

Vistas at Tiara Rado Homeowners Association, Inc

Informal Meeting Notes

January 24, 2018

Meeting began at 3:33 pm.

Heritage Property Management team introduced: David Caldwell & Hilary Schwartz

Owners present introduced themselves: Curt Hatch, Teri & Cal Remsburg, Michael Cox, Dianne Torbeck, Barb Marthe and Neil & Kim Sitko. [Todd Young and Terry Hulquest were unable to attend, but sent in proxies].

Purpose of meeting stated in agenda:

- Discussion of Mr. Sitko's letter.
- Presentation by original owners of the four units regarding Mr. Sitko's letter.
- Relationship between Vistas at Tiara Rado CC&R's and the Colorado Common Interest Ownership Act (CCIOA) pertaining to improvements mentioned in Mr. Sitko's letter.

Written objection to the Special Meeting was presented due to the following:

- Under Vistas at Tiara Rado's Bylaws, Article III, the following objections were cited.
 - There are no definitions for Emergency Meeting or mandatory attendance
 - An agenda for any meeting must be provided to all owners ten (10) days prior to the meeting.
 - The meeting was not called properly.
 - Per Bylaws, a Special Meeting can be called at anytime by the president or a majority of the Board or upon written request from 20% of the members.
- Therefore, no transaction of any business can occur lawfully. Members present all agreed to continue on with an informal meeting instead.

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- Discussion of following Vista at Tiara Rado's Bylaws, CC&Rs and CCIOA ensued.
 - Mr. Sitko voiced concerns that the Association has not abided by the procedures outlined in the Vistas at Tiara Rado's Bylaws and CC&Rs, along with CCIOA, which is putting the Association at risk legally.
 - Mr. Sitko specifically referenced the dues increase that occurred in July 2017, the approving of external changes to units and the voting in of Board Members as two items that were not conducted properly.
 - Members who have served on the Board in the past stated they did not mean to put the Association at risk and were new to the whole process.
 - Members voiced Heritage Property Management (HPM) needs to do a better job of making sure all procedures are being followed as stipulated in the documents above. HPM acknowledged they will do a better job of making sure all procedures are being followed and inform members of these procedures and/or requirements from now on.
- Discussion ensued on inappropriate use of funds in the past.
 - When reviewing Vistas at Tiara Rado's financials, Mr. Sitko found that HOA funds were used to make improvements to City of Grand Junction property located behind units 4 & 5 and adjacent to the Tiara Rado Golf Course in 2013-2014. There was also question if

the correct opening cash balance was transferred to Heritage Property Management from Hatch Investments in 2015.

- Mr. Sitko stated he has never seen an HOA make improvements to non-HOA property before and expressed that money could have been saved for future expenses.
- One of the original owners, Ms. Marthe, explained the Board at the time received permission from the City of Grand Junction and Tiara Rado Golf Course to make those improvements behind buildings 4 & 5. She explained the four original owners put all of "sweat equity" into maintaining that area, so everyone in the HOA could enjoy it.
 - Ms. Marthe stated she felt like the letter was a personal attack on her and made everyone feel like she had stolen from the Association. She stated she wished Mr. Sitko had spoken to her before drafting the letter and sending it out to all the owners.
 - Mr. Sitko explained he did not mean for the letter to come off that way and the purpose of the letter was to inform owners of how HOA funds had been allocated in the past, which could have lead to not having a reserve.
- Mr. Hatch explained in 2013-2014, Mr. Sitko's unit had not be constructed yet; therefore, he would not have had a say in these improvements and he voiced Grand Junction has some very strange boundaries. Mr. Hatch stated the ultimate goal of the project was not to deplete the HOA reserves, but to make that area attractive to all members. He also stated he "handed over everything" to HPM in 2015; however, if Mr. Sitko felt like not all of Vistas at Tiara Rado's funds were transferred, he would be happy to look into that.
- Discussion on how the Association should be run going forward.
 - HPM acknowledged the will do a better job of making sure all procedures, as stipulated in the Bylaws, CC&Rs and CCIOA, are being followed and inform members of these procedures.
 - Members agreed the Association needs to adhere to the budget to make sure they can save for future expenses.
 - Any external changes to an unit must be sent to HPM, so they can distribute out to all homeowners for a vote as written in the CC&Rs.
 - Everyone was encouraged to speak to their neighbors about issues as they see events unfold before any formal enforcement is sought. Vistas at Tiara Rado is a small community and neighborly interaction should solve most issues. If there are extenuating circumstances that an owner feels should be considered, please let HPM know and they will be taken into consideration.

The meeting adjourned at 5:00 pm.

Notes taken by
Hilary Schwartz
Heritage Property Management