

**Victorian Gables HOA, Annual Homeowners Meeting**

**December 12, 2021**

**12:30 p.m. – by Zoom**

**HOA Board Present:**

Scott Novogoratz, President #39  
Dale Noel, Vice President #12  
LeAnn Payton, Secretary #23  
Ted Huston, Treasurer, #21

Kammi Eckhoff, Landscape and Director  
Ron Segul, Architecture Committee  
Tom Glenn, Architecture & Director

**Absent:**

Doug Ouren, Director #31

**Homeowners Present (19 units)**

MarthaJayne Vaughan, #1  
Kammi Eckhoff, #2  
Karen Habel, #4  
Pat Hancher/Eric James, #8  
Ida White, #9  
Dale Noel, #12  
Scott Novogoratz, #39

Sunit/Janea Bhalla, #13  
Chris Bailey, #18  
Tom Glenn, #20  
Ted Huston/Rosemary Rader, #21  
LeAnn Payton, #23  
Dick Lawson, #24

Steve Hansen, #28  
Ron Segul, #30  
Ernestine Munsey, #33  
Morgan/Marty Bolls, #34  
Mark Cunningham, #36  
Jackson/Ashley Hulett, #37

**Homeowners by Proxy (7 units)**

Ellen Eihausen, #10  
Shara Stills, #11  
Mary Ceci Garza-Aragon, #14  
Bonnie Geter, #19

Jim/Mary Lou Lewis, #25  
Ida Sinden, #32  
LaVonne Armstrong, #38

**Absent/No Proxy (14 units)**

Richard Coupe, #3  
Ken/Audrey Landt, #5  
Mert/John Mercier, #6  
Ed Voelkel, #7  
Paul Schnaitter, #15  
Celeste Hammond, #16

Susan Cavender, #17  
Esther Osborn, #22  
David/Carol Hodson, #26  
Sallie Wilke, #27  
Andres Gavaldon, #29  
Doug Ouren, #31

Lanny Moore, #35  
Will Sutton, #40

**Call to Order**

The meeting was called to order at 12:33p.m. by President Scott Novogoratz. The meeting was held remotely by Zoom due to Covid concerns which is still presenting a challenging time for all. A total of 26 units were represented by either in-person attendance or proxy, thereby meeting the quorum requirement for voting purposes. Scott presented a couple of rules for the meeting – if everyone would please permit the presenters to finish their presentation and then ask questions when prompted, it is much appreciated especially with the constraints presented by the Zoom meeting.

#### **REPORTS:**

Secretary/Minutes: The minutes of the 2020 meeting were distributed with the invitation to this meeting. With no additions/correction, the minutes were approved with a motion from LeAnn and a second from Kammi.

Scott presented the names of those running for Board positions. Tom Glenn's Director position expires this year. Mark Cunningham (#36) has been nominated to fill that position. All other Board officer positions are those currently in that position.

President's Comments: Victorian Gables continues to be a wonderful, well-taken-care-of community. As with most homeowner's it is desired to keep dues as low as possible while still continuing to properly maintain the property, enhance the appearance of the community, and be fiscally responsible assuring funds are available when they are needed for projects, maintenance and desired community upgrades. Scott mentioned that he would personally like to be able to minimize our water expense (\$10,000+/- per year) so those funds can be devoted to maintenance and replacement projects. It is also important that we clarify the ambiguities in responsibility for maintenance or windows and doors as the structures age and more replacements are necessary.

Architecture Report: Tom reported that we did 17 window wells this year, giving us a total of 51 completed to date. There are a total of 105 window wells in the community; so we are about halfway thru that project. There were repairs required by our insurance company to the roofs of some of the units. Those were completed to meet insurance requirements. The fences were not all done. They will, hopefully, begin again in the spring and finish that project in 2021. Tom did re-iterate that, if homeowners have any problems that they need the Association to take care of, please contact either Tom or Ron to take a look at what needs to be done. They do go around quite often and keep tabs on the community, trying to make sure they catch everything before it becomes a larger problem, but please help by contacting the Architecture committee if you have any issues. Scott thanked Tom and Ron for all the hard work on the Architecture Committee and the great attention to the work and to detail.

Landscape Report: Kammi reported that we look to being able to save approximately 68,700 gallons of water per year with the completion of the xeriscape project.

- Converted about 10,000 square feet to very low to low water xeriscape plants.
- Xeriscape areas are on a drip (individual plants) or MP rotors (native Buffalo/Grama grass blend)
- 52.5% of our units were represented at the turf conversion project
- Friday, September 3, homeowners planted 176 plants in the two xeriscape areas.
  - 12 units represented, 16 workers.

- 9 units represented by those who weren't able to work, but stopped by to watch.
- Friday, September 10, homeowners mulched the xeriscape areas with 32 cubic yards of mulch.
  - 6 units represented
- Xeriscape was completed the week of September 27, 2021
- Final Ft Collins XIP inspection completed on 10/7/2021.
- City contributed \$15,000 to project
- We saved about \$3300 by doing the planting and mulching ourselves.
- Evergreen was extremely impressed and complimentary by the way our VGHOA homeowners worked on this project.

Scott thanked Kammi for all her hard work, diligence and keeping everyone "on task" during this project.

Treasurer's Report: Ted mentioned that the xeriscape grant funds have been received from the City of Fort Collins. With the changes in insurance company and premiums, etc. Ted feels that we still can carry on our community business without increasing dues for 2022. If we were to continue to be responsible for windows/doors as an Association; dues would need to be increased substantially. It is the plan to wait until approximately 2025 for the road to be re-surfaced if we can get the minor repairs that are needed done this next summer.

With there being no questions/comments from those in attendance, a motion was called to approve leaving the dues at \$825/quarter and approving the proposed 2022 Budget. Ron made such a motion, and Tom seconded the motion. The motion carried unanimously and was approved by the homeowners.

Scott thanked Ted for all his hard work in monitoring our funds and keeping the budget in line.

Insurance Report: Dale presented the insurance report. He spoke first to the need for the change in the covenants. There are inconsistencies in the Covenants regarding who is responsible for what portion of insurance coverage, how much, and for what damage. It is necessary to revise the Covenants to clarify these items. The **homeowner** is responsible for paying the HOA insurance **deductible** when damage occurs to their unit. Also, to present the Covenants having to be revised on a yearly basis, specific numbers relating to deductible amount need to be removed from the Covenants.

What is the impact on homeowners?

- The **homeowner(s)** of a damaged Unit(s) will be **assessed** for the cost of repair up to the full deductible amount from the HOA's insurance policy.
- **Protect yourself** by including **Loss Assessment Coverage** in your homeowner's insurance policy.
- Each year ascertain that your coverage is **adequate**. As new HOA insurance policies are adopted each year, the amount of **recommended loss assessment** coverage may **change**.

**This is not new.** It simply has been made much clearer, without internal contradiction, in this revision of the covenants.

The issue of deductibles and loss assessment coverage is important for HOA members to track each year, especially because of one deductible that is forced upon us by the insurance industry: the deductible for wind or hail damage. For the past three years this deductible has been set (by the three different providers we have used) at 5% of the **building** value where damage occurs. Based on

their insurance tables, our new insurance for 2022 assessed the average replacement value of each building (each 2-unit duplex) at about \$930,000. Five percent of that value is \$46,500. Therefore, the HOA is recommending that all homeowners increase their **loss assessment coverage to \$50,000**.

For more explanation about loss assessment coverage and scenarios of how the owners of one or both units of a duplex would be assessed for the deductibles incurred by different types of damage, please consult our HOA web site (in the "HOA insurance" page under the menu heading, "Secure Owner Portal").

#### **NEW BUSINESS:**

**Voting and Administration:** Scott spoke to voting and administration. There exists a need to revise the Covenants because a conflict exists between the Voting Rights section listed in the Articles of Incorporation and the Declaration of Covenants. This is a "clean up" acknowledging that the Voting rights section of the Articles of Incorporation supersede those in the Declaration of Covenants. There is no impact on homeowners and does not affect Voting Rights, but serves to default to those in the Articles of Incorporation.

The update of the Covenants with clarify that, if a conflict exists between the Articles of Incorporation and the Declaration of Covenants, the Articles of Incorporation shall prevail. Again this does not affect homeowners, but serves to clarify only which document supersedes the other in the case of a conflict in interpretation.

**Windows and Doors:** Window replacement is estimated at \$20,000+/unit. A legal interpretation of our Covenants suggests that windows are the responsibility of the homeowners. The Board recommends that windows be the homeowner's responsibility from this point forward. There is not enough money in our reserve funds for the HOA to replace all windows in the community without a substantial dues increase. The Covenants state that the glass is the responsibility of the homeowner; therefore, it would follow that the total window should be the homeowner responsibility.

The Board would want to make sure that any window replacements match, as far as is possible, the look of the outside of all units. Homeowners need to come to the Architecture Committee to obtain approval for their plan and type of window, etc. The Board will need to look at the eventuality of what to do if a unit needs to have windows replaced for the protection of the unit and the neighbors and community, and the homeowner is not willing to do that replacement. That may have to be dealt with in the future.

**Other Policy changes:** The Board is also looking at changes that need to be made in policies regarding the adoption and amendment of policies, snow removal, parking, signs and flags, insurance, garage doors. Any homeowners who have thoughts regarding other policy changes should contact a member of the Board so that concern can be brought to the next Board meeting. The Board will suggest changes to policy and send that information out to the homeowners. Homeowners are given some time to respond to those changes; then they are either brought before the Board again with suggested changes or adopted. If there are enough concerns, proposed changes will be brought before the homeowners at the next regularly scheduled meeting.

**Other Topics:** Scott then asked for any questions/concerns from the homeowners that they would like to address.

Dick (#24) said he has been approached by some homeowners who are not interested in having covers over their window wells. Maybe there should be a policy regarding whether those are required for safety/aesthetics, etc.

Kammi mentioned that she needs to know the day before a snow storm or early the day of if a homeowner absolutely needs to leave their home before the snow removal team arrives. It is almost impossible to get someone over to clear a driveway with an hour notice or so. Of course, we understand there are emergencies, but for regular appointments etc, please let Kammi know so she can plan ahead and get the driveway cleared.

Mark (#36) asked if there were any plans to look at more xeriscape projects in the community for additional water savings, etc. Kammi said she would like to look at other portions of the common areas for xeriscape as it has many benefits. We can apply for a City of Fort Collins grant every year; so that is something the Board will be taking a look at in future meetings. The deadline for applying for grants for 2022 has passed; so we would be looking at 2023 and beyond. Ted has been looking seriously into doing some xeriscaping on his lot as he has a fairly large area that would allow xeriscape nicely.

Introduction: Mark Cunningham (#36) was asked to introduce himself and tell the homeowners about he and his family as a new addition to the slate of candidates for the Board. Wife Joy and their 3 kids make up the family. Mark is a marriage and family therapist with his own office. He was in the Army National Guard previously. They enjoy the community and are looking forward to meeting everyone here.

Voting Process: Scott outlined the procedures for voting and presented the nominations for Board positions. The only new addition to the slate is Mark Cunningham (#36) who is running for the Director position that Tom Glenn had and expires this year. Kammi is chairing the nominations committee. There are two ballots – one for Board positions and one for approval/disapproval of Covenant changes. Please place your ballot on your outside door by 5:00p.m. on December 12. The covenants ballot is page 3 of the invitation to meeting sent out by Scott. If you have a proxy, please be sure to vote that proxy and place ballot in a separate envelope. Also, if you have a proxy that has not been turned in, please place that proxy in a separate envelope and tape it also to your door. Ballots will then be collected between 5 and 6 on the evening of Dec 12. Running for Board positions are as follows:

President – Scott Novogoratz #39  
Vice President – Dale Noel #12  
Secretary – LeAnn Payton #23  
Treasurer – Ted Huston #21  
Director at Large – Mark Cunningham #36 – 3-year term

Other Directors with terms not expiring – Doug Ouren #31 – term expires 2022  
Kammi Eckhoff #2 – term expires 2023

Ballots were counted the next day, and all nominees were elected by majority vote. The Covenant revisions received 22 votes in favor, 0 votes opposed. However, 60% of the homes (that is, 24 votes) are required for amendments to the Covenants to be approved. The Board will discuss the next steps at the next Board meeting in January.

