

Shield-O Terraces Homeowners' Association  
Board Meeting August 7, 2007 (Notes)

These notes were made by Tom from the live recording of the meeting. At the Board's discretion, they may be used as Minutes of that meeting.

The meeting was called to order at 7:05 PM, Tuesday, August 7, 2007, at Tom's home. The following Board Members were present:

Eric Hansen;  
Michael Vernon;  
Kevin Michalson;  
Joy Hartman;  
Stewart Holmes;  
Sallie Shatz.

Tom DiCecco, as outgoing President and Director was also present. Tom presided over the meeting pending election of new officers.

Hawley Smith was not present although submitted a Waiver of Notice.

Sallie Shatz read the minutes of the prior Board meeting that occurred on July 2, 2007. There were no additions or correction to those Minutes and upon MOTION, the Minutes were unanimously accepted as read.

Tom reported on the collection lawsuits:

Bradtke: There was no response to John Lassalette's May 29, 2007 email of proposed settlement in which John had conveyed my instructions to offer a settlement of Bradtke's monthly payment of \$179.17 to clear the \$4,300.00 balance due within two years. I sent an email to Fr. Tom asking him to motivate a reply from his attorney.

Stonywood Trust: Tom updated the board on new information regarding a required six months time after which a default judgment could be overturned. That time period has now elapsed and our attorney is proceeding with execution of the judgment.

Johnson: Tom related that there is nothing new. We must wait until the Dwight vs. Johnson lawsuit is concluded or settled. The Court has granted a postponement of our case until the prior case is settled.

We need to finalize the letter to Mesa regarding payment for Old Pond Way residents' use of Mesa Road. The Board had approved the payment at a prior meeting although wanted to see the accompanying letter. The letter was circulated to the Board although

there were only two responses. Kevin had mentioned that we should tie the check to the letter and this was done.

The consensus of the Board was to approve and send the letter (copy included here).

Shield-O Terraces Homeowners' Association  
85 Casey Court, Snowmass, CO 81654-9106

Phone: 970-922-0505  
Email: SOTHA@Comcast.net

August 8, 2007

file: Mesa Road Association OPW Stipend 080807

Nancy White, President  
Shield-O Mesa Road Maintenance Association

Dear Nancy:

The Board of Directors of Shield-O Terraces Homeowners' Association has considered your proposal and has accepted it in part. We will agree to pay the indicated \$308.00 for each of the five (5) Old Pond Way residents although we believe it is unreasonable for you to ask us to agree to an on-going 65% of your annual road fee without delineating the amount of the road fee. Therefore, we will consider this on a year-to-year basis as you inform us of your standard road fee assessment.

Our check is enclosed in the amount of \$1,540.00, for the extended privilege of the current five residents' continued use of two tenths of a mile (2/10) of Mesa Road starting at the intersection of Mesa Road and Snowmass Creek Road, extending to the intersection of Mesa Road and Old Pond Way. Negotiation of this check constitutes agreement with the points in this letter.

We understand that the Mesa Road Association assessments are made on a calendar basis, the 2007 assessments to the five residents having already been made, so this payment will apply to calendar year 2008. This payment is made with the clear understanding that it constitutes 100% of the consideration to be received by the Mesa Road Association for the continued usage of the Old Pond Way residents' use of Mesa Road to Old Pond Way. The Mesa Road Association will not bill or otherwise assess OPW residents for road fees in lieu of this payment.

This payment does not include consideration for SOT members that reside in the upper lots - Schneider/Goldsmith, Cote, Smith - as mentioned in your Minutes, for the following reasons:

- o The Schneider/Goldsmith residence is located within Shield-O Terraces and on Shield-O Terraces roadways. Their use of Mesa Road is by their personal choice and any cost related thereto is private business between Schneider/Goldsmith and Mesa Road Association.
- o The Cote residence is located within Shield-O Terraces and borders Shield-O Road. Cote's use of Mesa Road is by personal choice and any cost related thereto is private business between Cote and Mesa Road Association.
- o The Smith residence is not located within Shield-O Terraces and is not encumbered by our Association. Therefore, the Smith's use of Mesa Road is by private agreement or assessment with or by the Mesa Road Association. However, the Smiths also own unimproved property within Shield-O Terraces and have the inherent right to use its roadways. This has been clarified with the Smiths to the extent they may not use SOT roadways for construction traffic to their home site. The Smiths have personally related to me that they have voluntarily joined and paid assessments to both Associations in a spirit of cooperation and as good neighbors.

Sincerely,

Shield-O Terraces Homeowners' Association

Tom DiCecco  
Liaison To The Board

Cc: SOTHA Board  
Enc: SOT check #433, \$1,540.00

The Board requested that Tom respond to Buddy Meyer's request to place rails on the north end of Old Pond Way, stating that considering the budget and other needs of the Association, rails can not be considered at this time.

Tom reported that he was communication with UPS – Glenwood Springs depot – and they agreed to call each recipient when they place a package in the drop box. Several Board Members reported that they have not been receiving calls. Tom will again call UPS to resolve this.

Lauricella and Frei Request for Withdrawal: Tom reported that there has been ample communication with Lauricella and Frei and he suggested that the Board authorize him to send a letter stating they should rely on Tom's email response sent on July 17 and July 31, 2007 email. The consensus of the Board was to proceed as Tom suggested.

#### Disbursement Audit for Emergency Management Plan & Agreement

Kevin related that the audit is not yet completed but is in process. Funds are still being spent toward the requirements of the County Road Agreement. The June 26, 2000 Agreement stipulates that SOT will pay SOM any excess funds collected for the work specified in the County Road Agreement. Kevin, Michael, and Eric will continue work on this and expect that the continued work may take another sixty days.

#### Election of Officers

The following directors were nominated and unanimously elected by the voting members:

Michael Vernon, President;  
Eric Hansen, Vice President;  
Kevin Michelson, Treasurer;  
Sally Shatz, Secretary.

The consensus of the Board was that Tom DiCecco remains in service as Counsel to the Board. This will enable him to finish the several projects he instituted and are ongoing. Tom accepted.

The Board reviewed proposals from both RAM and S&M Excavating for work on Old Pond Way. Both proposals provided excessive work. Eric will contact RAM regarding the limited work that is needed there – basically just grading of the washboards on the

north end. Eric reminded us that OPW was improved on the south end just to be able to have a fire truck able to travel there. The principle intent is to grade the north end to accommodate the five residents. Michal mentioned that this should be completed by October 1.

Kevin reported that the Association Annual Report had been filed with the State.

Joy related that an inquiry came from Buddy Meyers regarding a trash building (trash, mail, package drop). This is a work in process. Kevin had designed a combination building but there yet has to be a place established where it will go. Joy will show Buddy the drawings.

Tom reported that the Snowmass Capitol Creek Caucus has agreed to notify the Association whenever permit or development activity occurs. This will enable the Association to be aware of any activity intended within the subdivision that has not yet come to the attention of the Board.

Tom reported that the transfer of the existing website to shieldoterraces.com will occur within a couple of weeks. Tom wants to be able to post the Minutes and Financials to the current website prior to the transfer.

Larry and Tom, prior directors, will be removed as check signers. Michael Vernon and Stewart Holmes will be added.

Eric mentioned that Tom Martin, Excavating contractor for Tom Whiddon, has resumed work on the driveway.

Kevin reported that he is ready to send billings for the annual assessments. He will show the fiscal year, 7/1/07 ~ 6/30/07, but date the invoices as they are sent. Kevin will quote on the billings the Association Rules regarding payment. He will also show amounts in arrears if applicable.

Eric reported the wildfire fuel mitigation work is competed for this year. He will apply to the State for the 50% reimbursement program. There is more work that will be done next year, probably by Craig Chalmers, who has done a great.

The next Board meeting was scheduled for September 25, 2007, at Tom's home.

The meeting was adjourned at 8:33 PM.