

**THE BOUNDARY HOMEOWNER ASSOCIATION**  
**MINUTES OF ANNUAL OWNERS' MEETING**  
Meeting held at RVR Ranch House Conference Room and Zoom  
Thursday, August 25, 2022, 5:00 PM

The Boundary at RVR Homeowners' Association Annual Meeting was held at the RVR Ranch House. Board members present were Tom Cooney, Nancy Dever, and Carl Hostetter. Also present were Bill Crowley, Kari Crowley, and Nick Cova from Silver Mountain Properties. Nick assumed the role of secretary to prepare a recording of the meeting.

- I. Call to Order / Count of Proxies / Establish Quorum:** President Tom Cooney called the meeting to order at 5:00pm. With 15 homeowners present, five proxies, and four homeowners attending via Zoom, a quorum was met, and the meeting proceeded.

**Owners present:**

- |                   |   |              |
|-------------------|---|--------------|
| 1. Dever          | - | 383 Boundary |
| 2. Ball           | - | 391 Boundary |
| 3. Hoover         | - | 397 Boundary |
| 4. Lavender       | - | 405 Boundary |
| 5. Cooney         | - | 409 Boundary |
| 6. Lacy           | - | 411 Boundary |
| 7. Nostdahl       | - | 423 Boundary |
| 8. Nelson         | - | 431 Boundary |
| 9. Hammon         | - | 433 Boundary |
| 10. Perez-Cordoba | - | 455 Boundary |
| 11. Whitcomb      | - | 463 Boundary |
| 12. Anderson      | - | 465 Boundary |
| 13. Hostetter     | - | 473 Boundary |
| 14. Chase         | - | 475 Boundary |
| 15. Freeman       | - | 483 Boundary |

**Owners via Zoom:**

- |             |   |              |
|-------------|---|--------------|
| 1. McAtavey | - | 403 Boundary |
| 2. Sherman  | - | 421 Boundary |
| 3. Cofield  | - | 451 Boundary |
| 4. Clary    | - | 471 Boundary |

**Proxies received from:**

- |             |   |              |
|-------------|---|--------------|
| 1. Bratten  | - | 393 Boundary |
| 2. Tweed    | - | 435 Boundary |
| 3. Cole     | - | 443 Boundary |
| 4. Morton   | - | 453 Boundary |
| 5. Grossman | - | 461 Boundary |

- II. Approval of Minutes and the Consent Agenda**

With no quorum achieved at the 2021 owners' meeting there were no minutes to approve.

### III. Financials:

Kari from Silver Mountain Properties provided a summary of the financials for the current fiscal year to date. So far, the budget is mostly on track. One homeowner had a question as to why the legal fees were so far overbudget and it was explained that this was due to the work that had to be done by Ben Johnston on the new allocation amendment.

### IV. Old Business

- **Golf course survey of the property line:** Carl provided an update on the ongoing situation between The Boundary and the RVR golf course. Red Cunningham, the general manager of the golf course, has had the property line surveyed and installed stakes where The Boundary property line meets the golf course. This line significantly cuts into what was previously thought to be the backyards of buildings 1-7. Research has been done to confirm that this is in fact the correct property line, and Red has made it clear that he does not want any Boundary owners trespassing on golf course property. At a recent ad-hoc gathering of the homeowners, it was suggested to research the possibility of claiming adverse possession of this land due to the fact that The Boundary HOA has been mowing and maintaining the grass in this area for many years. Carl reported that he had spoke to the attorney, Ben Johnston, about this possibility. Ben's legal opinion is that The Boundary does not have a sufficient case to claim adverse possession. Carl stated that the Board of Directors will be taking Ben's advice and not pursuing this action.
- **Roof Repair (Unit 431):** Now that the re-roofing of building's 1,2,4, and 5 has been completed, ICM Services will be conducting repairs to a section of building 6 that has been the cause of a leak in unit 431. Nick reported that ICM has obtained the materials needed for repairs and will be onsite next week to begin this project.
- **CCIOA Policies & Procedures Revision (HB22-1137):** Carl informed the membership that, due to recent changes in CCIOA, The Boundary would need to update their policies and procedures on enforcement of the governing documents in order to come into compliance with the recent changes. All pertinent documents have been sent to Ben Johnston and he is currently working on these updates.

### V. New Business

- **Ratification of 2023 Budget:** At the previous board meeting the BOD had voted to approve a budget for the upcoming fiscal year. This budget had been sent out to all owners as part of their annual meeting packet. There were no objections to this budget and the 2023 budget was ratified.
- **Review of actions by the Board in 2021-22:** Carl provided a summary of the actions taken by the board in the past year. This is highlighted by the upcoming capital replenishment assessment which has been approved and will begin to be assessed in January. This assessment will inject \$140,000 into the reserve fund in order to cover capital improvements such as re-roofing and painting. Owners will have the ability to pay these assessments quarterly. The other highlight is the new allocation amendment which was passed in March. This Amendment corrected deficiencies in the Governing Documents and changed the Common Expense liability for each Unit as a percentage calculated by dividing the gross livable area square feet of said Unit into the total gross livable area square feet of all The

Boundary Units. The Amendment also preserved voting rights in the Association of one vote allocated to each Unit. The board approved the re-roofing of buildings 1,2,4, and 5 which has been completed, as well as painting of buildings 5 and 6 which has also been completed. This leaves only 2 roofs in the neighborhood that have cedar shingles. These two roofs will be re-done when the association has the funds to do so.

- **Installation of new Directors:** At this time the two new Directors were officially welcomed to the board. The new Directors are Jim McAtavey and Jay Cofield.
- **Landscape Revitalization Plan:** Carl provided a summary of the plan for phase 1 of the landscape revitalization. The goal is to remove some of the trees and shrubs around the entrances and re-landscape the areas with low maintenance and aesthetically pleasing plant beds. Silver Mountain Properties is currently in the process of soliciting bids for phase 1 of this project.

#### **VI. Public Comment**

- The discussion about the adverse possession claim to the golf course property continued with a few homeowners questioning the Board's decision to not pursue. Carl explained that the board is standing by the legal opinion of Ben Johnston, who believes that The Boundary HOA does not have a sufficient case to claim adverse possession.
- Another homeowner asked about the status of the roofing project and whether final inspections had taken place. Nick from Silver Mountain explained that the reroofing of the 4 buildings has been completed and all inspections have taken place. The manufacturer warranties have also been filled out and confirmed for all new roofs.

#### **VII. Adjourn**

With nothing further to discuss Carl adjourned the meeting at 6:26pm.