

**The Landings Home Owners Association  
Annual Meeting  
December 3, 2009  
6:30pm Old Town Hall, Johnstown Co**

**Elected Board Members Present:**

Lynn Cunningham  
Rodney Barnes  
David Golden Golden  
Roy Moore  
Jana Johnson

**Absent: None**

**Attendees:**

**Homeowners**

Amanda Jashka - Financial Contractor for HOA  
Steve Johnson  
Rennie Wallace  
Brett and Bailey Rimsky  
Sharlene Chisum  
Chris Hendrix  
Ray Uthe and Barb Uthe  
Chris Gersic  
Jerry Mitts  
Todd VanderHamm  
Brendon Peach  
Bryan Cornish

**Proxy**

Sheryl Ballard

**Proceedings:**

Discussion started at 6:30pm and was noted there will be an agenda at the next meeting and proper order will be called.

- Lynn Cunningham stated all the minutes are in the packets. Officers were elected at the Special Meeting and it was agreed the officers would continue the assigned term. Lynn Cunningham asked if all the homeowners present received a copy of the minutes from the Special meeting, the 2008 Annual meeting and the November 11, 2009 meeting. It was agreed they were received and read.
- Lynn Cunningham introduced the Board Members and reviewed the terms.
- Lynn Cunningham reminded everyone that at least 10% of homeowners must be represented at the annual meeting and it was acknowledged that there were at least 10% in attendance.

- Discussion was opened as to whether there were any questions or concerns from the 2008 Annual Meeting minutes and there were none. Rodney Barnes motioned to accept the minutes as presented, David Golden seconded and all were in favor.
- Discussion was opened as to whether there were any questions or concerns from the September Special Meeting. A question was asked about the attendance and Lynn Cunningham stated there were over 40 homeowners present, the largest attendance to a meeting he had ever seen. No questions or concerns about the meeting minutes were presented. Roy Moore motioned to accept the minutes as presented, Rodney Barnes seconded and all were in favor.
- Lynn Cunningham presented the agenda for the meeting and opened the floor to any items anyone would like to add for discussion before accepting the agenda as is.

### **Treasurers Report:**

Lynn Cunningham asked David Golden along with Amanda Jashka to go over the Treasurers Report.

- David Golden reported that the proposed budget for 2010 was sent out in the packet. Currently The Landings has four cd's in the amount of \$2300 and a money market account which is currently at \$6000. The checking account currently has a balance of \$16,000 which is the account used for operating costs. The total of the checking and savings is \$32,300.81. The accounts receivables of past HOA dues are \$ 6,931 all are attempting to be collected. We do not have any long term liabilities and Amanda Jashka reminded us that all balance sheets are available for anyone to look at on the HOA website. Amanda Jashka then talked about sprinkler and seeding costs that were approved for \$10,000 in last years budget and we came in at \$7500 which was a savings to us. We were over budget because of extra expenditures but we will come in just about even this year because of the easement funds Rodney Barnes negotiated for and that will offset what we were over. Lynn Cunningham asked if there were any other questions regarding finances.

### **New Business:**

- Lynn Cunningham presented the proposed a motion for the proposed 2010 budget unless anyone was interested in discussing the costs of hiring a management company. If not we would do with do with what we have and working on keeping things within reasonable expenses where we are not having to have dues increases. Right now we have a 0 budget and impossible to cut in places. We had a great year because of the amount of rain we experienced. We will be watching the budget close throughout the year. No questions came forth so David Golden motioned to accept the proposed budget and Roy Moore seconded. Jerry Mitts asked if the \$6000 in collections was for past HOA dues. Lynn Cunningham stated the longest outstanding past due HOA's will have a lean out on their house and the majority of the debt was for two houses. Jerry asked if a lean could be

placed on a house if it was in foreclosure and if it is a HUD would we only then receive a portion owed. Lynn Cunningham explained that Amanda Jashka had really worked with the lawyer and there certainly a few turned over to collections the last month and a couple more Lynn Cunningham is following up in January and will try to get them collected. We will be aggressive on collecting after the beginning of the year. Lynn Cunningham stated how hard it is to have to collect dues; we live in a great neighborhood with a lot of nice people. We all end up overpaying if other people aren't paying and we aren't collecting; besides that is money we could use for other things.

Roy Moore stated that Amanda Jashka deals with them on a personal level. Amanda Jashka said as long they send something each month we will work with them. Lynn Cunningham reminded us we have a motion on the floor. Todd VanderHamm asked about the larger expenses on the budget. Lynn Cunningham talked about the largest expense which is mowing at \$15000 it is just under half the budget and water is next which is \$23000.

- Chris Hendrix wanted to know why we budgeted that amount for mowing. Lynn Cunningham said it was under budget last year and we needed to make sure we cover any other increases. Roy Moore stated that Rodney Barnes was mowing the out lots and Rodney Barnes saved us a lot of money we otherwise would have been billed for, which we may have to pay for in 2010. Lynn Cunningham reminded us of the great deal we received for fertilization which will cover all of the greenbelts four times a year and a 15% discount for prepaying and covers 3 years at the locked in price. Todd VanderHamm stated the rain and wetness helped this year and asked if we or JC took notice of the weather instead of watering 4 times a week could we cut back and would that make much difference in our water cost. Lynn Cunningham stated JC lives in Milliken which means they cannot come and turn the water off and on, but if it is a soaking rain we don't need to water. We cannot cut watering back from four times a week because there are so many zones we would not be able to water them all in less time. However if we receive an inch or more of rain we should consider shutting the water off. The problem is if the watering gets behind there isn't any way of catching up and we would risk ruining the grass that we paid to have put in. Barb Uthe asked what are we going to do if we do have a dry summer to keep the greenbelts from going back to the ruined state they were in and paying JC to mow dry brown grass was a waste. Lynn Cunningham agreed we certainly did not save money on mowing and that is an issue that should be addressed with JC for the future. Rennie Wallace stated we should pay less if the grass is dry and they shouldn't waste their time driving up and down mowing nothing which brought about many assenting in agreement.

Ray Uthe asked if we pay JC each time they come out, and Lynn Cunningham stated that yes we pay them per mowing, approximately \$650 per mow. Roy Moore asked if we could then call them off. Lynn Cunningham stated in the past years we were given a partial rate, but made up for it by overcharging us for the

sprinkler system and they really messed that up. We are going to get charged no matter what.

- Barb Uthe suggested going to a system like Rolling Hills neighborhood where they use nonpotable water because it would be cheaper. Amanda Jashka stated Rolling Hills can do that because they have water rights. Roy Moore stated we have to have rights through the bordering farmers and then pump the water in. Lynn Cunningham had looked into this and was told we would have to have shares of water and then tie that into our system. Lynn Cunningham proposed if someone would like to research and see how and see how many shares we need and how do we get to it.

Roy Moore asked if it was a liability and could the children play in that area. David Golden said it is a liability. Lynn Cunningham stated we would need to post signs telling the children not to drink the water. Lynn Cunningham mentioned Rolling Hills probably developed the land with water rights. Lynn Cunningham stated he would follow up with the City of Johnstown and research the costs and possible savings over the future years.

Barb Uthe asked about the water costs and Amanda Jashka stated it wasn't that long ago the city changed out the meters. When the city obtained a new system and set up residential we then paid sewer and water and we were credited the billing we were being billed for and were not supposed to be. We are now on a rolling rate. Lynn Cunningham stated it is a per gallon rate. Amanda Jashka stated a tiered rate is cheaper than our residential rate. Lynn Cunningham proposed each homeowner could water parts of the common areas on our own which would help keep our rates down.

- The rest of the budget was read by Lynn Cunningham. The motion on the table was revisited. Rodney Barnes motioned for the proposed 2010 budget to be accepted. Roy Moore seconded and all were in favor.
- Future dues increase was discussed. Lynn Cunningham reminded us there hasn't been a dues increase in 7 years. Lynn Cunningham stated there hasn't been a lot of wastefulness in the budget and ultimately we have already taken close to \$80,000 out of the budget by getting rid of the management company, Lynn Cunningham stated he really thinks that we as a group and as a community need to just figure out how we can continue to sustain a budget with either all of us having to do more of the work whether it is weeding or mowing or whatever it may be or paying more money. Things are not getting any cheaper. Amanda Jashka stated we need to think of long term a goal such as more trees for the green areas. Rodney Barnes asked who is responsible for curb, gutter and sidewalks care because we are already having issues with some of the sidewalks needing repair. Rodney Barnes stated the upkeep for those items is common interest. Amanda Jashka stated she thought the city worked on those items. Lynn Cunningham will check into that. Rodney Barnes stated we

should really try to build up enough reserve in the budget for when we do have to replace these expensive items we will then have enough money for future maintenance of the subdivision. Lynn Cunningham stated another concern is the big trees along the highways those are not a long lasting trees and a time we will have to remove them sometime in the future.

- Roy Moore brought up the issue of splitting the common land and asked if we could approach the homeowners who border those areas to see if each homeowner would take care of a part of the common land by watering and planting approved trees and bushes. It would not become a permanent part of their lot, but they could use that land as a permanent easement. Rennie Wallace stated we would never get everyone to be in agreement with that. in back said we will never get it into a full agreement

Lynn Cunningham reminded us we cannot have that "patchwork" look and everyone would have to fully agree to it. Our neighborhood is very diverse - some want more space and others moved here because the lots were small and they don't want to take care of any more space.

- Barb Uthe asked if we could plant a tree behind our house. Lynn Cunningham said a couple of years ago a tree person he dealt with had a pretty good deal \$300 for a 3inch tree the board at that time agreed to pay half of the cost for anyone who wanted to put a tree in the greenbelt outside of the property vested interest. Barb Uthe asked if we could look into that again.

Roy Moore stated we would need to regulate what type of trees for the sake of costs. For instance, and Ash would cost over \$100 a year to maintain. Lynn Cunningham said that is something he will look into the more people interested the better.

Ray Uthe asked if we could have that same deal in the brown belt

Lynn Cunningham said the homeowner who borders the farmland put two trees out there and the HOA paid for it 3 years ago. Roy Moore stated we would need to send notices around to make sure people contact the board before they plant so sprinklers aren't broken.

Steve Steele asked if the list of trees would come from the Johnstown zone of trees stating what we can or cannot plant. Roy Moore stated that is for the City of Johnstown. Steve Steele stated that might reduce some of the friction of what we can or cannot plant such as the Russian olive. Lynn Cunningham state the tree companies are pretty good about that - they will tell you they cannot plant those types of trees in this area. Lynn Cunningham stated these are all great ideas we can keep working on and we will continue to gather information and send that out to everyone.

- Lynn Cunningham suggested another idea regarding dues increase which could be to start with a yearly percentage increase such as 5% per year to maintain the HOA budget. If we cannot maintain and have to hire a management company we will have to increase everyone's dues. That is a bridge to cross of we get there but

hope to not to have go that route. We need to find a way to build a reserve. If we keep the dues were they are and try to just maintain over the years and something big happens we will have to then have a special adjustment and everyone would have to come up with a lump sum to cover the cost at that time. It would be better to do a yearly gradual increase and build that reserve. Jerry Mitts stated he likes the gradual reserve. Many others also agreed. Rodney Barnes brought up his idea of holding fundraisers and going door to door to raise the money. Roy Moore stated he liked that idea. Lynn Cunningham stated we don't have a \$30000 fancy playground set but we should have something.

- Rennie Wallace stated everyone should help cover the costs because we will all enjoy the benefit. Ray Uthe stated not everyone would agree to it. Lynn Cunningham reminded us that only the majority of 60% need to agree to the expense. Rennie Wallace stated it would be easier to handle a gradual increase then have to come up with an extra \$100 one month she had not budgeted for. Lynn Cunningham stated as far as doing a lump sum increase that would give us a tree or play ground and that could easily be up to \$200 increase that is above whatever is budgeted for, but to get a majority to do that instead of a gradual that would be difficult. Lynn Cunningham then stated that we need to think about it. None of us want to pay more money unless it is for something specific and would rather it go to a project whether it is trees, play ground etc. Barb Uthe asked if there is room in the budget to do something with trees. Lynn Cunningham stated there is only reserve money; if we collect everything we need to collect there may be a couple thousand dollars. Roy Moore asked if we had money coming from the accident at the front of the property that would cover costs of trees. Lynn Cunningham explained about the accident with a truck running into and damaging a very large, expensive tree on the property next to the highway. Lynn Cunningham will get an estimate and turn that into the insurance for the company who owned the truck. Lynn Cunningham is thinking we may possibly receive enough to cover up to 20 trees.
- Lynn Cunningham asked if there were any other questions regarding items on the agenda. There were none.
- Lynn Cunningham then asked if any of the Board Members had any other updates. Roy Moore brought up the fact that the board is working on changing the covenants and bylaws to bring them up to date. Some things need to be added to help our community work together better and other things need to be removed because they are outdated.

## **Old Business**

- Lynn Cunningham reminded everyone that regular board meetings are for all homeowners and everyone is welcome. They are held the 2nd Sunday of every month at 3 in the afternoon at the high school.

- Lynn Cunningham suggested the meeting be adjourned. Rodney Barnes motioned the meeting be adjourned, David Golden seconded and all were in favor.
- The 2009 Landings Annual Business meeting adjourned at 7:52pm