

Minutes of the Board of Directors Meeting

Vista Redonda Water & Property Owners' Association

June 17, 2013 – 6:00 pm

1. Certification of Quorum: The meeting was held at the Mize home. Notice of the meeting was announced to the membership via email by Judy Simon. Mize called the meeting to order at 6:10 pm. Eight of the voting Board Members were present; the required number to certify a quorum was met.

Board Members Present: Sue Mize, President; David Rule, VP; Judy Simon, VP; Harvey Simon, Director; Harvey Stone, Director, Chris van Schayk, Director.

Board Members Present via conference call: Susan Rule, Treasurer and Secretary Pro-Tem; Phil Marineau, Director.

Board Members Present via Proxy : JoAnn Ruppert

Architectural Review Committee: Bill Larson

Technical Advisor for Roads: Bill Berra

Vista Redonda Property Owners Present: David Stupin, Peter Frank

2. Approval of Minutes: Mize made a motion for the Board of Directors to accept the minutes of March 4, 2013, Special Meeting Minutes regarding Bylaw voting of April 10, 2013, Special Meeting Minutes regarding OSE Letter of April 10, 2013, and Special Meeting regarding Ballot Count on Bylaws dated May 3, 2013. H. Simon seconded the motion and the vote was unanimous.

3. Bylaws: Mize reported that the Vista Redonda Property Owners 'Association (POA) bylaws had passed with a vote of 51 in favor and 4 against. Minor corrections had been made to the POA bylaws. Mize also reported that the Vista Redonda Mutual Domestic Water Consumers Association (MDWCA) bylaws had passed with a vote of 52 in favor and 3 against. Articles of Incorporation and other necessary paperwork required by the State will be filed shortly.

4. Website Status: J. Simon reported that Studio X had been identified to create the new VR website. It should be operational in 2-3 weeks with a page for the POA and another page for the MDWCA. J. Simon will serve as the main contact for anyone wishing to place information on the website. S. Rule made the motion that the board approves Studio X for the website with a board approval of a budget of approximately \$1500. Marineau seconded and the vote was unanimous.

5. Water/Well Assessment Report: The report by D. Rule included a section regarding overall system status, the Uranium on Well 3a, and future issues and trends which analyzed the need to maintain capital reserves and capital assessment. A copy of the report is attached to these minutes and will be available on the website. (6-17-13 Board Meeting Water Report.pdf)

6. Roads: The board has not had a response from an earlier email to Leigland which explained that no funds would be made available from Vista Redonda to contribute to road upgrades. H. Simon will draft a follow-up email to Commissioner Mayfield with a copy to Adam Leigland asking the County to clarify their intentions, current plans and schedule for road improvements in order to brief the community at the annual meeting. H. Simon and will submit a draft the board for approval before sending.

7. OSE Agreement: van Schayk reported that he Court has approved and signed the copy (3-15-13) of the OSE Settlement. The Settlement gives us up to an additional 15 acre-feet of water rights via the right to 5 well permits at 3af each. Added to our existing 29.08af, it ensures that going forward we will be able to offer 0.5af per year (our present base allocation) to our members as we build out. The Agreement also calls for our members to give up the right to drill a well. The prohibition on private wells takes effect a year after the signing of the agreement -- May 2014. Within that year we also have to exercise the 5 well permits (by drilling new wells and/or assigning the rights to our existing wells) as well as delineate the boundary of our service area.

8. Architectural Committee Report: Larson reported that the owners of the new construction on Paseo Encantado SW had agreed to remedy any surface damage done to the well easement adjacent to their building site. He also reported on the VR protest to the McCreight county building code violation. Although in preliminary hearings, the county had agreed with the VR protest, they reversed their decision and allowed McCreight the height variance. They did require that McCreight change the building's roof reflectivity, but did not put a deadline on this action. Larson will draft a letter to Commissioner Mayfield outlining VR concerns and will submit it to the board for review before mailing.

Larson also reported that as part of the OSE agreement in VR's need to establish boundaries, he had compiled a mailing list of the owners of the properties at the end of Vista Redonda who are subject to the VR Architectural guidelines boundaries, but not part of the MDWCA. The Board will contact these owners to welcome them formally to the POA under the new bylaws.

9. Nominating Committee: Van Schayk presented a proposed slate for the POA: Judy Simon, President; Susan Rule, Treasurer; Directors: Bill Berra, Mary Costello, and Ellen Smith. The positions of Vice President and Secretary have yet to be filled. Harvey Simon and Chris van Schayk have agreed to serve as either Directors or Adjunct Directors. The Architectural Committee will be Jill Bossory, Bill Larson and Anna van Schayk. H. Simon moved that the board accept this slate of officers, Stone seconded and the board approved unanimously.

Van Schayk presented the proposed slate for the VR MDWCA: David Rule, President; Vice-President, Chris van Schayk; Secretary/Treasurer, Susan Rule, Directors: Peter Frank, Phil Marineau, Sue Mize and Harvey Simon. Fred Meyer and Matt Waller will serve as Adjunct Directors. H. Simon moved that he board accept this slate of officers, Stone seconded and the board approved unanimously.

10. Annual Meeting Planning: S. Rule presented the VR Balance Sheet and a list of legal fees paid in 2012-2014. S. Rule also presented the proposed POA Operating Budget with the recommendation that lot owners be assessed \$180 per lot. The new POA bylaws require that all lots be assessed equally, and all developed, undeveloped, and 2nd lots will receive the same assessment. Van Schayk made a motion that the board approve this budget with the \$180 assessment which will be presented at the annual meeting for membership approval. D. Rule seconded and the motion was passed unanimously.

D. Rule presented the MDWCA Operating Budget with the recommendation that the assessment for developed lots be \$1000 and undeveloped lots \$500. Mize moved that the board approve this budget

with the assessment of \$1000/\$500 which will be presented at the annual meeting for membership approval. H. Simon seconded and all approved.

D. Rule presented the MDWCA Capital Budget with the recommendation that the assessment for every lot be \$1000. Van Schayk moved that the board approve this budget with the assessment of \$1000 per lot which will be presented at the annual meeting for membership approval. Mize seconded and all approved.

There are no resolutions that need to be voted on at the annual meeting as per advice by outside counsel Sheridan. The water report was given earlier by Rule and will be presented at the annual meeting.

11. Proposed meeting dates for 2013-2014. The POA will meet on an ad-hoc basis. D. Rule will send out proposed meeting dates for the MDWCA.

12. New Business: Mize made a motion that S. Rule check on the status of the lien filed in 2008 on the Sussman/Chu property and, if needed, file another lien. Van Schayk seconded and all approved.

13. Executive Session: At the direction of legal counsel, Mark Sheridan, Mize called to order an Executive Session at 9:10 pm. Legal issues were discussed with no decision made. Stone made the motion to adjourn, H. Simon seconded, all voted in favor, and the meeting was adjourned at 9:30 pm.

14. Meeting Adjournment: S. Rule made the motion to adjourn, Van Schayk seconded, and all approved. The meeting was adjourned at 9:30pm.

Respectfully submitted

Susan B. Rule, Secretary Pro-Tem