

# RIO BUENA VISTA HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS OPEN SESSION MINUTES

November 17, 2012

Immediately following the Executive Session of The Board  
Pool area

Rio Buena Vista

Telephone conference center call in information:

1-888-557-8511

Access code: 4999919

- A. Establishment of quorum:** It was determined that the quorum of the Board remained. Mark Bantle, Allen Lyon and John Harrington remained. Management continued to be represented by Judith Stalder. Mary Deutsch, Association legal counsel remained.
- B. Call Meeting to Order:** The meeting was called to order at 11am.
- C. Report of Executive Session:** It was announced that there was an Executive Session prior to this meeting to discuss several pending legal matters with legal counsel. It was further announced that the Board would return to Executive Session after the Open Session to complete the Executive Session matters.
- D. Homeowner open comments:** Fifteen (15) homeowners were present. The topics presented were notice of the meetings, the email from State Lands and the Board having more meetings. Mary made a statement about what is going on with State Lands at this time.
- E. Special Presentations:** There were no special presentations.
- F. Board Education:** The Board reviewed articles on serial Board meetings and attorney client privilege.
- G. Committee Reports:** There were no committee reports. There was a brief discussion about the need to keep the committees informed. The Board asked that ARC be informed of the home on Marina with no plants in the front yard. They would like a recommendation at the next meeting.
- H. Administrative Issues:**
- 1. Approval of Minutes:** Upon a motion by Allen that was seconded by John the minutes of the March and July meetings were approved with changes.
  - 2. Homes in Escrow:** Management noted that there is one open escrow account.
  - 3. Walk through Reports:** No walk through report is included in this package.
- I. Financial Issues:**
- 1. Review of Bank Statements:** Reconciled bank statements from July through October 2012 were reviewed by the Board without comments or questions.
  - 2. 2012 Profit and loss to date:** The Board reviewed the current profit and loss report without comments or questions. Management explained that some coding changes are being made at the request of the CPA and these reports will change at the next meeting.
  - 3. 2012 Balance sheet to date:** The Board reviewed the current balance sheet without comments or questions.
  - 4. Budgeted versus actual:** The Board reviewed the current budgeted versus actual expenses report without comments or questions.

5. **Homeowner list:** The Board reviewed the current homeowner list without comments or questions.
6. **Aging Report:** The Board reviewed the current aging report without comments or questions.
7. **Collection issues:**
  - a. **Account 040-068-01:** Upon a motion by Allen that was seconded by John the Board approved Judith Stalder placing a lien on this unit.
  - b. **Account 040-003-01:** Upon a motion by Allen that was seconded by John the Board approved writing off \$1656.71 due to a bankruptcy action.
8. **2012 Reserve Study:** Upon a motion by Allen that was seconded by Mark the reserve study was approved with changes.
9. **2013 budget:** Upon a motion by Allen that was seconded by John the Board approved a budget of \$80 per door per month for 2013.
10. **2012 review:** Upon a motion by Mark that was seconded by John, Stephen DeMaine was approved to complete the 2012 review.

**J. Correspondence:** The Board reviewed the correspondence presented without comments.

**K. Architectural Processing:** There have been no requests for ARC processing.

**L. Landscape Issues:**

1. **Rocks on 1199 Marina and 1207 Marina:** This matter was tabled.
2. **Rocks at Pool:** This matter was tabled.
3. **Entrance clean-up:** This matter was tabled. Allen asked that management check to see if this was included in the original scope of work for the landscaping contract.
4. **Tree removal:** There was a brief discussion about the tree that was removed on Marina. Management stressed that this is not a Board issue.

**M. Property Maintenance Issues:**

1. **Sewer Issues:** There was a discussion about the sewer cleaning project and the recommendation to complete this at least twice a year. There was a report that there was a back up in \*\*\*\*\* during the project. Upon a motion by Allen that was seconded by John the Board approved the bid to complete the sewer cleaning as recommended.
2. **Pool Issues:**
  - a. **Pool Maintenance:** The Board asked for a bid to complete a resurfacing of the spa. They also indicated that the drinking fountain at the pool is still not working.
  - b. **Male restroom:** The urinal is leaking.
  - c. **Pool Lights:** No items were noted.

3. **Fence Maintenance:** Upon a motion by Mark that was seconded by John the bid from Extreme Iron to complete maintenance on the pool fence was approved.
4. **Bollard Installation:** This matter was tabled. The Board asked that it be resubmitted with an explanation of the importance of the device and the specifics of where they are to be installed.

**N. Old Business:**

1. **Towing Contract:** The Board asked that management be contacted to order a tow. No more sweeps should be made.
2. **ARC recommended changes:** This matter is on hold.
3. **Website:** Mark indicated that he will be timelier in getting matters to the website for notification purposes.

**O. New Business:**

1. **Insurance:** Upon a motion by Mark that was seconded by Allen the Board approved the bid from Travelers for insurance for the HOA.
2. **Changes to CID law:** There was a brief discussion about the changes made by the legislature to CID laws.
3. **Management contract:** There was a discussion about the current contract with MVA.
4. **Annual Meeting:** Upon a motion by Mark that was seconded by John Morning View Associates, LLC was appointed as Inspector of Elections for the 2013 elections to be held in February 2013.

**P. Homeowner open comment session:** A second homeowner open comment session was held. Comments about the State Lands issue were prevalent. Other comments were about insurance. There was also a comment about the management contract. The Board was presented with 18 “proxies”. Legal and management explained that they were not valid.

**Q. Date of Next Meeting:** The date, time and place of the next meeting will be determined at a later date.

**R. Recess to Executive Session:** The Board recessed to Executive Session at 3:05pm by unanimous consent.