type of stain is being used or how many coats will be applied (probably 1). The bid from Summit Color Service looks good. It includes 2 coats of stain and power washing. Phil will check on whether the bid includes stop signs and light posts. The bid from Allman Painting was also looked at. Phil will check with both contractors and find out exactly what is included. He'll then e-mail the Board for a final decision. Once a contractor is selected, a walk through along the fence line will be done with the contractor.
- C. Lot 48: The Declaration was checked and this lot is permitted to develop and operate a boarding, lodging, rooming or tourist home. This applies to this lot only and goes with the sale of the property. If this ever becomes an issue, the owner would need Town Planning approval and DRC approval of plans before starting to build.
- D. Pet pick up stations: Phil showed the Board an example of one that is used at many of Mountain Managers' complexes. The Board does not want one with an obvious disposal container (trash can) and prefers to supply bags only. The bags are thin and degradable. It would be good to use the same kind as other complexes so all bags would be the same. The bag containers can be post mounted (posts not included). A couple of other options were looked at and the Board decided on a poly material (pretty bullet proof) at \$69 for a 17 X 10 X 3 post mounted box. The containers can be mounted on existing posts whenever possible. Pat isn't sure when the new posts will go in but hopes it will be before 7/4. 3 or 4 should be sufficient to cover the property; 4 will be ordered. Jim will take care of ordering and have them shipped directly to Mountain Managers. He'll be reimbursed for the expense. Phil noted that he'll need the bag information for re-ordering. The ones that Mountain Managers now uses may or may not work. Several locations were discussed. Pat and Phil will walk around and make a final decision as to location. It was noted that green or tan fiberglass posts (\$59) are also available and the boxes can be either green or tan. It was decided to order tan boxes, not green.
- E. Schedule a walk around to look at path delineation and signage: This was scheduled for Wednesday, 5/26/10 at 2:00 p.m.

- F. Posting of signs to protect the Association from personal liability was discussed again. Phil doesn't think the insurance company cares about wording on the signs as long as they say private property/no trespassing. He'll send pictures of proposed signage to Farmers to double check wording.
  - G. Asphalt estimates were looked at – Sealcoat Specialists bids were \$6,749 for seal coating and crack filling and \$37,318 for chip sealing. This year the only thing that needs to be done is crack filling. Phil will obtain an estimate for crack filling only.
  - H. Trail License Agreement: 2 attorneys have advised against signing the agreement; they do not believe it's necessary. Phil noted that if the Denver Water Board pushes the issue, they can come in and install barb wire fencing. The Board feels that if that happens, let them do what they want. Wooden Canoe already has fencing up and the fence/openings were approved by the Denver Water Board. This issue came about due to an inquiry being made about the original agreement. Denver Water Board found out there wasn't one and is now insisting on an agreement. The one they prepared is extremely one-sided putting most of the liability/maintenance responsibility on Wooden Canoe and Water Dance. It was resolved to do nothing at this time. Phil will notify the Board if anything further is heard from the Water Board.
  - I. Bids were received for replacing rotten wood benches by the pond with stone benches. Several pictures of different benches/chairs were shown to the Board. Prices vary depending on size (they need to be at least 6' long). There are currently 3 benches at the front pond. Pat suggested cutting this back to 2 and placing one at the back pond. If this is considered a pond expense the cost would be split with Water Dance. What kind of bench would work best was talked about and Phil will obtain definitive costs for the Board. It also needs to be determined what type of base the bench will sit on. Whoever delivers the benches needs to set them.
  - J. Pat noted the new dumpster enclosure should be up within 30 days. Concrete work would be next. About 1 foot will need to be cut off the slab in back and moved forward about a foot to meet Town requirements. Color was discussed and it was decided to try and match the color of the house that's closest to the dumpster. Shingles will be the same as are on Pat's home.
7. **New Business**
- A. The joint picnic with Water Dance was talked about. This is normally over the 4<sup>th</sup> of July weekend but since there was some conflict last year it was decided to try to move the picnic to a different weekend. The weekend of July 10<sup>th</sup> was tentatively set – this date will be run by the Water Dance Board. The same set up will be used as last year. (Subsequently, Pat spoke with Water Dance Board President David Manwaring. The consensus of opinion was that better attendance would be achieved if the picnic is held over the 4<sup>th</sup> of July weekend. July 3<sup>rd</sup> was selected as the picnic date. An e-mail will be sent to both Boards requesting confirmation of this date.)

- B. Planting of trees/mulching/rock is budgeted for \$4,500 in 2010. The Board felt that this money could be applied to the new benches if not needed for landscaping. Phil noted that more expensive mulch lasts much longer and biodegradable should be used. After discussion it was resolved to mulch the islands only and apply any surplus funds to the benches. It was also stated that the HOA would be saving on seal coating this year since only crack filling will be done.
- C. The letter from Bruce and Polly Douglass was discussed earlier in the meeting. Mountain Managers will prepare a reply pending receipt of correspondence that Betsy Burton has on file. Essentially, the owners will be told that this is a legally protected recorded easement on the plat and therefore not really an HOA issue. If the owners want more, they are free to pursue with their own attorney.
8. **The Next Board Meeting** will be on Friday, 7/9/10, 3:00 p.m. at Mountain Managers. Phil explained that any issues that arise between meetings can legally be dealt with via e-mail or conference call.
9. **Adjournment**. There being no further business, the meeting was adjourned at 5:35 p.m.

Respectfully submitted:

Judy Freese, Recording Secretary

**APPROVED:**

Approved via e-mail

5/16/10

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Jim Hafemeister, President

Date