

## **Cluster's Homeowners**

Annual Meeting – Teton County Library

Monday, November 4, 2013 – 5:00 pm

### **MINUTES**

#### Board Members

Glen Simon      Justin Tatosian  
Lisa Carranza    Nina Luxmoore  
Sam Jewison (not present)

#### GTPM

Demerie Northrop  
Tina Korpi

#### OTHER

Frank Hess, Attorney

Homeowners present: Alex Sheldon, Mike Liles, Lois Corbett, Stefan Fodor, Andrea Walkup, Jeff Holding, Andra Adamson, Katherine Wonson, Jessica Chambers, Chris Arrasmith, Delford Hill, Michael Lynch, Kathleen Godines, Glen Simon, Lisa Carranza, Justin Tatosian, Nina Luxmoore Lenz

Homeowners present by proxy: Philip Gyr, Randi Kitt, John Demeulenaere, Mary Martin, Wendy Merrick, Peter Smith, Jeff Gaillard, Matthew Deehan, Andrea Phizackerley, Sarah Willmore, Allan Carter, Jenny Landgraf, Wade Kallio, Rachel Freundlich, Suzanne Lagerman, Shawn Mills, Caroline Ryan

1) Welcome and Introductions - Justin Tatosian, President

2) Determination of Quorum & Call to Order

Demerie Northrop from GTPM called the meeting to order at 5:00 pm, introducing herself and Tina Korpi. It was determined there was a quorum (10% is the current quorum) with 33 out of 42 homeowners present either in person or by proxy.

3) Approval of June 14<sup>th</sup>, 2012 and November 5<sup>th</sup>, 2012 Minutes.

Nina Luxmoore moved to approve minutes. The motion was seconded by Justin Tatosian. All voted in favor.

4) Presentation of Financial Reports and 2013 Budget

Tina Korpi reviewed the 2013 financials and bank balances. She also went over the proposed budget for 2014. There are a few outstanding accounts which have negatively impacted the cash flow, but progress and agreements have been made to try and reach a resolution.

There was discussion about the payment of insurance for the association. In a townhome scenario, every homeowner owns the same share of everything. You all pay 1/42 of the expenses and have the same exposure. Everyone should be carrying their own personal homeowners insurance to include personal property, improvements and betterments etc.

The Clusters is currently not collecting enough money through the \$50 assessment to pay for the upcoming projects: water lines apx. \$260,000; garage roofing apx. \$100,000; painting at apx \$100,000; etc.

Jessica Chambers moved to adopt the proposed budget to include the cost of insurance to be equally dispersed among all homeowners to be paid over the course of the entire year. Lisa Carranza seconded the motion. All voted in favor, none opposed.

5) Old Business

a) Water Project –

All the old lines were ripped up, replaced with new water lines. Cluster 3 was done last summer, and Cluster 1 was done this summer. While they were working on #1 they did some stub out work for Cluster 2. This work was proactive, as there were several patches over the years and at this time, the old galvanized pipes look a little like Swiss cheese. The goal is to complete another Cluster each summer at approximately \$65,000 per year. (There are four more to go)

b) Roof Project –

Smith Roofing is currently working to get flashing done properly under warranty. All of the Clusters have been done now, the next job would be to get the garages completed. This will cost approximately \$100,000.

c) Josie Horn Land Update -

There has been an ongoing conversation with the Horn Family about the strip of land measuring 30' x 100' on the North end of the Clusters. When the property got conveyed, this strip of land was not included. The Horn Family would like to receive a tax deduction for the land. We cannot force them to give the land to us. We could offer to purchase the land, but at this point they are not asking for anything and the general consensus is to “let sleeping dogs lie”. The board will remain engaged in searching for a solution to this issue.

6) New Business

a) Approval of revised By Laws  
b) Approval of revised CC&Rs –

The current CCR's were written around 1976 and are very vague. There are issues that have come up that were not addressed by the developer in the covenants. They are in need of being amended. The board has worked tirelessly with attorney Frank Hess to get this done, but there appears to be some issues that are not agreeable to all homeowners. It does take a vote of 75% to approve the amendment, or 32 homeowners.

The homeowners would like to see a summary of what was changed:

- Defining parking spaces
- Limited common area
- Defining who pays what in the instance of a foreclosure
- Reducing a quorum number in the event that a quorum is not obtained at a meeting
- Defining owner responsibility for unit maintenance
- The board being able to grant variances
- The creation of rules and regulations by the board and creating a fine structure

Some concerns of the homeowners include getting parking tickets, the board having “too much control” by being able to create rules and fines.

Tina and Frank tried to explain that rules and regulations are created to protect homeowners and their property values. Covenants are “etched in stone” and govern tightly, whereas rules and regulations fine tune issues by a board that is elected by homeowners to represent everyone.

Since there is so much discussion concerning these covenants, a vote was not called for. Instead, Frank Hess will summarize the changes for GTPM to circulate to all of the homeowners and we will call for a vote at a later date.

7) Election of Directors

The board has worked very hard over the past year. Each member of the board is ready to step down and give their positions to other homeowners. Nina Luxmoore Lenz agreed to stay on for the sake of continuity. Sam Jewison will also be asked if he would be willing to stay on, as he does have a lot to offer the board given his work with the Town of Jackson. This is an unpaid position that will be for one-year. Ballots were passed to homeowners after discussion. The newly elected board will be Nina Lenz, Sam Jewison (if he agrees), Andi Phizackerley (if she agrees), Chris Arrasmith, and Jessica Chambers. If one of the absent electees refuses, Alex Sheldon received the next largest amount of votes and he will be asked to serve.

8) Adjournment

Meeting adjourned at 6:58 pm.