

# **CASOLAR DEL NORTE HOMEOWNERS ASSOCIATION**

## **BOARD OF DIRECTORS MEETING**

**March 7, 2010**

A regular meeting of the Board of Directors of Casolar Del Norte Homeowners Association was duly held March 7, 2010 at 4:00PM MST at the home of Charles Reyner at 1150A Casolar Drive. The following directors, constituting a quorum, participated in the meeting: Nancy Bigsby, John Uhley, Brendan McCarthy, & Charles Reyner. Nancy called the meeting to order at 3:05pm. With four Board members on site, a quorum was established. All present confirmed that they had received proper notice of the meeting.

### Commencement

At 4:10pm Nancy called the meeting to order. Mention was made that anyone wishing to participate in the Board meetings is welcome to attend or take part via telephone. Approval of the 1/10/10 Board of Director's meeting is postponed to the next Board meeting.

### Cross/Beringause Common Area Damage Resulting from Construction

Nancy brought up the first order of business regarding damage to common property adjacent to the Cross/Beringause residences. The letter drafted by Candyce on behalf of the Association had been delivered to Cross/Beringause on 2/27/10. A response to this letter had been received today which clearly stated that Cross/Beringause were of the opinion they were not responsible for the damage at issue and ventured that this damage had been caused by the snow plow service provider with his truck mounted plow. John noted on this that he though he had a conversation on site with Eric Beringause where they agreed that such damage had been caused as a result of the construction on the Cross/Beringause duplex. Brendan offered that generally snowplows chip edges off concrete as is the case in many locations further down Casolar, while excavators and backhoes crack and destroy it. Reference to Paul Bigsby had also been made in the letter, which was puzzling to all as Paul had not been involved in this matter nor is he currently on the Board. A problem with the electrical service to the Cross/Beringause duplex had been stated in the letter. Whether such a problem ever existed is a moot point as the service line is owned by Cross/Beringause and they would be responsible for it. The letter also stated that the area lying between the Bigsby and Cross residences would be returned to it's pre-construction condition and irrigation damage corrected. John thought that a small effort had been made by Cross/Beringause to remedy damage resulting from the construction, however it was minimal and the area has yet to be returned to anywhere near it's original state. Charles stated that he thought Candyce ought to include what legal ramifications could come from this situation for Cross/Beringause in her next letter, should one be needed. John thought he had some photographs of the areas at issue that could be included in further communication as well. Brendan asked what the original landscaping plan that had been approved by the association had called out and if that matched what was currently planted around the Cross/Beringause residences. A review of the photographs, landscape plan, and current situation will be made and information forwarded to Candyce to formulate an appropriate response to the received letter. While this will be a cost to the Association in the form of legal fees, the Board all felt it was a necessary expense at this point to get a full legal opinion on the matter. Should further legal expenses arise as a result of this matter remaining unsettled, such cost shall have to be billed to and borne by Cross/Beringause at that point. The Board discussed who of the two (Cross/Beringause) would be responsible in this issue. Since the request for Association approval

of the construction had been made for the duplex as a single project, it was not seen how any distinction could be made between Cross or Beringause. Nancy motioned for Candyce's services to be obtained in drafting a response letter, which was seconded by Charles and passed unanimously.

#### **Scott Halstead**

Some small damage to the rock façade of a couple homes was noticed. Likely rocks knocked off by a plow blade, Nancy will mention it to Scott to see if he can take care of it.

#### **Budget Update**

John presented that of the \$20,000 budgeted for snowplowing, the Association was likely to only need \$12,000 this year as it just hasn't been a big snow year. A few minor legal expenses had been incurred, but no major contingency expense outlays had been made.

#### **American Lawn Care**

John asked for a vote to execute a contract with Scott of American Lawn Care for Association landscaping services. The contract is based on a per service fee schedule and includes start up, lawn mowing, and shut down of landscaping for the season. He motioned to approved the American Lawn Care contract which was seconded by Brendan and passed unanimously.

#### **Newsletter**

John thought a newsletter was about due and discussion of what to include ensued. It was mentioned a hard copy of the newsletter mailed out may be appreciated by some. Talk of when the annual meeting should be newly scheduled for took place and a potential date of Saturday 8/21/10 was proposed and will be considered and mentioned to some neighbors to see how that may work.

#### **Next Board Meeting**

Saturday, April 10, 2010 3:30pm at the home of Nancy Bigsby.

#### **Adjournment**

At 5:22pm Nancy motioned to adjourn the meeting, seconded by Tracey, and passed unanimously.