

SILVERTREES IV
HOMEOWNERS' ASSOCIATION
ANNUAL MEETING
April 27, 2007

The regularly scheduled Annual Meeting of the Silvertrees IV Homeowners' Association was held on Friday, April 27, 2007, in the Wilderrest Commercial Center. The meeting was called to order at 7:00 P.M.

ROLL CALL

Pursuant to the Bylaws, the representation of twenty percent (2 units) is required to constitute a quorum. The unit owners noted below fulfilled said requirement:

<u>UNIT#</u>	<u>OWNERS PRESENT</u>	<u>UNIT#</u>	<u>OWNERS REPRESENTED BY PROXY</u>
20	Mary Gerwin		
23	Bartich/Eeds [telephone]		
25	Tyler Macguire		

Present from Wilderrest [WPM] was Audrey Taylor, HOA Liaison.

Proof of notice of meeting was noted.

APPROVAL OF MINUTES

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, THE MINUTES OF THE APRIL 28, 2006, ANNUAL MEETING WERE APPROVED AS WRITTEN.

REPORT OF PRESIDENT

Tristan Eeds reported that the HOA re-negotiated its contract with Wilderrest to change to full management about mid-year.

The HOA finished the year in a positive financial position as well as better physical condition as the complex was painted in fall of '06. Discussion regarding the function of the Reserve included a realistic evaluation for funding repair and maintenance projects covering the common hallways, decks, painting [every 5 to 7 years], roof, landscaping, re-carpeting common corridors, etc.

REPORT OF MANAGEMENT

WPM's basic responsibilities are: accounting, meetings, administrative needs, property management and negotiating.

VIP cards are available to owners – they qualify the holder for various discounts around the County. [Diamond Vogel accepts the VIP card.]

The Wildernest/Silvertrees IV liaison is Audrey Taylor, 468 6291 ext 217. Owners are encouraged to contact her with their questions or needs.

Wildernest's size accounts for its strong negotiating position on behalf of the Wildernest-managed associations. Currently, WPM manages 63 homeowner associations and approximately 3,500 units, and continues to net substantial savings. For example:

- Cable TV – a savings of approximately \$28/month/unit from rates paid by locals in residential communities for the same service.
- Trash is approximately 42% off local rack rates.
- All Wildernest-managed associations' bank accounts are held separately and are given a preferred rate on each account.
- Insurance premium rates are far superior to the competitors.

Wildernest opened a carpet-cleaning department. All are encouraged to call 970 468 6291 ext 250 to schedule a carpet clean or for more information.

The owners were reminded that their website posts the financials, the minutes, rules and other Association related items. Senate Bill 100/89 compliance is also handled through the website. The address is: wildernesthoa.com.

The ramifications of Senate Bill 89 were discussed.

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, IT WAS RESOLVED TO RESTATE THE SILVERTREES 4 OPERATIONAL POLICIES AND PROCEDURES PER COLORADO STATUTE.

SILVERTREES IV POLICIES AND PROCEDURES ADOPTED APRIL 27, 2007

ADOPTION/AMENDMENT OF PROCEDURES

Any existing procedure may be amended or new procedure may be adopted by a vote of the Board of Directors at any scheduled Board meeting after being drafted and submitted to the membership for review and comment at least thirty [30] days prior to adoption.

BOARD MEMBER CONFLICT OF INTEREST

Board members must declare any conflict of interest [defined as financial gain to Board member or parent, grandparent, spouse, child, sibling of Board member or spouse of any of those persons] in an open meeting. Though said Board member is prohibited from voting on any issue when such conflict exists, he may participate in discussions prior to the vote. Any contract entered into in violation of this requirement is void.

EXAMINATION OF ASSOCIATION RECORDS

Any member of the Association may contact the management company and have access during normal business hours to relevant, requested records within a reasonable length of time. Copies will be provided at a charge per statute.

COLLECTION POLICY

All owners have a coupon book or an automatic bank draft payment option for payment of dues assessments, which are due the 1st day of the month. Silvertrees IV's dues are paid monthly. If payment is not received by the 15th of the month, the owner is notified in writing with a past due statement. Any owner delinquent in the payment of monthly dues or special assessments shall be assessed the following fees and penalties:

- After 30 days: Payment of a \$20.00 late fee for each 30-day period.
- After 60 days: Discontinuing cable.
- After 90 days: Filing of a lien against the Unit.
- After 120 days: Pursue legal action, including foreclosure, per the Board's directive.

A payment of less than the full amount owed to the Association shall be applied to pay the following [if applicable] in the order listed, from oldest to most recent in each category:

1. Attorney fees and costs incurred by the Association and for which the Owner is responsible pursuant to all governing documents and Colorado law;
2. Fines, late charges or other monetary charges or penalties;
3. Past due Special Assessments;
4. Past due installments of Regular Assessments;
5. Current Special Assessments; and
6. Current payment for Regular Assessment [s].

CONDUCT OF MEETINGS

- All Regular and Special Meetings, Executive Committee and Committee Meetings of the Association are open to the membership;
- Notice of any unit owner meetings will be physically posted in a conspicuous place, if feasible, in addition to any electronic postings or mail notices that are given.
- The Association will use electronic means of giving notice of unit owner meetings. If electronic means are available, the Association will email meeting notice to unit owners who request it and provide the Association with their email addresses.
- The Board will allow a unit owner to comment but not participate in deliberations prior to its taking formal action on an item under consideration; however, the Board may place reasonable time restrictions on the person speaking.
- Votes for Board members at Annual Meetings will be taken by secret ballot. If requested by an Owner, secret ballots will be used for a vote on any other matter on which all unit owners are entitled to vote. Ballots will be counted by a neutral third party or by a unit Owner present at the meeting who is not a candidate who was chosen from a pool of such owners.
- Proxies are not valid if obtained through fraud. The Association may reject votes, ballots, or proxies, if the person tabulating votes has reasonable basis to doubt their validity. The person

who rejects a vote, ballot, or proxy is not subject to damages. All actions of the Association regarding such rejections are valid unless a court determines otherwise.

ENFORCEMENT OF COVENANTS

The Association has a written policy for enforcement of architectural guidelines, rules, covenants and policies. Violations will be issued according to the same. Owners have a right to appeal by registering a written complaint. Owners will be afforded a hearing before the Board of Directors. After discussion of the appeal, the Board will vote to uphold or rescind the original decision.

MEDIATION

The Association will use mediation prior to litigation in dealing with conflicts between unit owners and the Association.

INVESTMENT OF RESERVE FUNDS

The Association will:

- Follow standard accounting practices;
- Hold Reserve funds separately;
- Invest Reserve funds in conservative accounts; and
- Deposit the majority of funds in fully insured accounts.

FINANCIAL CONSIDERATIONS

The March financial was reviewed. The Balance Sheet reflected that the Operating Account's balance was \$8,634.31 and the Reserve Account's balance was \$6,060.26. Year-to-date Operating income exceeded expenses by \$1,991.62 and Reserve income exceeded expenses by \$2,285.09 in the same time period.

The 2007/2008 budget was reviewed:

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, IT WAS RESOLVED TO INCREASE DUES BY \$35/UNIT/MONTH AS OF THE BEGINNING OF THE FISCAL YEAR, WHICH IS TO BE ALLOCATED TO THE RESERVE.

RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY, IT WAS RESOLVED TO RATIFY THE BUDGET WITH THE A \$35/UNIT/MONTH INCREASE.

REPAIR AND MAINTENANCE CONSIDERATIONS

Discussion regarding responsibility for painting the trim around the patio doors resulted in the policy that owners are ultimately responsible to maintain the trim around windows/doors realizing that the HOA may decide to paint the same as a group on various occasions.

Comment was made that there is no evidence that WPM is conducting maintenance checks; WPM will verify that the checks are being made.

ELECTION OF DIRECTORS

Tristen Eeds sold his interest in his condo.

**RESOLUTION: UPON MOTION MADE, DULY SECONDED AND PASSED UNANIMOUSLY,
IT WAS RESOLVED TO ELECT NICK BARTICH TO THE BOARD OF DIRECTORS.**

OTHER MATTERS

It was decided to set up a teleconference for the 2008 Annual Meeting for those who aren't able to attend. The meeting was scheduled for Friday, April 25, 2008 at 7:00 P.M.

ADJOURNMENT

The meeting adjourned at 7:55 P.M.

**SILVERTREES IV
BOARD OF DIRECTORS MEETING
April 27, 2007**

A regularly scheduled meeting of the Silvertrees 4 Board of Directors convened for the purpose of electing officers.

The following was determined:

President	Nick Bartich	2010
Vice President	Tyler Macguire	2009
Sec/Treas	Mary Gerwin	2008