

# Wooden Canoe at Water Dance on Lake Dillon Homeowners Association Board of Directors Meeting Minutes 7/26/2023

## **Call to order/ Determination of Quorum**

The Wooden Canoe at Water Dance on Lake Dillon Homeowners Association Board of Directors meeting was called to order by Board President Rich James at the offices of Reed Property Management (RPM), 330 Dillon Ridge Way Suite 1, on July 27, 2023 at 3:05 p.m. Board members Rich James, Barry Hennegan and Charles Williams were present in person. Board members Lynda Schroer and John Broker were present via teleconference. Design Review Committee members Terry Sommer and Karen Mahakian were present, along with manager Mike Reed.

As all Board members were present there was a quorum.

## **Approval of Previous Meeting Minutes**

Upon motion, duly seconded, the minutes of the April 19, 2023 Board meeting were unanimously approved.

## **Douglass Demand to Rectify Trespass From Common Area**

The Board received a letter dated July 5th from an attorney representing the owners of lot #36. The letter demanded that the HOA, at its expense, take action to block pedestrian access to the drainage easement on their property; and, to construct a fence along the outside boundary of the access easement and along the eastern boundary of Lot #36 to the Nordic Park. The letter also demanded that the HOA survey the access easement to confirm that the path is located within the platted location.

Rich reviewed the history of this issue regarding the planting of trees that were not originally approved. This issue was first raised in 2004. At that time the DRC responded that the trees were aesthetically pleasing and not inhibiting access to the path on the easement between lots #36 and #40.

The next correspondence came from the present owners in 2010. The concern at that time was that branches from the trees planted by an adjoining lot owner (#40) were now encroaching on the portion of the easement belonging to lot #36. The property manager at that time responded that the owner's letter had been discussed, but that the Board didn't feel any additional action was necessary at that time.

Nothing further regarding this issue was raised until October 2022 when the Design Review Committee (DRC) received an email from the owner requesting approval for a perimeter fence. The DRC denied the request. This letter from the attorney followed.

During the discussion of this matter, it was felt that the 2010 letter was dispositive i.e. perimeter fences are not allowed. The Board feels that it does not have a duty to protect

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owners lots from trespassers, and that any threatened litigation is possibly time-barred. It was also noted that this condition was present at the time the owner purchased the property.

While there are other perimeter fences in the community it is believed that these were approved by the developer before the transition to the owner-controlled HOA.

When Donna Leavitt joined the meeting there was a discussion as to whether it was lot 40's responsibility to trim the trees on the private access easement or Wooden Canoe's or the Master Association.

Upon motion, duly seconded, and unanimously approved, the Board will engage attorney Wilton Anderson to respond to the demand letter. Barry will prepare a synopsis of the Board's discussion of the issue and its belief that the HOA is not required to meet the owner's demands. The synopsis will include all other historical material for Wilton to review.

### **Design Review Committee**

An addition to the garage of the home on lot #21 has been approved.

The addition at lot 53 has been approved, but construction hasn't started. A landscaping plan for that lot has also been approved pending receipt of final drawings.

A hot tub for lot 6 was approved with some modifications regarding placement on the deck.

A hot tub was installed on lot 19 without prior approval. The DRC is requesting the necessary paperwork and fee from the owner.

### **Financial Review**

Meghan Ianello from Reed Property Management joined the meeting. Treasurer Barry Hennegan led the discussion on the financials. There is currently \$19,000 in the operating account so he will continue to purchase 30-day T-bills through Treasury Direct. These can be unwound within 30 days if needed for operating expenses. He anticipates being able to earn \$1,000/year in interest for the HOA, as opposed to virtually nothing from the bank accounts.

A discussion ensued that the CPA handling the financial statements for RPM is troubled that these purchases can't be reconciled with statements. Meghan explained the concern RPM has that it needs to heed the advice and concerns of the CPA regarding management of the HOA funds. Meghan has provided documents supplied by Barry to the CPA to see if they are sufficient. If they aren't, Barry would like to know exactly what the authority is that creates the problem. Meghan has a call scheduled with the CPA to try to clear this up.

Mike has been approached by First Bank to explore the possibility of investing HOA funds in their higher interest bearing funds. He will follow up and get back to the Board.

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There was further discussion regarding the possibility of placing money in some higher interest funds. Charles will look into the possibility of purchasing CDs from Schwab. This might alleviate the CPA's issue.

A-Peak Asphalt has been paid \$8580 for Asphalt repair. This was not budgeted as an operating expense and has been paid out of the reserve account.

Following discussion, it was agreed that Barry would be notified before a check is cut for RPM, so that he can be aware of the nature of the expense.

In reviewing the year-to-date performance report Mike noted that expenses are within \$1,000 of the budget.

### **Repairs and Maintenance**

Following discussion, there was a motion, duly seconded, and unanimously approved to accept the bid from Jet Black of \$4,800 for crack filling. This will be paid out of reserves.

Mike mentioned that the signs and poles are maintained by the Master Association, and they may need to be replaced soon. Same with the front rock garden plan.

### **New Business**

There was a discussion regarding a possible dues increase. Mike said this can be addressed when they start drafting the 2024 budget. It may involve doing a reserve analysis to get an idea of the projected cost for replacing the roads and the pond liners; and, getting a risk analysis as to what their life expectancy is at this time.

The next Board meeting was scheduled for October 25, 2023 at 3 p.m.

### **Adjournment**

There being no further business the meeting was adjourned at 5:28 p.m.