

## **Golf Vista Estates Follow-On Annual Meeting**

**December 5<sup>th</sup>, 2018**

**5:30PM**

**Victor City Hall**

The meeting was called to order at 5:30PM.

There were 14 homeowners present and 27 owners represented by proxy which results in a quorum at 41 total lots represented.

Molly Thorn asked the question as to what is required to call a special meeting of the owners. Herb said that 15% of the owners will be needed to call a special meeting per the CC & R's.

Marian Ruzicka had a question as to whether the mail key fee is a deposit or income to the HOA.

There was a request for 2017 Balance Sheet to be sent to individual owners and this will be reviewed by the Board.

**FINANCIAL REVIEW** – Lee Jennings from New West Property Management reviewed the CC & R's.

### **CC & R VIOLATIONS**

There were questions about the Architectural Design Committee and payment for the application fee. Henley explained that the design committee consists of 3 people who are retained by the Board to evaluate and review the design and approve the application.

Henley explained how the design standards were followed on the Kristen Street new homes.

Herb explained the ability to be a member of the site committee (Henley).

Marian asked about the home next to her that she contends violates the CC & R's in height by being too tall. And, issues with dogs roaming the neighborhood. There is no provision for fines for dogs so there is no remedy in the CC & R's for this issue.

Brian asked about deposits being held for landscaping and construction to ensure the compliance with the CC & R's.

A comment was made to redefine the CC & R's better for the community standards and to create a better version of the rules so it will be easier to enforce and follow.

Marian remarked that the houses that are being built now may be too high and as such, would not conform to the design standards. Herb commented that we cannot get an injunction on the new homes but Marian may be able to sue for money damages for diminution of value. This would be handled in District Court and would be expensive to remedy.

Molly remarked that it would be helpful that we abide by the CC & R's moving forward. The height requirement limit is 28 feet from finished grade.

She also remarked that the CC & R's state existing grade must be used for the height requirement. The height requirement is listed in the Design Standards rule 6 on the Site Committee Rules.

A vote of 63 owners would be required to Amend the CC & R's.

There are three homes currently under construction with foundations in.

Herb discussed the process by which to enforce the CC & R's.

What were the issues with the existing new homes? Siding, same house on the same street, and others.

Should the deposit be larger for home builders vs. homeowners?

Herb suggested that we do a summons/complaint to see if that will help the owner conform.

## **NEW BUSINESS**

Election of Board Members

Can owners get an email when we have approved plans? Yes – we can send this out to the contact group.

Conformity with Design Standards

## **MATTERS FROM OWNERS**

Jeffrey Brines volunteered to be on the Site Committee – must be done at Board Meeting.

## **BUDGET**

2019 Budget was passed.

## **BOARD MEMBER VOTE:**

Donna handed out ballots for Board of Directors. The same Board was elected for the next year. Jeffrey Brines volunteered for the Design Review Committee. The Design Review Committee will be Henley West,