

YOUR HOA AND THE COMMON AREAS: DOING THE BEST FOR THE NEIGHBORHOOD

LETTER FROM THE BOARD

The current Board would like to share with the membership some of the background and thought process that we go through in making our best effort to manage the Association. A big area of discussion these days pertains the common area. With roughly 27 homeowners it is often the case that one homeowner's view of what should or could be done varies greatly from another. The Board wants to "do the right thing" and try and make everyone happy, but must also act responsibly in following process and policy. Sometimes something that seems small and easy could end up open a Pandora's box of issues for the Association. At the same time the Board wants to get things done. It's often a difficult balancing act – and no matter what the Board does some people will be happy and others will not be. Below we've included a great deal of information that we wish to share with those who are interested in items we've discussed and how we have tried to manage these items in our proposed budget for this coming year. We think it is a lot to get done next year and that it represents both a good start and a fair compromise on many issues.

WHERE WE'VE BEEN

AREA OF HOA RESPONSIBILITY

The Casolar HOA is made up of dwelling units which are detailed in a map included at the end of this letter. The HOA units include three buildings on Sandstone Rd. (1146A/B, 1148, and 1150A/B), two buildings 1101A/B/C and 1121A/B on the Vail View Rd. spur, assorted duplex buildings on the two sides and top of Casolar del Norte Drive as well as two undeveloped lots near the top of Casolar Del Norte Drive. Surrounding these homes are the common areas of the Association. Under the Amended and Restated Declaration of Covenants and Restrictions for Casolar Vail dated November 27th 1992, an annual assessment based on a budget is used, among other things, for maintenance of these common areas.

SELECTED PASSAGES FROM THE DECLARATION OF COVENANTS

There is not a lot of detail on what the care of the common area entails, but here are some relevant passages from our governing documents:

Article V Section 2, "Covenant for Maintenance Assessment" states that Assessments are to be used for "private street and road maintenance... for trash removal, for snow removal, for maintenance of common areas... and any other purpose in keeping with the object and aim of (these) covenants..."

Article VII Section 11, "Trees", states that no trees may be cut, trimmed, or removed without prior written approval of the Board"

Article VII Section 12, "Landscaping and Gardening", includes language which indicates that acceptable treatment of the common areas include "native grasses, landscaping, or gardening".

We hope to prepare an additional document better defining what the "care of the common grounds" entails, given our current low level of assessments, based on the desires of the membership and in an effort to avoid issues which may arise from a lack of clear definition or differing opinions on such matters.

HOW THE ANNUAL ASSESMENT IS HISTORICALLY AND CURRENTLY SPENT

The HOA's main expense items are or have been:

1. Maintenance of the Casolar del Norte road, a private road not maintained by the TOV. Several years ago the Association drained its reserves and had a special assessment to spend more than \$130,000 to regrade and repave Casolar Drive. Parts of Vail View were also repaved at that time. If the roads are properly maintained by periodically filling in cracks and resealing the asphalt surface a repeat of this level of expenditure should not be required for a very long time.
2. Annual Snow plowing of the main Casolar del Norte road, the main Vail View spur and paths leading down into the driveways for two buildings on Sandstone Drive.
3. Annual Summer landscaping, which now includes the maintenance of a large flowerbed at the entrance to Casolar Rd and the mowing of "road facing" lawns on Casolar and Sandstone. Also includes some trimming of natural grass growth on Casolar, Vail View and Sandstone.
4. Tree spraying for area-wide infestations such as aspen and pine scale. NOTE: many homeowners take additional steps to protect their trees at their own expense, such as direct injection into the ground surrounding the tree.

WHERE WE'D LIKE TO GO

PROJECT ONE: LANDSCAPING EXPANSION

For some time, the board has restricted landscaping to the mowing of lawns, weeding and trimming natural grasses that are directly in front of homes and visible from the road. The Board also took over and maintains a large bed of flowers at the entrance to Casolar. These are areas that can be seen by people driving through the neighborhood and increases the curb appeal of our Association. Thus limited in scope of work, yearly assessment remains low at \$1900/year (vs typical assessments in Vail of 2 or 3 times that amount). With such a low yearly payment, any additional significant landscaping has been done by the homeowners themselves.

Now, there is increasing demand and opinion from some homeowners that an increase of the scope of this landscaping work should occur. The requests include tree trimming (branches banging against houses, dead branches), caring for wooden railroad ties used in planters and retaining walls, trimming flowers, weeding and weed whacking, and even adding flowerbeds which may require expanding the irrigation system.

We are trying to address these requests while still respecting the input we recently received from a survey in which 16 homeowners (76% of respondees) indicated that keeping assessments around their current levels is a priority and the same number of homeowners indicating that the Board should continue with its current landscaping policies. We believe this is probably the preference for most of us. However, we are also trying to take into account that “geographically” not all things are equal. For example, one big issue is that the landscaping and irrigation which exist on most portions of Casolar Drive and Sandstone Drive do not currently exist on the Vail View spur. A majority of the membership who resides on Vail View has now indicated that they would like their portion of the Association to become more uniform with what can be seen in these other sections of the Association. In addition, there are areas on Sandstone that could easily have flowerbeds added to them to increase curb appeal for some of the Association units in that region. The Board is unanimous in agreeing that these projects would be worthwhile projects to undertake.

We have started to formulate a plan, which includes the following:

1. On the Vail View Dr. spur, on the left-hand side as you go up, clear out the weeds and add some flowers. Keep the area weeded.
2. At the top of Vail View Dr., dig out the roots now splitting the asphalt pavement and replace pavement. Clean out the weeds in the same area. Repave/ReSeal.

3. Add irrigation system (water meter, timer, valves, irrigation pipes, sprinkler heads) to Vail View Drive Spur to support landscaping consistent with the rest of Casolar and Sandstone areas.
4. Expand flowerbed up Vail View once irrigation is available. Install shrubs and grass where it makes sense.
5. Add flowerbeds to already irrigated curbside units on Sandstone Rd. Keep the hedge between 1148 and 1146 weeded.
6. Additional landscaping elements in the upper Casolar Dr. area.

To implement these changes, the bulk of which are in the Vail View spur area, the Board is unanimous in recommending that we fund this upgrade through a one time expenditure from our reserve funds of approximately \$10,000. This will still leave the Association with around \$40,000 in the reserve fund. No special assessment or immediate increase of dues will be required to fund this work. We have included this request as part of a capital budget which we hope the membership will ratify the upcoming annual meeting. The increased ongoing flower bed, irrigation and lawn area maintenance will eventually add to our yearly landscaping operational budget, but we expect that once the capital project is completed that this ongoing cost will not be a significant one.

PROJECT TWO: DOCUMENT UPDATE TO CONFORM TO CURRENT COLORADO STANDARDS

Our Declaration Of Covenants is sorely out of date and should be brought up to current standards meeting the current standards of the state of Colorado. Our legal advisors inform us that if we utilize a current Colorado template and integrate our association specific items into it that this work can be done approximately \$6000. The Board has included this item as a second capital project to be funded through some excess non-reserve funds in our operating account. No increase in dues or special assessment will be required to accomplish this project. We have included this project as part of a capital budget which the Board recommends ratifying at the annual meeting.

TREES

There continues to be some debate about whether the Association is or should be responsible for tree trimming and maintenance. In the recent survey even though there were 18 homeowners (86% of respondees) who indicated that they were in favor of the current policy of tree trimming and general maintenance being the responsibility of individual homeowners and not the Association, there were six responses or comments asking for help with trees, such as trimming back branches that could damage a house or pose a fire danger. Since such work has not been done by the HOA in the past and the results of the survey indicated that the majority of the membership approved of this policy, the Board is asking if the membership wishes to also amend the governing documents to reflect this policy. We have

deferred any action on “tree related requests of the HOA” until after the results of that vote. In addition, the Board has included a ballot item for the membership to weigh in through a vote on the request of one homeowner who has asked the Board to trim a tree branch that she feels is endangering her roof and skylight. While the Board already denied this request in a 3/2 vote we all agreed that we would take this request to the membership to see through the vote process if the majority of homeowners feel that an exception to the policy should be made in this case or not.

LIMITS TO WHAT THE BOARD CAN DO ON COMMON GROUNDS

The board is trying to create a plan that will respond to as many of the requests as is possible within the constraints of the current budget, governing documents and supported policies of the Association. At the same time we are doing our best to ensure that the annual assessment remains low. We hope that by sharing these issues with you that you’ll have better insight into what the Board has been working on and what we would like to work on in the next fiscal year.

