

# The Vistas Homeowners Association

## MEETING MINUTES

BUD BEASLEY ELEMENTARY SCHOOL

September 27, 2018 – 6:00 P.M.

### Board Members Present

Briana Foroszowsky  
Jacqueline Miller  
Margaret Powell  
Lisa Ruzycki

### Staff Present

Stacie Ciesynski, General Manager

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### **I. Call to Order**

Briana Foroszowsky called the meeting to order at 6:02 p.m.

Introduction of Board members: Jacqueline Miller, Margaret Powell, Lisa Ruzycki, 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.

- Doug McPartland, 5236 Canyon Run Drive – Mr. McPartland thanked Briana for calling to give him an update. He also asked about Board approval from the last meeting, which authorized spending up to \$29,800.00 to temporarily fix the problem behind his home in the common area. Briana explained that the Board will talk about this issue further down on the agenda.

### **III. Approval of Minutes**

- A. Motion:** Jacqueline Miller made a motion to approve the July 19, 2018 General Meeting Minutes; Lisa Ruzycki seconded, motion carried unanimously.

### **IV. Financial Report**

- A.** The unaudited financial report for July and August 2018, was received as presented by Jacqueline Miller.
- B. Motion:** Lisa Ruzycki made a motion to approve the July and August 2018 unaudited financial report; Margaret Powell seconded, motion carried unanimously.

### **V. Reports**

- A.** Landscape/Maintenance Report – Briana Foroszowsky reported One Call Landscape US has adjusted all controllers to decrease water times and volumes due to the change in temperatures. A few islands on Los Altos are showing stress due to reducing the water too much. OCLUS will be working to help the turf recover in the coming weeks. A valve was repaired on an island on Santa Rosa and a broken valve at Los Altos and Orinda was turned off until repairs can be completed. Fertilization was to occur this week. Briana has asked Jose to have the crew locate and cap problem drip lines as they complete their weekly maintenance. No report from Jose has been received on these issues.
- B.** Landscape Committee Report – Briana introduced water conservation consultant, Chris Gabica with Sentinel Landscape, who was hired to conduct an irrigation survey on the parkway. Chris Gabica presented a written report to the Board and shared his findings with those present. Major findings include:
- Points of connection including the shut off valves, backflow devices, and drains appear in pretty good shape.
  - Mainlines are all functioning fine.

- Valves are aging and beginning to weep.
- The wiring is the biggest problem and some areas may have to be converted to battery powered controllers.
- The entire drip system needs to be gone through, capping heads where needed and re-working areas where the drip tube is choking trees.
- Sprinkler heads need to be raised or adjusted due to the thatch that has accumulated in the sod.
- All controllers need to be replaced.

Chris concluded his report explaining that the parkway is being over watered due to a lack of proper fertilization. When proper nutrient levels are achieved, less water is needed. Grass needs to be watered less, more often and drip irrigation needs less frequent watering for longer periods to achieve deep root saturation.

## **VI. Correspondence**

## **VII. Compliance Report**

No compliance report was given. Briana explained the HOA has hired Kimberly Gutkosky-Simpson as the new Compliance Officer. Kimberly has over 25 years of experience in the HOA industry and property management.

## **VIII. Old Business**

- A. Stacie reported on the status of Case No CV14-00952. The case is still currently pending before the Nevada Supreme Court.
- B. Officer MJ Cloud, Safe Routes to School Coordinator, reached out the Association to see if there is interest in coordinating a Safety Awareness Week similar to the campaign that was done last year. Briana asked if a representative from Bud Beasley or the School District was present. Since a representative was not present to collaborate a week, the topic will be included on the next meeting agenda.
- C. Andy Echeita was hired as a consultant to help the HOA determine a solution to the erosion problem to the common area behind homes on Canyon Run Drive and Stone View Drive. \$29,800.00 was approved at the last quarterly meeting to be used to clean and restore the Canyon Run area. Mr. Echeita has walked the area and met with M&M Excavating and Kelly Erosion. He has recommended the Board contract with M&M Excavating and the work has been scheduled for October 15, 2018. Briana introduced Andy. Andy Echeita explained that over the years, erosion has occurred within the sloped areas that placed a lot of material behind the homes on Canyon Run Drive. M&M Excavating has been contracted to remove anywhere from 6 inches to 2 feet of dirt to get the area down to approximately what was grade. Within the scope of work, the dirt will be removed and relocated to an area above that will not interfere with anyone else's property. Straw waddles will be placed on the slope to try to contain as much silt as possible when it rains. Andy explained that the work being done is general maintenance work. Kelly Erosion was contacted and walked the area. They recommended using a natural woven coconut mat to try to stabilize the slope. The straw waddles would be installed over the mat to try to hold back the slope as much as possible. In addition, the area would be hydroseeded. The cost for the hydroseed and mat is over and above the work to be done by M&M Excavating. Kelly Erosion gave an estimate of about \$35,000 for this work and Andy recommended the Board explore this option if budgets permit. Andy's opinion is this work is prudent spending of Association funds and would solve a lot of the problems in the area that have occurred in the past. Briana asked if Andy had a rough estimate of the cost to fix the area at Canyon Run. Andy replied that depending on what you do, it could run about \$250,000 to \$300,000 with retaining walls and rip-rap on the slope. Access is an issue to the Canyon Run area and anytime you start changing grading, etc. that was done by the original engineer, it will require another engineer to redesign the area, which can be costly.

Margaret Powell stated that without knowing how the Landscape Bids would come out she cannot make a motion, in good conscience, to do the mat and hydroseed work.

- D. Andy reported that the Stone View Drive area has similar problems, but access creates the biggest difficulty. A homeowner in the area has been contacted to see if they will grant access through their property. What occurs from these talks will determine the scope of work, whether it is hand work or the use of small equipment. If access through the homeowner's property can be gained, Andy thought a not to exceed amount of \$10,000 could adequately cover the work needed to maintain the area in question. There are other issues with this area, but first and foremost the maintenance work should be done. Andy explained to fix the problems at Stone View could cost the Association anywhere from \$350,000 to \$500,000 mainly due to access issues.

A homeowner in attendance that lives on Stone View Drive said he would allow access through his property if needed.

**Motion:** Margaret Powell made a motion to approve up to \$10,000 for the Stone View maintenance work if access is granted through a homeowner's property; Lisa Ruzycski seconded, motion carried unanimously.

## IX. New Business

- A. Briana Foroszowsky acknowledged an executive session meeting was held July 19, 2018, August 23, 2018 and September 27, 2018. The meeting items discussed were for delinquency and violation items. There were no personnel issues or legal matters discussed.
- B. **Motion:** Lisa Ruzycski made a motion to approve the Ratification of the Unanimous Consent in Lieu of a 2018 Annual Meeting for the 2018/2019 Board Officers for the Association; Margaret Powell seconded, motion carried unanimously.  
Briana Foroszowsky is the President, Jacqueline Miller, Treasurer and Margaret Powell is the Secretary.
- C. Directors and Officers and Liability Insurance will need to be renewed by October 5, 2018 at a cost of \$14,719. Stacie Ciesynski explained that current Director and Officers and Liability coverage is \$2,000,000; if there was interest in increasing the amount to \$3,000,000 it would be an additional cost of \$414 for general liability and \$843 for Director and Officers for the year. Again, depending on the landscape bids there was a hesitation to incur additional costs. Action on this item was postponed until the landscape bids are opened to see what the cost will be.  
After a motion was made to approve the 2019 Operating Budget (Item J) with an increase in the liability insurance category – **Motion:** Briana Foroszowsky made a motion to increase the Liability and Directors and Officers coverage to \$3,000,000; Lisa Ruzycski seconded, motion carried unanimously.
- D. **Motion:** Lisa Ruzycski made a motion to approve the Employment Practices Liability Insurance at a cost of \$1,100 effective October 5, 2018; Briana Foroszowsky seconded, motion carried unanimously.
- E. Changes to the Employee Handbook were recommended and the changes were read out loud by Briana Foroszowsky. Due to the increase in turnover in the office, no accrued benefits will be payable within the probationary period of employment. Also, all overtime will require written approval by the Board or Supervisor.  
**Motion:** Lisa Ruzycski made a motion to approve the changes to the Employee Handbook; Margaret Powell seconded, motion carried unanimously.
- F. Changes to the Architectural Control Committee Guidelines for further clarification of the requirements were reviewed and discussed. The verbiage to include "landscape changes to side yards over 15 feet will require approval" was removed due to several questions by Margaret Powell. She understood the intent, but felt this issue could be addressed differently.  
**Motion:** Margaret Powell made a motion to approve the changes to the Architectural Control Committee Guidelines without the verbiage that "landscape changes to side yards over 15 feet require approval"; Jacqueline Miller seconded, motion carried unanimously.
- G. The Driveway Fluids and Stain Resolution originally adopted April 24, 2014 was changed to add an "oil spill mat" can be used temporarily to protect the driveway from oil stains until the vehicle is repaired. The change will allow homeowners more options. Stacie explained that a suggestion was made to add kitty litter and silicone sand to the list of prohibited items in the Resolution. Margaret expressed her concern that when you start a laundry list, and it's not in the laundry list, then someone has standing to say I am going to do this. Briana thought the Resolution was fine without adding those items.  
**Motion:** Jacqueline Miller made a motion to approve the changes to The Driveway Fluids and Stain Resolution as presented without the additional prohibited items; Lisa Ruzycski seconded; motion carried unanimously.
- H. Briana explained that the Board will be opening and discussing the sealed landscape bids and the process could take some time. Sealed bids were received from Century Landscape, Signature Landscape and T&T Lawns Plus. Century Landscape envelope was opened and the contractor did not use the required bid document. Karl Katt pointed out that when a contractor alters the document it is considered an invalid contract. The contract provided by Century Landscape was only for one year and the cost was \$19,661 per month, totaling \$235,932 annually. Next, T&T Lawns Plus sealed bid was opened. The contractor met the minimum requirements set forth in the Request for Proposal. The cost for landscape Maintenance for November and December 2018 was \$12,313, the all-inclusive landscape maintenance cost was \$141,343 for each year starting 2019 through 2021. Alternate 1 removed the defensible space and snow removal was \$131,910 for each year starting in 2019 through 2021, alternate 2, snow removal was \$815 for each year starting 2019 through 2021 and alternate 3, defensible space was \$9,773 for each year starting 2019 through 2021. The last sealed bid from Signature Landscape was opened. It did not appear that they provided the information on the proper form. The cost for 2019 is \$249,468, 2020 is \$254,460, and 2021 is 262,092. It is unclear whether the

Signature contract includes the same requirements as the Association Request for Proposal. One Call Landscape US, the Association current landscape provider, did not bid since he did not meet the requirement of having a contractor's license.

**Motion:** Margaret Powell made a motion to go with T&T Lawns Plus contingent upon reference checks, validation of proper contractor's license and insurance and any other verifications needed. If T&T doesn't check out, the Board will need to meet to go through the other two contracts line by line to evaluate them or go out and rebid the contract; Jacqueline Miller seconded, motion carried unanimously.

- I.** In 2019 a full reserve study was conducted by Kenneth Rowan, a reserve study specialist and the report was approved at the April 26, 2018 Board of Directors meeting. This study was used to produce the budget for 2019. Briana presented the 2019 proposed reserve budget and pertinent information related to the reserve study. Margaret pointed out that based on the 2019 reserve study the contribution for 2019 reserve fund goes down since the reserve resources are sufficient that we do not have to contribute as much to it.

**Motion:** Briana Foroszowsky made a motion to approve the proposed 2019 reserve study budget; Margaret Powell seconded, motion carried unanimously.

- J.** Stacie explained, and Margaret concurred, the difficulty the Board had in drafting a proposed budget given the unknown expense of the landscape contract. With the landscape contract coming in under what was originally estimated by the Board, it is now possible to include the erosion control recommended by Andy Echeita for Canyon Run and increase the liability and directors and officer's insurance to 3,000,000. The employee salary category for 2019 was increased to attract a qualified candidate for the enforcement officer position, \$4,000 was added to a new Erosion Inspections & Maintenance category, funding for a new software program was added and legal fees and landscape repairs were increased. Margaret explained that the landscape contract amount would be changed to \$141,343, erosion inspections and maintenance category could be increased by \$35,000, and the insurance coverage could be increased. With these changes to expenses, it was determined that annual assessments would need to be increased to \$335.00 per year or \$83.75 per quarter. It is a \$3.75 increase per month.

**Motion:** Margaret Powell made a motion to approve an increase in annual assessments to \$335.00 per year per dues paying member and changes to the proposed budget as follows: landscape contract to be \$141,343, erosion inspection and maintenance funded at \$39,000, liability insurance to \$20,200, reduction to general maintenance and miscellaneous to \$3,000 and the balance of \$2,044 to increase employee expense; Briana Foroszowsky seconded, motion carried unanimously.

- K.** Stacie explained that a \$100,000 CD with First Independent Bank is set to mature in October. After reviewing cash needs, Stacie recommended \$50,000 be rolled over into a 7-month, 1.60% or 11-month CD at 2.05% and the balance deposited in the money market account.

**Motion:** Margaret Powell made a motion to do \$50,000 in a 7-month CD; Jacqueline Miller seconded, motion carried unanimously.

- L.** **Motion:** Briana Foroszowsky made a motion to appoint Karl Katt to fill the vacant position on the Board; Margaret Powell seconded, motion carried unanimously.

## **X. Membership Forum**

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

- Bill Wagner asked if the line items on the balance sheet are the same as the budget. Stacie explained the line items on the two reports are different. The approved 2019 budget will be mailed out to homeowners with a copy of the agenda for the budget ratification meeting scheduled for November 8, 2018 at 6 pm at Bud Beasley.

**NEXT MEETING SCHEDULES** –The Budget Ratification meeting is scheduled for November 8, 2018 at 6:00 pm at Bud Beasley Elementary School. A Board of Directors meeting to follow.

## **XI. Adjournment**

**Motion:** Being no further business, Briana Foroszowsky adjourned the meeting at 8:06 pm.

Respectfully submitted,