

## Meeting Minutes

October Executive Board (Board of Directors) Meeting

### **Mission Viejo Homeowners' Association, Inc.**

The executive board meeting was held at Holy Love Lutheran Church  
4210 South Chambers Road  
Aurora, CO 80014  
October 16, 2012  
6:30 PM – 8:30 PM

1. Call to Order, Establishment of quorum 6:30 pm
  - a. Barb Wahl, Troy Haller, Todd McMahon, Jeremiah Banigan, and Alan Engels
2. Open Members' Forum (15 minutes) (if requested)
  - a. Celeste Marsh – Fence ownership/responsibility and Seville Townhomes
3. Approval of Minutes and Review of Financial Matters
  - a. Motion to accept, with changes as noted – Troy makes motion and Barb seconds all in favor.
  - b. Current balance of 12443.80 - Todd makes motion Barb seconds All in favor to accept
4. Committee Reports
  - a. Welcome Committee – copy expense of 22.52 17 new homes for the month
  - b. Heritage committee – talked to the Aurora Heritage Survey this is due by this Friday
  - c. Garden Committee – no update
  - d. Hay ride – contract with Blue Moon Carriages soon, also Cherry Creek Schools (12/15) is waiting for insurance from Blue moon.
5. Items for Discussion:
  - a. Drainage Access Between Fences on Mansfield Cir. Issues - Information/Motion and Approval
    - i. Alan recaps the information that was talked about last month.
    - ii. Todd update is that it is the HOA's responsibility. The HOA does not want to own the revocable license and it should be owned by the adjacent owners. The Homeowners agree to this. The homeowner has contact American Fence Company and they are going to contact the city to understand the cities requirements. Once the new fence is placed back up on Buckley and Mansfield is the fence needed for the Sawyers property line.
  - b. Right-of-Way Tree Trimming Response from City – Information/Motion and Approval
    - i. Office of the City Attorney and City Administration do not believe that they are not responsible for the Right-of-Way areas. There will be no city maintenance of the exterior walls and trees. The city has passed ordinances that make the responsibilities the adjacent homeowner's responsibilities. Adverse Ownership does not apply to the City governments. The cities argument is that the exterior areas should be maintained similar to the sidewalks that are in front of our homes.
    - ii. Barb asked the question how the city is handling the other neighborhoods, most are being taking care of by the city, Todd has asked why Mission Viejo is being treated differently. No response from the City.

- iii. Barb asked if the city had maintained the Right of way areas in the past. Yes, but they stopped about 15 years ago.
- iv. Celeste – should the HOA get a petition to fight with the city over the right of way? Todd responds explain that we were going down that road before the Library issue occurred, we have not picked it up before that date. Alan brings up that it might cause other issues around the city.
- v. Steve Hogan mentioned to Todd that the only options left are political. We discussed a couple of the political solutions are a budget addendum or a Metro District.
- vi. Another political option that Todd brings up that the City attorney work for the City and not for the citizen. It would be nice to make a change and have the city attorney's office work like the attorney general who is an advocate for the citizen while working for the city.
- c. Neighborhood Clean-Up – Information
  - i. Excelsior Youth and Rite of Passage could be available to do some service
- d. Long Range Planning/Non-profit Status – Information/Motion and Approval
  - i. Todd working off of the survey that we did earlier this year. The biggest thing that people would like more of is discounts.
  - ii. Alan more of the same more music in the park and clean-ups.
- e. Membership Cards and Annual Meeting, 2013 Budget Requests - Information/Motion and Approval
  - i. Provide budget information to Alan this month so that he can plan for next year.
  - ii. Troy requests \$2000 dollars for soccer nets to the park
    - 1. Troy will look into it
  - iii. Membership cards
    - 1. It depends on what we want to do with the membership cards.
    - 2. Annual Meeting – we are a go for the online voting.
- 6. City of Aurora Project Plan Reviews
  - a. The city is correcting the entrance for the Seven Eleven (24 hour)
- 7. Announcements/End of Regular Meeting
  - a. 8:20 pm meeting end – Todd makes motion and Barb seconds – All in favor
- 8. Notice of Closed Door Executive Session:
  - a.
- 9. Topic: Confidential – Covenant Issue
  - a.

The Mission Viejo Board of Directors reserves the right to conduct closed-door executive sessions. This action is authorized under the Board of Directors Policy on the Conduct of Meetings\* – (b) consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or matters that are privileged or confidential between attorney and client (e) any matter the disclosure of which would constitute an unwarranted invasion of individual privacy; (f) review of or discussion relating to any written or oral communication from legal counsel.

\*From Mission Viejo Homeowners' Association Inc. Policy Regarding Conduct of Meetings adopted April 20, 2011