

**Orchard Villa Townhomes Homeowners Association Minutes**  
**Board of Directors**  
**Wednesday, August 12, 2009 – Grand County Public Library**

Board members present: Marc Thomas, Chris Ensworth and Bill Topper. Board members Connie Baty and Mike Stringham were absent. Homeowners in attendance: Catherine Shank, Sue Noah, Carol Klaus, and Diane Mackey.

Prior to the meeting Catherine Shank presented a petition to the Board signed by homeowners representing 20 units that the corkscrew willow trees not be removed from the common area east of the swimming pool. The Board tabled action on the request and added it to the agenda for the next Board meeting, but included it in the Record of Minutes.

Marc Thomas made a motion and Bill Topper seconded the motion to approve the June 9, 2009 minutes as presented. The motion passed unanimously. Chris Ensworth made a motion to approve the bills presented and Marc Thomas seconded the motion. It passed unanimously. President Marc Thomas reported as of August 12, 2009 the Association had \$20,325 in the checking account before the current bills had cleared; \$12,189 in savings and \$20,916 in Certificates of Deposit.

The Association has one homeowner who is over 120 days past due on assessments and the homeowner has not responded to the late notices mailed by certified mail, or phone calls, Marc Thomas said. Chris Ensworth made a motion and Marc Thomas seconded it, for the Board to proceed to file a lien against the property in seven days, if a satisfactory response is not received from the homeowner after an attempt at a personal contact by Sue Noah. Chris Ensworth and Marc Thomas voted in favor of the motion. Bill Topper voted no. The motion passed. Late notices were sent to the two homeowners who are 30 days past due on assessments.

Marc Thomas reported the Association's attorney Chris McAnany had reviewed the Association's governing documents and rules and found them to be in order. He clarified that the Association is responsible for maintaining areas set aside for the exclusive use of homeowners in the common area. He encouraged the Board to be consistent in adhering to the Association's governing documents and policies. His summary was included in the Record of Minutes.

Mike Newman made a presentation to the Board for maintaining the stucco on each building. He said the sun breaks down the EIFS (aka artificial stucco) over time and hairline cracks develop; coupled with the freeze-thaw cycle you get moisture damage and the finish coat eventually sloughs off. He estimated it would cost \$2,375 per unit to re-coat with the perma-crete elastomeric coating and it would have a life span of about ten years. The Board took no action on the recommendation.

Chris Ensworth said Audie Harper had adjusted the pool cover, after someone had tried to open it without pumping the water off the cover and thrown it out of alignment. She reported the problem with the pool cover not operating was a tripped GFI switch on the outlet on the pool house. She also reported that Dave Cozzens Construction had repaired a water line break July 2 in front of Building 15 after the July 4 holiday. She also noted the traffic mirror on the 400 North entrance had been installed.

Chris Ensworth reported that Brian Merrill, owner of the property west of Orchard Villa, had indicated he would be willing to grant Orchard Villa an easement for a storm drain line to be installed. Under Board President Thomas's direction, she had mailed a letter to him asking his permission to have the underground utilities surveyed to determine a feasible route for the line. If the survey determines it is a viable option, the next step would be for the Board to coordinate the work with the city when it installs its storm drain on Riversands Road in four to six years and have the line engineered. She said City Engineer Mike Stenta indicated the City would be willing to work with the Association on the project.

Sue Noah presented a request from the Landscape Committee to install two park benches east of the swimming pool. The Board tabled the request until the next Board meeting. Marc Thomas and Bill Topper will inspect the complex to ascertain any potential maintenance problems courtyard trees may present to the stucco and roofs.

The Board will meet in a budget work session when it receives its first draft of the budget and reserve spread sheet from Alan Gillette. The Board decided to do one mailing in September for the annual meeting, Board election, proposed 2010 budget, and fall newsletter. The meeting was adjourned.