**Minutes for Sikes HOA Board Meeting November 19, 2022**

**OPENING:**

Roll Call of Board Members- Rod Smith (President)-, Mary Wehrman (V. President)-, Randy Belenseifen (Treasurer)-, Kelly Drees (Member at Large)- Steve Wood (Secretary)-ALL PRESENT

**AGENDA:**

1. Meeting Agenda Approved-Vote- APPROVED
2. Minutes from last board meeting on August 2022. Sent out to Board Members. Vote-APPROVED
3. Financial Reports- Vote-APPROVED
   1. Checking balance: $ 22,023.42
   2. Emergency Reserve (Savings): $ 18,100.08

**CONSENT AGENDA: These items were actions taken during normal operation of the HOA from January 8, 2022 – April 29, 2022. These items are presented as consent items so they are read into the official minutes of the HOA. Consent agenda-Vote- APPROVED**

1. Title Clearance on Lot #20, 139, 135
2. Grading on all roads.
3. Gravel on 4/10 of road Big Sky and William Finlay
4. Activation of the Board Liability Insurance for Counter Claim from former Lot #20 Owner
5. Law suit approved regarding Lot #20
6. Lot #138 paid back dues
7. Lot #20 paid back dues and legal fees
8. Email from Lot #1 regarding Web Site posting of Annual Meeting Minutes
9. Email from Lot #33 regarding if he has paid his assessments

**ACTION AGENDA ITEMS:**

1. Payment of Dues (Excessive Indebtedness outstanding Lots): Total indebtedness $3525
   1. **#54A Cedarwood Rd.-$1125 (Current Lien) (home on lot)**
   2. #**139**- Misty Ln $1125 (Current Lien) (home on lot)
   3. #**146**-Pardee Dr. $850 (Current Lien) (vacant land)
   4. #11-Abbey Road $450.00 (Current Lien) (home on Lot)
   5. Where do we go next in legal actions?

Discussion: With the continuing legal issue with Lot #20 previous owner. The board voted start with the Lot with the most issues. Lot 139 will be turned over to the attorney for legal advice on proceeding with a lawsuit or move to foreclosure. With the back assessment being one of two large amounts coupled with multiple covenant violations, this lot is the most out of community tolerance. A letter will be sent to the remaining lots along with the HOA Update asking them to pay their pack assessments or face the legal actions forthcoming.

Vote- APPROVED

1. Current status of payments.
   1. Do we send out second notice?
   2. When do we begin Lien notices?

Discussion: Set a timeline for second notice and adding late fees and starting the lien process for those not paying assessments. It was decided to send out a second notice in February 2023, after the automatic payments come in for several lots. That 2nd notice will give 30 days to pay or a late fee will be assessed in accordance with Article 8. The if payment and all late charges are not received by September, a Lien will be filed and all legal fees will begin to be added to the owner’s bill. After reading the covenants on the amount to be charged for late fees, the board felt that a $25.00 late fee was not enough. The board is going to seek legal counsel on what the State of Colorado permits as a minimum/maximum in late fee.

Vote-APPROVED

1. Gravel Repair on roads- We still have 1/10 of a mile of gravel to put out.
   1. Locations for 1/10 are William Finlay and Big Sky.

Discussion: Another 1/10 of gravel is going to be added to Big Sky Drive for this year. In addition, cattle guard repairs are going to take place on Wolfenberger, Big Sky, Canyon Rim and Sikes Drive.

A discussion replacing the road signs on William Finlay, Amanda Lane and Big Sky. We had not had anymore signs stolen in over a year. Agreed to replace the signs.

Vote-APPROVED

1. Letter to membership for an update on:
   1. Lot #20
   2. Counter Claim from Lot #20
   3. Lot #138 Court case on Livestock Endangerment
   4. Annual Meeting update
   5. Budget vote
   6. Introducing new board
   7. Outstanding four lots
   8. Covenant Change Update
   9. Recovery of funds

Discussion: The board agreed to the letter with a few additions regarding lighting, a web site to find lost pets, speed and gravel concerns on roads, and late fees.

Vote-APPROVED

1. Insurance Cost.

Discussion: The board agreed to continue looking for cheaper road liability insurance. With the board liability insurance the board felt the services provided by the insurance legal team in regards to Lot #20 has been excellent and will continue with that insurance until the current legal matters are resolved.

Vote-APPROVED