

The Vistas Homeowners Association

MEETING MINUTES

BUD BEASLEY ELEMENTARY SCHOOL

September 22, 2016 – 6:00 P.M.

Board Members Present

Dave Stefan
Sheryl Shay
Scott Stromberg
Jacqueline Miller
Briana Foroszowsky

Staff Present

Stacie Ciesynski, General Manager
Shannon Christie, Compliance Officer

I. Call to Order

Dave Stefan called the meeting to order at 6:03 p.m.

Introduction of Board members: Dave Stefan, Sheryl Shay, Jacqueline Miller, Scott Stromberg and Briana Foroszowsky were present. A quorum was established.

The meeting was recorded as required by NRS 116.

II. Membership Forum

Homeowners present were given the opportunity to ask questions and make comments pertaining to items on the agenda. No questions from Vistas homeowners.

III. Council Representative

Charlene Bybee, Sparks City Councilwoman was not present.

IV. Approval of Minutes

A. Motion: Scott Stromberg made a motion to approve the July 21, 2016 general meeting minutes as written; Sheryl Shay seconded, motion carried unanimously.

V. Financial Report

A. The unaudited financial report for July and August 2016 was received as presented by Jaqueline Miller.

VI. Reports

A. Landscape/Maintenance Report – Stacie Ciesynski reported:

- The Groundskeepers provided weekly maintenance duties of cleaning debris and dog waste stations, mowing the grass, and weed control. Edging has been done on a weekly basis.
- Lawn was fertilized the second week of August and again on September 13.
- Bark installation has been completed along the parkway and there is about 30 yards left which will be used at Santa Barbara South and Canyon Run Pkwy.
- Irrigation was checked on Vista Terrace and repairs were made. A pressure regulator valve was removed to provide better pressure up hill.
- Irrigation repairs were made on Vista Heights Dr. Emitters have been replaced and cracked and split couplings have been repaired. The drip line will need to be replaced due to weather damage.
- The Goodwin Rd. detention pond was cleaned. Weeds were trimmed back and debris removed.
- Dead patches of grass at Los Altos and Santa Barbara center island has been replaced.

VII. Correspondence

Stacie Ciesynski read a letter dated August 14, 2016 from homeowner Michel Overton detailing the events of a coyote attack on her dog. The letter warned homeowners of the coyote danger to pets. Stacie asked if it is the responsibility of the homeowners to report these incidents to the proper authorities or is the association liable for reporting. Dave Stefan explained in these cases logistically it would be better for homeowners to handle the reports to authorities instead of our HOA as a third party.

VIII. Compliance Report

Shannon Christie reported for July and August there were 271 compliance issues and 41 Architectural control requests. In July there were 128 landscaping issues, 28 boat, RV, and trailer issues and 6 miscellaneous issues. Of the 109 compliance issues in August, 82 were landscaping, 22 were boats, RV's and trailers and 5 miscellaneous issues. There were 25 paint requests, 7 landscape requests, 2 shed requests, and 7 improvement requests.

A homeowner asked if there were any outstanding liens on the properties for non-compliance and Stacie Ciesynski stated there were no liens on properties for non-compliance. She stated there are several properties being fined for non-compliance.

IX. Old Business

- A. Stacie reported on the status of case #CV15-00167 and #CV14-00952. She presented information from the attorney that explained a ruling of the 9th circuit court of appeals. Due to this ruling nothing has happened with the case. The ruling states that the notice provision under 116 is unconstitutional, does not provide adequate notice to the banks and violates their 14 amendment due process clause. No one knows the scope of the ruling and how it will affect the current law suits.
- B. Lawsuit CV14-00952 pending due to ruling.
- C. No notification for a mediation or arbitration date from the ombudsman's office has been received.
- D. Dave Stefan explained the Board allocated money for a new software program to replace the current program. It was determined the Association could use our current program for a few more years due to the high cost of installing and maintaining a new software program. Dave explained we could reallocate money to office needs and upgrades. He has asked Stacie and the Board to submit ideas and tabled the reallocation of funds to the next quarterly board meeting. No motion was made.

X. New Business

- A. **Motion:** Sheryl Shay made a motion to Approve Ratification of Unanimous Consent in Lieu of 2016 Annual Meeting for 2016/2017 Board Officers for the Association; Scott Stromberg seconded, motion carried unanimously.
- B. Dave Stefan explained that sealed Landscape Maintenance must be open and read per the NRS requirements. Stacie Ciesynski explained the process of soliciting bids. The following landscape companies were sent proposals: Action Lawn and Landscape, Century Landscapes, The Groundskeeper, Reno Green Landscaping, Signature Landscapes, All Season's Landscape, Magic Scape Landscape and XL Landscapes. A mandatory pre-bid meeting in the HOA office was scheduled to outline landscaping needs and answer questions, seven companies were represented. There was also a non-mandatory onsite meeting on the parkway and three companies attended. The bids were to be turned in by 2 p.m., September 22, 2016, and All Season's and XL Landscapes did not submit a bid. The Board read each bid amount for 2017, 2018, and 2019 and the total for all three years. David Stefan read Groundskeeper's total bid of \$427,583.00. Briana Foroszowsky read Action Lawn total bid of \$704,934.00, Sheryl Shay read Signature Landscapes total bid of \$499,799.00 and Jaqueline Miller read Century Landscapes total bid of 659,760.00. Dave Stefan read Reno Green Landscaping's total bid of \$549,684.00. Stacie explained the Request for Proposal required each company complete the bid information on the forms that were provided. Each company was able to use the exception page on the form to include any other information they wished to include. Groundskeeper, Century, Reno Green and Action Lawn and Landscape submitted the bids on the required form. Signature Landscapes did not include the bid on the required form.
Motion: Scott Stromberg made a motion to accept The Groundskeepers bid of \$427,583.00 for the next three years because of the low bid and the fact they have knowledge and experience in taking care of the parkway; Sheryl Shay seconded, motion carried unanimously.

- Briana Foroszowsky noted the Board will have to review the proposed 2017 budget amounts for landscaping. Dave Stefan explained we will have to find \$18,000 in our budget to fund the landscaping contract.
- C. Dave Stefan explained this was a renewal of an existing policy for Liability insurance. Scott Stromberg asked if there was an increase and Stacie confirmed there was an increase of a couple thousand dollars and it was included in the 2017 liability budget amount. Stacie explained our insurance advisor Ron Wright recommended we renew policy because of outstanding lawsuits.
Motion: Scott Stromberg made a motion to approve Directors and Officers Liability Insurance renewal effective October 5, 2016; Sheryl Shay seconded and motion was carried unanimously.
- D. Board discussed reviewing the Employment Practices Insurance Renewal. Scott asked if there was an increase and Stacie and Dave confirmed there was an increase of \$60.00.
Motion: Scott Stromberg made a motion to approve the Employment Practices Liability Insurance Renewal effective October 5, 2016; Sheryl Shay seconded, motion carried unanimously.
- E. The Board reviewed the option of applying for the CAU Community Association Volunteer Accidental Insurance Program. With expenses continuing to increase, Jaqueline Miller suggested an alternative to purchasing the insurance and thought printing a waiver for volunteers to sign could eliminate this expense. Dave Stefan was not sure a waiver would protect the Association. Stacie explained insurance coverage is 300.00 for the year. Briana Foroszowsky stated concern of homeowner's volunteering without signing the waiver. Stacie read the details of the program. Dave stated the coverage would also protect Board members. A homeowner shared that in her experience signing a waiver was worthless.
Motion: Scott Stromberg made a motion to approve the CAU Community Association Volunteer Accidental Insurance Program; Jaqueline Miller seconded, motion carried unanimously.
- F. Complete copies of the 2017 Reserve Study Financial Update for homeowners were made available.
Motion: Scott Stromberg made a motion to approve the 2017 Reserve Study Update completed by Resource 1, LLC; Sheryl Shay seconded, motion carried unanimously.
- G. Stacie Ciesynski reminded the Board they have currently budgeted \$120,000.00 for landscaping and the landscape contract was approved for \$138,000.00, therefore \$18,336.00 within the budget will need to be reallocated to the landscaping contract category. Discussion ensued over what categories within the budget should be reduced to cover the increase in the landscape contract amount.
Motion: Scott Stromberg made a motion to approve the 2017 Reserve and Operating Budgets with the following changes to the operating budget by moving \$5,000 out of the walkway maintenance budget line item (reserve funds could be used to extend the life of the walkway), \$2,500.00 from the flood control line item (reserve funds available if needed), move \$836.00 from the general maintenance budget item, \$3,000 from the miscellaneous fund, and \$7,000.00 from the water and electric category to increase landscape contract by \$18,336.00; Sheryl Shay seconded, motion carried unanimously.
Dave Stefan explained the board previously worked hours on the budget and was prepared to reduce budgeted items if the landscape contract was more than expected.
- H. The Board reviewed a \$350.00 Asphalt Protectors proposal to repair two sections of asphalt pathway at the intersection of Santa Barbara and Los Altos. Dave confirmed we have money in this year's 2016 budget to fund this project. \$6,200.00 was taken out of the reserve fund this year to complete repairs due to root damage on the pathway.
Motion: Scott Stromberg made a motion to approve Asphalt Protectors proposal for work to two sections of the asphalt pathway for \$350.00; Sheryl Shay seconded, motion carried unanimously.
- I. Dave Stefan remarked the Irrigation Retrofit Proposal was higher than expected and the funds available would not cover the proposal.
Motion: Scott Stromberg made a motion to table the irrigation retrofit proposal to change out spray heads and rotors on Los Altos Parkway until spring; Sheryl Shay seconded, motion carried unanimously.
Stacie asked if this item should be on the January or April 2017 agenda. Dave Stefan would like to see more detail in the proposal and the work may have to be completed in phases. Mr. Kolb, a homeowner, recommended doing it at start up. Dave said the new proposal would have to be on the agenda for the January 2017 meeting. Briana Foroszowsky read The Groundskeeper bids for irrigation retrofit.

XI. Membership Forum

Homeowners present were given the opportunity to ask questions and make comments.

- A homeowner recommended The Groundskeeper reset timers for watering turf along Los Altos parkway so it is not watering after 6 a.m. When watering occurs after 6 a.m. pedestrians walking on the pathway are forced to walk in the street, competing with bicycles. Dave explained the difficulty of watering the parkway off hours and that we have tried to get the times changed before. Another homeowner felt there is individual accountability for people walking on the parkway and we are not able to please everyone.

Stacie commented as the community grows we are seeing more people on the parkway. Briana Foroszowsky asked if we could ask the landscapers for a zone schedule to monitor water use in the area of the walking path. The difficulties of doing this, was discussed.

- Bill Wagner stated from Canyon Run down on Los Altos, visibility issues need to be checked. Shannon agreed. The areas will be identified and taken care of.

NEXT MEETING SCHEDULES – Budget Ratification Meeting is scheduled for 10:00 a.m. on November 10, 2016 at the Association office and a quarterly meeting will follow.

XII. Adjournment

Motion: Being no further business Scott Stromberg motioned to adjourn the meeting; Sheryl Shay seconded, motion carried unanimously.

Respectfully submitted,

Briana Foroszowsky, Secretary