

# Casolar HOA Meeting and Special Meeting Minutes

## June 15, 2022

The meeting was called to order at 6:00 pm MST. Participating on Zoom meeting:

- Reid Phillips
- Brendan McCarthy
- Seanna Mulligan
- Mike Bailey
- Jon Gurka

### **Minutes Approval**

Minutes for 4/25/22, 5/9/22, 5/23/22 minutes were approved via email.

### **Construction Projects**

Wallner remodel is complete however the landscaping has not been restored to the condition prior to starting the project. HOA has a restore contract for this project. The homeowner has not initiated restoring the landscaping. Additionally, last year irrigation was cut by Wallner's contractors which required Andy Henges, HOA landscaping contractor to re-route irrigation and repair irrigation. Andy has been asked to present his 2021 irrigation costs associated with re-routing and repairing HOA irrigation impacted by Wallner's construction. Plus, he is charged with restoring the backyard and front area to pre-remodeling condition. HOA has asked for a bid. HOA has a bond of \$4000 to guarantee the full restoration of the landscaping and irrigation to previous condition.

Need full accounting of Andy's charges related to repairs and restoring after Wallner's remodel.

Irrigation is on.

Landscaping upgrades discussed in 2021 and early 2022 have been put on hold due to legal costs associated with homeowners' accusations and threats regarding prior easements.

### **Board discussion regarding common land transfer**

Prior to the discussion, the HOA BOD pulled all title issues registered with Eagle County. All board members discussed their perception and thoughts on granting easements versus GFRA (common land requested by a shareholder to be enclosed into their homes gross square footage for personal use only)

Easements are a homeowner right to use GFRA is granting that (common) land to one homeowner for sole use inside their property's square footage. Shareholders have the right to vote on individual projects requesting GFRA and most easements.

Many HOA's have been dealing with this issue of remodels requesting expansion onto common HOA property.

Need a fair process to determine fair market value of land should the HOA shareholders approve a GFRA project. Homeowner requesting land from HOA must pay legal costs, appraisal fees and any other fees associated with the transaction.

Limit requests and HOA granting requests to 250 square feet per unit.

If the shareholders approve (2/3 majority approval as per bylaws) a GFRA expansion project for a homeowner, any funds received for purchase of common land will be placed in general reserve for capital projects.

The process for conducting a shareholder's request/vote for GFRA or HOA common property will be handled and executed by HOA Attorney and adhere to Casolar bylaws. Currently, that is Candyce Cavanaugh. Homeowner's

requesting a special vote will pay for HOA attorney, appraisal fees and all other fees associated with the transaction. The transfer of land, should the shareholders approve a 2/3 approval, will be based on fair market value for the land.

HOA Board to adopt a policy should shareholders approve a common land transfer. This is to be executed by our HOA attorney.

Motion made by Reid that the HOA board cannot approve the Bell/Russel Unit A remodel without a full shareholders vote. The HOA BOD approves Candyce Cavanaugh to execute the process for Bell/Russel to present their project to the HOA shareholders so they can vote to approve or not approve. This will require Bell/Russel to sign an engagement agreement to pay all legal fees associated with conducting this process. Should it pass, Bell/Russel will pay for appraisal and anything else the shareholders may request. 2<sup>nd</sup> Mike. Unanimously approved.

Attorney has been paid. Board would like to review the invoice to allocate the costs based on focus of the project or discussion with the attorney.

Adjourned at 7:21 PM

Respectfully submitted Seanna Mulligan