

The Seasons at Tiara Rado Homeowner's Association
Quarter 3, 2023 Meeting Minutes
Redlands United Methodist Church
July 20, 2023 – 5 to 6 PM

Attendance: 18 Homeowners and 5 Board Members

- A. Call to Order by President Bruce Noble
- B. Establish Quorum of the Board: Yes, all Board Members present (Bruce Noble, Sharon Currie-Mills, Jim Lauer, Roger Williams, Peggy Vaughn)
- C. No Consent Agenda
- D. Information Agenda

a. President's Report by Bruce Noble

- i. Complaints from Homeowners - The Board has received several complaints from homeowners about dog waste being left in their yards, trash cans and recycling bins. Please be mindful that dog owners must keep their dogs on leashes and sidewalks while walking their dogs, and owners are responsible for cleaning up and removing all pet waste.
- ii. HB23-1105 - Heidi Shoenstein reported that Governor Polis signed House Bill 23-1105 on May 24, 2023 to create a task force, under the Department of Regulatory Agencies (DORA) to examine issues confronting HOA homeowners' rights and to prepare a report by April 15, 2024 regarding the task force's findings and conclusions regarding the matters it examines. DORA will then review and publish the initial findings and conclusions of the task force, including the legislative recommendations, and submit them to various parties including the State House of Representatives, Senate Committees and the Governor. Designations and appointments to the task force will occur before August 2023.

b. Treasurer's Report by Jim Lauer

Finances for the second quarter of 2023 have been posted on the website, and financial records may also be reviewed by contacting the Board.

Although this year's legal and accounting fees have exceeded the budgeted allotment for 2023, savings from the Management account will provide coverage for those additional expenses. The Board encourages members to look at the financials posted on the website for an itemized account of income and expenditures.

HOA Treasurer's Notes for 6/30/23 Financial Reports

1. Balance Sheet
 - a. 11000 Accounts Receivable \$5,737.23
 - i. Reflects 2023 HOA Dues Outstanding (including dues half unpaid until July 31)
2. Profit & Loss Budget vs, Actual
 - a. 70000 - Expenses
 - i. 70105 - Accounting: already overspent, \$2,331.25 vs Budget of \$1,100.
 1. \$356.25 was paid in January for end of 2022 accounting expenses.
 2. CPA Compilation Report \$1,200 paid in January.
 3. Filing 2022 Corporate Tax Return \$250 paid in January.
 4. Other Accounting and Bookkeeping Consultations \$525..
 5. The budgeted \$1,100 figure was a projected "bare bones" amount in the 2023 Budget, and there will be further accounting expenses in 2023.
 - ii. 70110 - Christmas Supplies: to take advantage of sales, items were purchased to refurbish the Christmas wreaths at entrances to the Seasons.
 - iii. 70130 - Legal: already overspent, \$5,460 vs Budget of \$5,000.
 1. Because of issues related to a legal demand for HOA records by a HOA property owner, legal expenses have gone over budget already.
 - iv. 70135 - Management budgeted account of \$12,000 will likely result in an excess over \$6,000 this year, since our CIC Manager decided to leave the HOA, and the Board is considering not replacing that function. These excess funds likely will offset the excessive Accounting and Legal Expenses this year.
 - b. 90000 - Capital Projects
 - i. 90020 – Pump Replacement (LS):
 1. \$1,212.16 - Existing pump failed and had to be replaced immediately.
 2. Failed pump will be repaired at some reasonable cost which would assure a backup pump if needed in the future.
 - ii. 90040 - Infrastructure:
 1. \$857.25 was paid the emergency pumping water out of pump house pit to avoid damage to irrigation equipment for the Large System.
 2. \$2,008.50 was paid for cleaning out sediment in pipe feeding ditch water for Small System.
 - iii. 90070 - Landscape Improvements:
 1. \$2,154.34 was the cost for "refreshing" the Seasons entrance street center planter.

- c. Report on the Proposed Seasons Fence Project by Roger Williams
 A fence committee was formed in the spring of 2023 to research options for repairing or replacing the worn cedar fences on South Broadway and Seasons Drive. Roger provided a handout with “Fence Facts” and the committee’s recommendations to replace the fences over a 3-year period. The Board will still need to allocate funds for repair and painting on sections yet to be replaced.

FENCE FACTS

The South Broadway fence was installed in 1992-93 and the Seasons Drive fence in 2000, so they have served us well for nearly twenty-five years. However, after repairing several sections recently, the contractors doing the work recommended that both fences be replaced in the next few years. Consequently, the Board formed a committee to look into replacement options.

In early April of this year, several members of the Fence Committee and a representative of Taylor Fence Company walked the South Broadway and Seasons Drive fences and determined that approximately one-third of both fences need to be replaced immediately. The estimated cost for removing, replacing and painting 27% of South Broadway is \$7,100, and the estimate for 35% of Seasons Drive is \$15,000.

Based on the research and evaluations of the Fence Committee, the Board proposes replacing one-third of the fencing in each of the next three years with a total estimated cost of roughly \$86,000. Currently there are no funds allocated for fence replacement, although we do have \$11,950 budgeted for repair and repainting. To totally replace both fences, the Board plans to increase the annual dues by \$200 per year for the next three years. The dollars collected will be held in a capital reserve account and will be used only for replacing the fences. It is possible that additional increases might be needed for other purposes.

Because cedar fencing requires re-staining every 3 to 5 years, the Board will continue to allocate funds for maintenance and repair in subsequent annual budgets.

Replacement estimates based on \$88 per linear foot & anticipating an increase of 5% per year for inflation:

Seasons Drive: 592 feet	2024	2025	2026	Total Outlay
	\$17,672	\$18,472	\$19,394	\$55,537
South Broadway: 321 feet	2024	2025	2026	Total Outlay
	\$9,550	\$10,027	\$10,528	\$30,105

The vacant lot at the South Broadway entrance is owned by Jack Acuff and is not part of the HOA. While it does provide aesthetic value, the Board does not want to do more than minimal maintenance on it as the lot could be sold at any time.

Fence Committee Members: Jeanne Crouch, Carolyn Jayne, David MacAlpine, John McCarney, Heidi Schoenstein David Siemsen, Linda Spinner, Roger Williams

The following questions and comments were discussed at the 3rd quarter meeting:

- Why was cedar preferred over Trex, vinyl or stucco? Some committee members felt that given the 23-year history of the current cedar fencing, cedar would hold up better in the long run than Trex or vinyl, and stucco is too expensive. Unlike cedar, Trex couldn't be repainted if there were graffiti or other damage, and replacing sections of Trex would be harder to match the color of worn fencing. Cedar is more environmentally friendly and durable for longer periods than Trex, but the committee will continue to research and discuss the merits of both cedar and Trex before making a final decision. David MacAlpine stated that the quality of the cedar will also be evaluated before deciding between cedar and Trex.
- The committee will obtain several bids before selecting a fence company to do the installation, but Taylor Fence provided the current bid shown on the Fence Facts report.
- Roger Williams mentioned that there is a new vinyl paint available for fences that will outlast the older paints and not need to be repainted as often which is also a cost consideration for on-going maintenance.
- Jack Ludwig asked why everyone in the Seasons is being assessed to pay for the fences instead of the homeowners whose property is directly affected. Since the fences belong to the Seasons HOA as a whole, it is a community expense rather than individual expense so the costs should be divided among all homeowners in the Seasons. Jack also asked why the assessment is divided into 3 years instead of paying a one-lump fee. Since the fencing will be installed in increments over 3 years, and it may create a hardship for some members to pay their total share at one time, the committee divided the assessment into a 3-year payment. However, the Board may also consider the option of allowing members to make a one-time payment if they choose to do so. The money will be held in a Capital Reserve account for fences.
- Bruce and Sharon mentioned that before any decisions are made, members will have the opportunity to vote for the 2024 budget that will include the cost of fences.
- John McCarney requested that the minutes of the quarterly meetings need to provide detailed information to HOA members about the fence assessment so there are no surprises when they receive the ballot and increase on their annual dues assessment. Bruce reassured John that the Board will make every effort to keep members well informed and given the opportunity to voice their opinions prior to placing on the ballot. Bruce encouraged members who attended this meeting to also get the word out and contact the Fence Committee with their questions and concerns.
- Anyone who has comments on the fence project should submit them to Roger Williams by August 31.

d. Design Review Committee (DRC) Report by Susan Fay

The attached report provides information on actions and approvals of the DRC Committee while protecting the privacy of individual property owners as required by law. The DRC Reports are also posted on the website.

DRC Requests 2023

January 2023

<u>ID</u>	<u>CS Received</u>	<u>Review Date</u>	<u>Vote</u>	<u>Date Completed</u>	<u>Status</u>	<u>Type</u>
2016	1-03-2023	1-17-2023	5-0	Previously	Completed	Pampas Grass Removal
2122	1-18-2023	1-19-2023	5-0		On-going	Directed Drainage System
2049	7-25-2022	Deferred/Info Needed	NOT		Expired	Stucco Wall/Metal Gate

February 2023

2176	2-01-2023	2-01-2023	5-0		On-going	Bronze Metal Railing
2347	2-07-2023	2-09-2023	5-0	NOT	Withdrawn	Cover Step with Veneer

March 2023

2616	3-15-2023	3-16-2023	5-0	5-23-2023	Completed	Irrigation timer and Backflow Preventer
2316	3-16-2023	3-20-2023	5-0		On-going	Metal Posts/Railing
2561	3-27-2023	3-30-2023	5-0	4-13-2023	Completed	Exterior Paint
2677	3-29-2023	3-30-2023	5-0		On-going	Hillside Stabilization/ Deck Rehabilitation

April 2023

2043	4-04-2023	4-10-2023	5-0		On-going	Solar Panel Aesthetics
2697	4-11-2023	4-14-2023	5-0		On-going	New Landscaping Plan
2789	11-17-2022	11-17-2022	5-0	4-25-2023	Completed	Wall Color Matches House
2101	4-15-2023	4-18-2023	5-0	6-03-2023	Completed	Gutters and Downspouts
2991	4-17-2023	4-18-2023	5-0	6-30-2023	Completed	Exterior Paint/New Gate
2244	4-24-2023	4-26-2023	4-0	6-02-2023	Completed	Exterior Paint

May 2023

2963	5-07-2023	5-07-2023	5-0	6-02-2023	Completed	Landscaping over 4'
2122	5-09-2023	5-10-2023	5-0	5-31-2023	Completed	Construction Extension
2164	5-15-2023	5-16-2023	5-0	6-03-2023	Completed	Exterior Painting
2697	5-15-2023	5-18-2023	5-0		On-going	Landscaping over 4'

E. Announcements

- a. The 2nd Annual Oktoberfest will be held on October 5, 2023 on Snow Mesa Ct. More information will be forthcoming in an email and the summer newsletter. Save the date and mark your calendars!
- b. Tuesday Happy Hour at the Tiara Rado Clubhouse will continue from 5:00 to 6:00 PM. The Clubhouse will contact the Seasons if there are other activities planned at the same time.

F. Members Comments

- a. In a response to another question from John McCarney concerning legal and accounting expenses, Bruce Noble explained some of the reasons why legal expenses are over budget again this year.
 - Requests for HOA records from within the community have prompted meetings with our attorney for supervised review of HOA documents.
 - The Board has been threatened by lawsuits, and legal counsel has been needed to advise the Board.
 - Questions regarding compliance with CCIOA and the Department of Regulatory Agencies needed to be addressed by our attorney to protect homeowners in the Seasons.
 - Bruce assured members that no legal fees or advice from the HOA attorney have been solicited to help individual Board members with their personal legal matters. He emphasized that all their legal fees have been solely at their own expense.
 - Sharon reassured the members of the HOA that the Board is doing their due diligence to act responsibly, and the Board does not use legal counsel carelessly. Unfortunately, threats of lawsuits, harassment and numerous demands of our attorney have been out of our control and caused our legal expenses to exceed the budget allotment for 2022 and 2023. To provide clarity, a summary of legal expenses is attached to the meeting minutes.
- b. David MacAlpine noted that our HOA does not currently have, and has been unable to obtain, the services of a management company to help with some of the legal and professional matters that we have been faced with. Therefore, the Board has had to rely on our attorney for advisement.

G. Adjournment

Motion to adjourn at 6:20 PM by Jim Lauer, Seconded by Peggy Vaughn

Attachment: Summary of Legal Expenses for 2022-2023

Summary of Legal Expenses
2022-2023

Date	Amount	Subject
1/27/22	\$600.00	Re Emails to and from Homeowner X
3/11/22	\$1,610.00	Re Communications related to Homeowner X
4/14/22	\$70.00	Re Emails related to Homeowner X
3/17/23	\$1,190.00	Re Communications related to Homeowner X
4/14/23	\$4,130.00	Re Communications, Dispute, Documents related to Homeowner X
5/16/23	\$140.00	Re Document Inspection by Homeowner X
2/15/22	\$960.00	Re Properties in 4CY (Filing 4, Lots 1-18)
3/11/22	\$1,260.00	Re Properties in 4CY (Filing 4, Lots 1-18)
4/14/22	\$910.00	Re Properties in 4CY (Filing 4, Lots 1-18)
6/20/22	\$1,127.50	Re Proposed CC&R Amendments
6/20/22	\$315.00	Re HOA Property on Canal Road
7/18/22	\$1,072.50	Re Proposed CC&R Amendments
7/8/22	\$280.00	Re HOA Property on Canal Road
8/15/22	\$1,645.00	Re Proposed CC&R Amendments
11/14/22	\$2,327.00	Re Building Covenant Violation, TRO, Injunctions, HB 1137