

Village at Monument Homeowners' Association (HOA)  
General Board Meeting

Via Zoom Videoconference

MINUTES from the  
May 13, 2020 meeting

Call to Order at 6:30 pm

Roll Call

**President:** JoAnne Hilton-Gabeler (Present)

**Vice President & Assistant to the Business/Finance Manager:** Carolyn Ihrig  
(Present)

**Secretary & Reporting Treasurer:** Carolyn Hodges (Present)

**Member at Large:** Joe Rubinstein (Present)

**Member at Large:** Phil Savage (Present)

**Member at Large:** Greg Lovato (Present)

**Member at Large:** Lorri White (Joined at 6:49 pm)

Owners Attending: Laura Kronick, Guenter Ihrig and Janet Savage.  
Tommie Plank joined at 6:56 pm.

APPROVAL OF MINUTES

President JoAnne Hilton-Gabeler moved and Carolyn Ihrig seconded that the edited Minutes of the May 6, 2020 meeting, prepared by Secretary Carolyn Hodges, be approved and posted to the HOA website. The motion passed unanimously.

AT ISSUES: WEST SIDE DECKS/MAINTENANCE RESPONSIBILITIES

President JoAnne Hilton-Gabeler reported that we currently have 4 decks with issues (2 that have been maintained and 2 that have not been maintained) in accordance with VAM HOA Declaration of Covenants, Article V, "Maintenance" Section 5.1(a):

..."Each Owner is hereby obligated to maintain all decks, covered porches, covered entries and patios within his Lot, within the limited Common Area associated with that lot, in a good and clean condition, which maintenance is hereby deemed **to include** sealing all floor surfaces thereof in a manner approved by the Association, and removing snow and debris there from.

**\*Subject to such maintenance by the Owner**, the Association will be obligated to (1) paint (**stain**) and (2) **repair** the exterior facing surfaces of such decks (*balconies*) **when**

**and if** the Association determines that **replacement** thereof is needed for (1) the aesthetic character of the Project (*the Village*) as a whole or (2) the safety of the Owners.” [Emphasis added]

President JoAnne Hilton-Gabeler reported that we have “soft concrete” in our driveways. (No rebar.) The HOA Covenants have a one (1) ton limit for trucks and this needs to be reviewed.

President JoAnne Hilton-Gabeler proposed that we get appropriate signage, stating that no trucks are allowed, for each Quad and driveway entrances on the East Side.

President JoAnne Hilton-Gabeler reminded the Board that our insurance agent, Tressa Bishop, was present at our last General Board meeting on May 6, 2020. She informed us that our present insurance policy does not include the driveways and concrete.

Carolyn Ihrig reported that our present insurance policy expires September 18, 2020 and we should look into covering the driveways and concrete under the new policy.

Discussion was held regarding the HOA’s responsibility to stain decks and the need to put aside money for this.

The Architectural Control Committee has the following issues to review:

- the 4 decks (color change, railing instability & safety issue)
- concrete crumbling in West Side Quads and the one (1) ton truck limits
- non-compliance altering of a Common Area
- garage door (exterior paint erosion)

A report will be given at the General Board meeting on June 10, 2020.

#### **COVENANT ENFORCEMENT RULE and Article V Section 5(a) [See Above]**

Discussion was held regarding the HOA's responsibilities when owners do not maintain their decks. A hearing before the Board may be necessary to resolve issues.

#### **ELECTIONS/NOMINATIONS COMMITTEE REPORT**

(The Committee is comprised of Chairman, Joe Rubinstein, Laura Kronick and Tommie Plank.) Chairman, Joe Rubinstein reported that the Committee met and still have some procedural issues to deal with. A full report will be given at the General Board meeting on June 10, 2020.

#### **RESERVE STUDY**

**(VAM HOA Rules, Regulations and Procedures)**

**“Exhibit F: Financial Planning and Procedures**

VI: Replacement Reserves 1. The Capital Reserves are intended for projected repairs and replacements to the Association’s common elements and commonly maintained property in future years. These expenses will be based upon a **Reserve Study**, which shall be conducted or updated at least every [three] years and reviewed annually.” [Emphasis added]

President JoAnne Hilton-Gabeler reported that the builders turned over the HOA to the owners in 2002. A Reserve Study, pursuant to the Rules, Regulations and Procedures, [above] has never been done.

A Reserve Study determines the life expectancy and how much money should be put away to meet the needs of the future.

At a General Board meeting in 2019 the Board approved that a Reserve Study, conducted by Aspen Specialties, in the sum of \$1,700 be undertaken.

President JoAnne Hilton-Gabeler reported that she is in the process of gathering all documents required to begin the Reserve Study. This process has been delayed due to the fact that the County Recorder’s Office has been closed due to the Pandemic.

Phil Savage stated that he had done an internet search on Reserve Studies and has three page of information he will forward to all Board members.

**BOARD MEMBER CODE OF CONDUCT/BOARD MEMBERS’ DUTY TO THE GOVERNING DOCUMENTS**

President JoAnne Hilton-Gabeler reported that it is necessary that all documentation be accurate, as recorded with the County Clerk & Recorder. It appears that there are \*6 different versions of the CC&R’s floating around and that the ones posted on the HOA website are not the correct ones!

\*With good intentions, previous Board members attempted to revise the governing documents. However, any revisions must be done in a legal manner.

**IT IS IMPERATIVE THAT ALL BOARD MEMBERS AND OWNERS ARE WORKING OFF THE SAME DOCUMENTS.**

President JoAnne Hilton-Gabeler stated that the Plat Map of the entire HOA property, which includes the location of all drainage ditches, is vital for The Architectural Control Committee and for Aspen Specialties, to begin the Reserve Study process.

As soon as the County Recorder's Office is open again, she will be able to obtain this Plat Map.

## **SONYA CAMARCO RESTITUTION**

Carolyn Ihrig reported on her conversation with Debra Oppenheimer, Esq. of Altitude Law, regarding the Sonya Camarco matter.

Ms. Oppenheimer spoke to Crystal Littrell of the Attorney General's office and was informed that when the Camarco case was settled, they wanted to get a restitution award for victims, but they were most concerned with putting Ms. Camarco in prison. They did this knowing that a restitution would likely not be paid and Ms. Camarco did go to prison.

Restitution amount increases by 8% interest each year until paid. There is a Restitution Officer at the court house but he/she will not be able to collect any restitution because Ms. Camarco has no current assets (she had transferred her assets prior to this time.)

Ms. Oppenheimer said the law does allow victims to obtain payment but you would need to know just what and where those assets are. She does not see an easy way for the HOA to collect the restitution and we will have to wait until Ms. Camarco is released from prison before even beginning a process of trying to collect the monies she embezzled from the HOA.

The HOA's restitution award will still be valid when Ms. Camarco gets out of prison, but that will be years from now.

Carolyn Ihrig informed the Board that if the HOA had carried \*fidelity/fraud insurance at the time Ms. Camarco embezzled funds from the HOA, that insurance would have covered the amount of the theft.

### **\*THE CURRENT BOARD DOES HAVE FIDELITY/FRAUD INSURANCE IN PLACE!**

\*President JoAnne Hilton-Gabeler stated that the HOA Board has a huge fiduciary duty and the lack of a fidelity/fraud insurance policy at the time of the embezzlement by Ms. Camarco, when she was HOA Treasurer, has cost the HOA a lot of money. The prior HOA Board should have known this.

NOTE: Sonya Camarco owned Lot 4 in our community and quit claimed it to the Camarco Living Trust in March of 2016 after the Court had entered the restitution award.

Tommie Plank bought Lot 4 from the Camarco Living Trust in 2019. Ms. Oppenheimer does not understand why our legal counsel did not advise us to demand payment from

the sale at the closing of that property.

#### **NEXT SCHEDULED GENERAL BOARD MEETING**

The next General Board meeting will be held at 6:30 pm, June 10,2020, via Zoom videoconference.

#### **ADJOURNMENT**

President JoAnne Hilton-Gabeler adjourned the meeting at 7:55 pm.

Respectfully Submitted,

***Carolyn Hodges\****

Carolyn Hodges  
Secretary/Reporting Treasurer

\*Signature on file with the HOA