

HARTSOCK VILLAGE CONDOMINIUMS HOMEOWNERS ASSOCIATION
Special Board of Directors Minutes
August 3, 2010

Officers Present: Dwight Cooper, Alice Wilson, and Melody Dates
Property Manager: Bruce Beers
Committee Chairs Present: None
Quorum: Yes

Alice Wilson Chaired the Meeting at 2:03 p.m.

1. **Resolution on Termination of Declarant Control:** Alice introduced a Resolution to acknowledge that the Period of Declarant Control at Hartsock HOA has been terminated, effective February 6, 2010 but the transition will occur on August 31, 2010. The following resolution was introduced:

RESOLUTION 2010-1

WHEREAS, Section 8.3.B of the Declaration of the Hartsock Village Condominiums (originally filed on September 21, 2005 in El Paso County, Colorado, first amendment filed on February 3, 2006, second amendment filed on September 15, 2006 states:

“...The period of Declarant control ...shall be terminated no later than the earlier of either (i) sixty (60) days after conveyance of seventy-five percent of the units....(ii) two (2) years after the last conveyance of a unit....or (iii) two (2) years after any right to add new units was last exercised..”

and, WHEREAS, according to the records of the Colorado Springs Assessor's office, the last unit sold at this property was 3755 Hartsock Lane Unit 201 on February 5, 2008 and this sale meets the criteria set forth in Section 8.3.B.ii of the Hartsock Declaration, therefore, be it **RESOLVED**, that the Hartsock Village Homeowners Association Board of Directors recognizes that the Period of Declarant Control was officially terminated on February 6, 2010.

For the record, the Resolution has been approved by Alice Wilson and Melody Dates seconded the approval. The resolution was approved. No one said “not approved.”

“A resolution noting that the Period of Declarant Control for Hartsock ended on February 6, 2010 was introduced and approved by the Board (see attached). The Board established the date of August 31, 2010 for the transition to the HOA of records, materials and all other legally required items from the Declarant.”

2. Implementing the Transfer of Board Control

- a. Bruce said there are a number of items that Dwight needs to do before turning over Hartsock Village Condominiums. **This is just a partial list:**

- a. A formal letter will be sent to Dwight informing him of Resolution 2101-1 and identifying his legal responsibilities.
- b. Conveyance of all Homeowner Association property to the Board
- c. The Secretary of State's Office will be notified of this change.
- d. The HOA Insurance agent, Mark O'Donnell, will be notified of this change.
- e. Required Financial Audit to be paid for by Dwight.
- f. The Homeowners will be notified of this change.
- g. The Utilities will have to be transferred to the Homeowners Association and they must pay the deposit to the Utility Company.
- h. All other items that Bruce lists.

3. **Homeowners Board Member Replacement:**

Per the Declaration, Section 8.3D - not later than the termination of any Period of Declarant Control, the Owners shall elect a Board of at least three members, at least a majority of whom must be Owners other than the Declarant...

Per the Bylaws, Section 2.5 - Vacancies may be filled at a special meeting of the Executive Board held for that purpose at any time after the occurrence of the vacancy....

Per the Bylaws, Section 5.1 - The Board decides who will hold the Executive positions - individuals can hold more than one position except for a President/Secretary combination.

Melody is both Vice President and Secretary - there was no move for her to step down as Vice President when she took on the Secretary role.

4. **Old Business:**

- a. Update on Building 2 - Unit 101

Bruce did talk to Greg Nopp concerning his tenant. Greg did not collect the \$125 move in fee. Bruce does not have a copy of the lease. Greg did not send Bruce a signed copy of the acknowledgement of the Rules and an agreement to follow the Rules of the Homeowners Associations.

5. **Announcements:**

The next Board meeting will be August 12, 2010 at 9:00 a.m. in the office of Bennett-Shellenberger Realty, Inc. 1710 E. Pikes Peak Avenue, Suite 200, Colorado Springs, Colorado 80909

- 6. **Adjournment:** The meeting was adjourned at 2:50 p.m.

Submitted by: Melody Dates, HOA Secretary, 8 August 2010

RESOLUTION 2010-1

TERMINATION of PERIOD of DECLARANT CONTROL
HARTSOCK VILLAGE CONDOS HOMEOWNERS ASSOCIATION

WHEREAS, Section 8.3.B of the Declaration of the Hartsock Village Condominiums (originally filed on 9/21/05 in El Paso County, Colorado, first amendment filed on 2/3/06, second amendment filed on 9/3/06) states:

"...The period of Declarant control ...shall be terminated no later than the earlier of either (i) sixty (60) days after conveyance of seventy-five percent of the units....(ii) two (2) years after the last conveyance of a unit..., or (iii) two (2) years after any right to add new units was last exercised."

and,

WHEREAS, according to the records of the Colorado Springs Assessor's office, the last unit sold at this property was 3755 Hartsock Lane - Unit 201 on February 5, 2008 and this sale meets the criteria set forth in Section 8.3.B.ii of the Hartsock Declaration,

therefore be it

RESOLVED, that the Hartsock Village HOA Board of Directors recognizes that the Period of Declarant Control was officially terminated on February 6, 2010.