

[Shield-O Terraces Homeowners' Association]

[Board meeting minutes October 26, 2006]

SOTHA board meeting 10.26.07

Called to order 7:04 pm

Tom DiCecco [by phone]

Larry Leonitis

Kevin Michaelson

Sallie via phone

Sandy Holmes

Brimm by proxy

Fire dept wants us to keep the road open. I.e.- if a home there burns they will need to shuttle water from our place water tanks going down to Snowmass Creek and around. Why wasn't old pond plowed? Fire dept want us to be proactive. There will be 5 houses. Consideration- graham- has property there; what if there was a wildfire on his place. The water and possibly the access would, could still come from Shield-O-Terrace side.

If we charge a fee and assess the cost to fix up old pond we could have resistance from residents from Old Pond way. But with a letter from the fire Marshall we could be liable if we do not take action.

Consideration- we have capitol expenses of our own subdivision. We charge ourselves \$500 maybe \$300-\$450? To plow Old Pond would take 30 minutes. If it were \$60 a plow it would cost us \$600 for winter. Break down- 5(paying from Old Pond way)=\$125 per year for their plowing. The plowing on the Shield-O-Terrace side just need to be enough to get a fire truck through. If we charge \$150 it would allow just leave way for a heavy season.

Eric is receiving the fire dept letter to enforce their request. This letter will go out with this year's billings to explain why we are doing what we are doing.

Larry's suggestions- we sir charge them charge 150 a year for snow plowing that section of old pond. Include a letter from fire Marshall and a letter explaining the benefit of water storage in our subdivision. Capitol improvements out of our capitol road fund? They pay for on going the ongoing snowplowing and maintinance. There is not the intension of making a good road but making it passable for fire truck access as well as egress.

Kevin- if we plow a piece of Old Pond way we should plow all of it. Maintain all roads in subdivision.

Larry- Same guy plow everything. Allocate cost of everything.

Let's get through now. Let's meet fire Marshall's needs- keeping the road open and reassess in February.

They pay 600 or 800 to mesa. No matter what we do they have to pay that amount. It

If we decide to go the whole boat- take on Old Pond way. It's about cost \$8000. They have more homes and we have more money. Their collection goes to capitol debt.

Goldsmith- another person we need to charge per the Fire Marshall letter. Michael Vernon lot in summer? Do we modify the fee for Frei and Lauricella? They would be accessing our water supply. Maybe we should charge \$150 to all of them?

Motion for improvements on old pond maximum \$3000 out of the capitol road fund-

All in favor +1 proxy

What was approved- We will charge \$150 a year for snowplowing for Old Pond residents, Lauricella, Vernon, Goldsmith and Frei, Cote for snowplowing and water for fire access in order to keep road open as required by fire dept. add fire Marshall letter. Special letter will go to Vernon Goldsmith, Cote, Lauricella and Frei

Unanimously approved

With this fee they are not paying for right to drive on Shield-O rd. This is just cover maintain to keep hydrant open for fire access. All SOTHA pay \$150 for grading and \$150 in snowplowing.

Tom had a wonderful call with Bradke. He has realizes obligation and is going to pay it. If he was going to pay it right away then will wave the interest. No bills were sent ever. He had no knowledge we were coming after him till got summons. Eric did sent bill for \$4,800 that's when he sent \$500. He claims not understand what the \$4800 is about. He thought that as he is not building there was no reason to pay whole fund. He was going to call victor, if did Victor could say will sign off for \$3000. Will pay \$4300

Connie Harvey lots- Agreed to pay the \$4800 on both lots. As board gave Tom authority to wave the interest. He will use this as a bargaining chip if he has.

Kevin's thoughts- these people are rewarded for not paying. He paid on time. So should everyone else.

The Association is negligent. The Association by its covenants is not able to charge interest. The Judge in the Lauricella, Frei case says- if you want to conduct business you need new set of rules. There has to be 60 and 90 days late notices. If we go to court we would lose. If that is the position other will get their interest back as well.

What is the association's liability for collecting interest? What was the amount of interest? Put it on agenda for another meeting? Erik will look up before then. Kevin and 1 other person paid interest. Other property we charged interest on are long gone.

Ping has never had intention of paying us. Turned up nose at us. \$750 for Association of home and lot and statement of unpaid interest on lot.

Stonywood- sheriff went to Denver and delivered the summons to law firm where Henry I Lowe JR has his office. Service statutory time period passed. John said passed file on for default judgment. Also discussed what should be in judgment. (Put all points in.)

How to proceed with the next step. Do paper work for sheriff's sale. Lowest bid will be what is owed- \$6,000

Johnson property update- was recently served. Their time clock still running. When runs out, we will proceed. As soon as we get judgment we will move ahead for sheriffs sale. Then they would have to file to get the property back and we would be in the loop

When Tillman happened it was a quiet title. Treasurers deeds- all previous liens forgiven.

Rosse-Terre update- interest. They just received the new statement of amount due.

Association rules update- add 10 a month and send dunning.

Change wording of size to limit to 5750 sq feet for homes.

Tom is reworking and is adding a paragraph relative to safety necessity to provide clear access to water tanks and hydrants for fire mitigation. This will be for all residents- Shield-O residents and Old Pond way residents. Also to consider- weed abatement.

Victor is maintaining Mesa rd up to Cote on the top if he goes to Holly and we get Goldsmith into the fold, there is an overlap.

Eric- he has a private drive from phone pole below Eric (for the 3 lots – Eric, Vernon and Connie Harvey). There are 5 lots for plowing. Tom will check covenants on upper road plowing

Development fee- \$1 per sq ft. This fund is used to fund architectural review and road impact from the construction vehicles.

Kevin going to talk to Mesa side about putting a dumpster there. He is still pursuing this. Maybe we could share a dumpster? So we can all have somewhere to dump our garbage?

Meeting adjourned-10:15

[Sallie Shatz, Secretary]