

# Smugglers' Notch Homeowners' Association, Inc. ANNUAL MEETING - 2016

July 2, 2016
Meeting House at Smugglers' Resort
9:30 AM Call to Order

#### **SNHA, Inc. Annual Meeting**

- 9:30 AM Call to order Bob Oehrlein President noted that 74 homeowners were present representing 53 homes. A quorum being present, the meeting was called to order
- Introductions
  - New homeowners since last meeting were introduced and welcomed
  - Board members were introduced
  - Count of homeowners present by 5 year blocks representing number of years of ownership. Those present represented homeowners averaging more than 10 years of ownership.
- Review Schedule Bob reviewed the agenda

#### Old Business – Herb Lewis

- SNHA Bylaws Last year the motion below was discussed and tabled. Herb noted that upon further discussion and review, the cost of a review did not represent much of a cost savings, and that when an audit would be performed at some future date after a series of reviews, the audit would have to extend back to the last date of an audit, thus negating any savings that might be gained in the interim. A motion was made to withdraw the motion below, was seconded and approved by voice vote.
  - Article VIII, Section 7. (d.) to allow the SNHA
     Treasurer and Board to elect to have either an annual financial review, OR an annual audit of the SNHA books.

### Committee Reports – to be heard

- 2015 SNHA Annual Meeting Minutes Review for approval
- Financial Reports and Projections
- Executive Director's Report
- Open Issues with Smugglers' proposal to resolve
- Rental Balancing
- Damage Fund
- Real Estate Update
- Housekeeping and Quality Home Program
- Insurance Update
- Maintenance Update
- SNHA Office Staffing and Management Committee
- Technology Wi-Fi
- Nominating Committee Report and election of 4 Directors

### 2015 SNHA Annual Meeting Minutes

- Review for approval Kevin Rohrbacher, Secretary
   (See: SNHA Web site for 2015 copy of the Presentation –
   Minutes) asked for a motion to approve the 2015 minutes as
   posted on the web site below. The motion was made, seconded
   and approved by voice vote.
  - <a href="https://www.snha.net/home">www.snha.net/home</a> see Annual Meetings and reports

### Financial Reports and Projections

- Herb Lewis, Treasurer
  - 2015 Audit the audit is underway and will be available later in the summer, fall. The delay was due to a search for a new affordable auditor.
  - 2015 Year end reports presented as follows.
  - SNHA fee structure review see quick links menu at <a href="https://www.snha.net/home">www.snha.net/home</a> for Structure and Fees
  - 2016 Year to Date Reports as follows with Projections for 2016 Year End to be positive.
  - 2017 Budget will be based on a SNHA Basic Service fee or \$430 per home for the year. Other fees for service will be reviewed in the fall of 2016 by the Board and adjusted as may be needed to cover projected expenses and provide for a modest year end gain.

# Smugglers' Notch Homeowners Association Inc. Balance Sheet

#### FY16 (As of 5/31/16) and FY15

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	FY16	<u>5 (5/31/16)</u>	<u>1</u>	<u>2/31/15</u>			
ASSETS							
Cash	\$	55,976	\$	105,186			
Accts Receivable - net of allowance	\$	294,387	\$	44,880			
Legal Trust	\$	3,257	\$	3,257			
Inventory	\$ \$	4,658	\$	5,032			
Regime Trust Accounts	\$	601,509	\$	482,764			
Funds in Transit	\$	-	\$	7,480			
Rent Deposit	\$	600	\$	600			
Property, Plant, Eqpt. (net of Deprec.)	\$	300	\$	<u>655</u>			
Total Curent Assets	\$	960,687	\$	649,854			
Liabilities and Members Equity							
Liabilities							
Accounts Payable	\$	97,593	\$	28,919			
Insurance Reserve	\$	30,909	\$	14,798			
Regime Trust Accounts	\$	601,509	\$	482,764			
Other Liabilities	\$	<u>97,505</u>	\$	4,816			
Total Liabilities	\$	827,516	<u>\$</u>	531,297			
Members' Equity	\$	133,171	\$	118,557			
Total Liabilities and Members' Equity	\$	960,687	\$	649,854			

### Smugglers' Notch Homeowners Association Inc. Statement of Operations and Members' Equity

	<u>FY16 (</u>	to 5/31/16)	<u>FY15</u>		
Revenues					
Basic Service Fee	\$	49,444	\$ 111,340		
Accounting/Insurance Services	\$	7,870	\$ 24,097		
LP Gas Fees	\$	3,097	\$ 6,194		
<b>Total Core Operations Fees</b>	\$	60,411	\$ 141,631		
Interest Income	\$	12	\$ 48		
Total Income	\$	60,423	\$ 141,679		

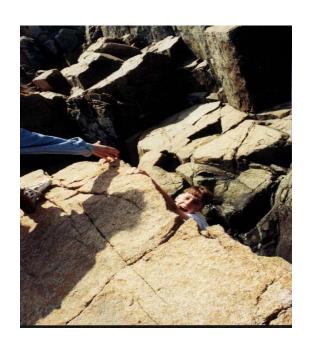
# **Expenses -Operations**

Expenses	FY 20	16 To 5-31-16	2015		
Payroll & Benefits	\$	32,227	\$	80,535	
Administrative & Office	\$	14,469	\$	27,637	
<b>Bad Debt Expense</b>		-		-	
Payroll Taxes	\$	2,917	\$	6,941	
Accounting Fees		-	\$	9,565	
<b>Board &amp; Homeowner Meetings</b>	\$	1,429	\$	3,252	
<b>Professional Fees</b>	\$	7,236	\$	1,497	
<b>Total Core Operations Expenses</b>	\$	58,278	\$	129,427	
<b>Net Ordinary Income</b>	\$	2,145	\$	12,252	

# Expenses – Services to Regimes and Homes

Other Revenues	FY20	16 5-31-16	2015
<b>Homeowner Services</b>	\$	5,196	\$ 10,797
<b>Contract Cost Recovery</b>	\$	44,356	\$ 106,460
Regime - Budget & Planning	\$	5,150	\$ 11,000
Regime Service Fees	\$	10,217	\$ 34,349
Other	\$	4,450	\$ 8,575
<b>Total Other Income</b>	\$	69,369	\$ 171,181
Other Expenses			
<b>Homeowner Services</b>	\$	45,594	\$ 120,999
Regime Services	\$	11,307	\$ 28,698
<b>Total Other Expense</b>	\$	56,901	\$ 149,697
<b>Net Other Income</b>	\$	12,468	\$ 21,484
Excess (Deficiency) Revenues over Expenses	\$	14,613	\$ 33,736

# **Executive Director Report Joe Hester Ingram**



Joe reported that he has recovered from his surprise surgery last summer to correct an aortic aneurysm and truly and sincerely appreciates the support and well wishes from the SNHA Board and homeowners given during the summer and early fall recovery period.

The homeowners should continue to be thankful and proud of the service to the Association by the homeowners who serve as volunteer Directors for SNHA and the various Regimes. Smugglers' is indeed a unique vacation community of homeowners who continue to demonstrate pride in their properties and the contributions they make to the overall success of Smugglers' Notch Resort.

The reason stated by the overwhelming majority of new homeowners when they purchase at Smugglers' is their desire to join the Smugglers' Community and experience the values they recognize are shared by and are available to the families at Smugglers.







America's Family Resort<sup>™</sup>

# Negotiating Recreational Access

Michele Cloke, Lisa Howe & Jay Kahn

### Background

 Resort announced last year a replacement of Fun Zone with a more elaborate free standing building with multiple and more sophisticated activities to appeal to a broader audience in place of the inflated bubble covered indoor tennis court that was converted several years ago as a year-round fun zone for young children.

 Michele Cloke and Jay Kahn selected to engage the resort in conversation for homeowner access to the enhanced upgraded fun zone. Lisa Howe and Bill Stritzler participated for the resort.





# Background (cont.)

- Also, the village fee has been in dispute for years without full transparency of the expenses charged to maintain common areas. There is a current litigation between a homeowner family and the resort regarding village fees in which the court has issued orders.
- The Fun Zone permit has been issued but open issues still remain to be resolved.
- In 2008 the resort cancelled the contracts that were in place and adopted new agreements that have left multiple open issues.





### Background cont.

- For the past 2 months, Michele Cloke, Jay Kahn and Lisa Howe have met 1-2 times per week to create a process to resolve long term issues associated with common land use, access and associated expenses. A few weeks ago we agreed to a process to negotiate all of these issues.
- It became apparent in the discussion that the broader unresolved issues of
  - what is common land,
  - what is the cost to maintain common land,
  - how is access to use the common land defined, and
  - how can facilities located on common land be used

all need to be resolved.





### Objectives — the following have been agreed upon

- Build a committee and find a facilitator to work through the challenges/issues associated with defining regime property/common property and resort property based on deeds, plats and the like that yield recreational use throughout the resort for all full owners and their immediate families.
- Sharing all of the operating costs of maintenance, property and village fee with full disclosure and agree to proper apportioning. All information shared will be treated as strictly confidential and not for distribution outside of the committee until the entire committee agrees to disclose it.





### Objectives

 Recognize that this arbitration/planning process cannot interfere with resolving Fun Zone or Village Fee current process activities, however members of the committee will not use information gained from this arbitration/planning process to influence the Fun Zone or Village Fee current process activities without the consent of the entire committee.

 Create a reasonable meeting location and schedule for the committee members to participate.





# Objectives

- Set a timeline to complete the process, ideally by the July 4<sup>th</sup> Annual Meeting of 2017, that will ultimately be presented to a VT court to ensure obligations into the future for sale of homes or resort assets as well as minimize all party legal costs associated with this activity.
- Create penalties to ensure negotiating in good faith, either financial or non-financial.





### Objectives

- The SNHA Board and Smugglers' Management Team will empower the committee to represent the constituencies present in a good faith binding fashion. This does not state we will reach a conclusion, but if we do come to a consensus and make recommendations, it can't be vetoed by the board or management. Individual owners will continue to have rights that they can exercise any way they want.
- Separate access to facilities for Owners and their immediate families from any access that Owner-procured renting guests would have.





### **Next Steps**

- Binding for both the resort and board members, not individual Homeowners
- Limited time to complete with results announced at next year's annual Homeowner meeting
- Current disputes regarding VF (court decision) and FZ (Act 250 commission) will continue to evolve outside of this process.
- Next steps are to form committee and seek interested volunteers
- Contact the SNHA office if you are interested in joining the committee by submitting a statement of interest and resume via email to joe@snha.net





# Rental Balancing Committee Lucia Homick and Kevin Rohrbacher

Management uses its best efforts to see that revenues are spread evenly among the renting homes

- Rental Balancing Snapshot 2X a year
  - Cumulative \$ since Oct 2006
  - HO use (\$) + Rental Income (\$)
  - By Regime By Like Size unit

### Rental Balancing Report Results

```
+ 10% outliers (31 homes) – above average
39% Five Star Plus (12)
29% Lots of HO use (9)
13% On the cusp (4)
19% Miscellaneous (6)
```

### Rental Balancing Reports – Results

```
- 10% outliers (33 homes) – below average
24% 5 Star impact (8)
27% QHP issues (9)
21% On the cusp (7)
28% Misc (9)
```

### Rental Rates

#### Kevin Rohrbacher

- Overview of Homeowner Rate Adjustment Methodology:
- The impact of seasonal pricing (rate) adjustments are made by overlaying a proposed new pricing grid on a detailed financial model which has been balanced with the actual outcome of the previous season's results. This includes:
- -Actual weekly occupancy stated in Guest Night volume
- -Actual package purchased, by length of stay, by rate period
- -Actual discounts and surcharges applied as a matter of policy
- The change in revenue indicated by the revised rate grid superimposed on the final results from the previous season, once adopted, becomes the determination of the "rate change". This is expressed as a percentage, positive or negative, and becomes the Homeowner rate modification factor indicated for the prospective season.

#### Overview Continued......

Historically rates have been adjusted with an emphasis on stimulating longer stays for Family Vacation guests, and encouraging a balanced demand on the existing bed inventory.

Recently, modifications have included changes in daily rate structure ranging from a lower cost for every subsequent day, to price breaks at 3 or 4 days only, to same price for every day of the stay. Many other "tweaks" are included based upon detailed analysis of competitive pricing and guest booking behavior.

Over time we have made necessary modifications to the dates of certain rate periods, especially adjacent to Holiday dates, to be in line with school vacation calendars, and the general trend toward shorter stays throughout the industry.

Ultimately the financial outcome for the SNR and the Homeowners in any given year is a function of the guest volumes generated by rate period over the course of the Winter and Summer seasons. The ever changing realities of weather, economic circumstances, competition, and our success in conveying high value in lodging and programming are a constant challenge.

Rates and data are available upon request to Homeowners participating in the Smugglers" rental program at Smugglers.

Send your request via email to joe@snha.net

# Damage Fund

Jay Kahn George Belansek

Report on 2015 data

# What is the Damage Fund?

- The Fund is available to Full owners renting through SNMCo
- Fund is to socialize small expense associated with rentals
- Contributions are 5% of gross HO rental by
  - 2.5% SNMCo
  - 2.5% HO

### **Fund Amounts**

### • Reviewed 2015 Data

	2016 YTD	2015	2014	2013
Projected	\$101,028	\$225,152	\$230,894	\$272,579
Actual	\$100,303	\$271,533	\$177,419	\$265,579
Increase/ (Decrease)	\$10,361	\$94,114	(\$87,160)	(\$73,338)
Gross HO Rental	\$2,020,560	\$4,504,030	\$4,617,880	\$5,451,580

### Use of Funds 2015

Top-10 Items expensed	and	ad	dresse	þ
for 2015				

Vacuum Cleaner –	\$9,160.73
Bedpad - Twin - Requested	\$5,338.45
Blanket -Twin - Requested	\$5,020.73
Hookless shower curtain- Requested	\$4,912.42
Blanket - Queen - Requested	\$4,795.57
Blanket - King - Requested	\$4,452.85
Cookware - Chicken fryer pan- Requested	\$4,318.28
Traffic Area clean- request	\$4,087.00
Cookware - 8 inch skillet-frying pan - Requested	\$3,925.61
Coffee Maker Missing/broken	\$3,665.35

#### New "Loaner" Program being implemented

- Goal: Reduce costs for ALL owner types
- Items in initial Loaner Program:
  - Vacuum Cleaners
  - Blankets (all sizes)
  - Fans
- 4 of the Top-10 Damage Fund items in 2015 are in the Loaner Program
- Items put into homes on guest request at a fixed fee significantly lower than a new item
  - Vacuum Cleaners: Typically need cleaning & new belts / simple repair
    - Smuggs will clean / repair / and refurbish vacuum cleaners then put back into service until no longer serviceable
- New items will enter loaner pool as we run short of supply, homes getting a new item if a loaner is not available will pay new cost
- Loaner items have a separate storage location and charge bar-code to designate them as loaners

### Observations

- Upward spending bump in 2015
  - 2016 is returning to a lower level close to projection
- New Loaner Program expected to reduce expenses for those items by more than 50% each year
- HotSOS provides a finer granularity for insight into damage fund charges
  - Leads to actionable insights

### Suggestion for 2016-17

- Mattress encasements have replaced bedpads in all club homes.
  - Use of mattress encasements eliminates the need to steam clean the mattress and prevents any chance of pest infestation
    - Cost of encasement roughly equal to one steam cleaning
    - Recommend owners consider replacing bedpads with mattress encasements

# Real Estate Report – Barbara McGee

Smugglers Sal	les - Full d	owner ho	mes						
2014-2016									
Compiled by S	SNHA fro	m public	records						
		Bdrm				Cambridge	SalePrice to Cambridge	Average SalePrice	
Date	Unit	Bath	Listing Agent	Р	urchase Price	Listed Value	List	to Cambridge List	Period
1/13/2014	MV 14	3 and 2	Smugglers-Betty	\$	205,000	\$ 195,500	1.05		
1/13/2014	MV 41	4and 4	Smugglers-Betty	\$	240,000	\$ 262,700	0.91		
2/26/2014	H 03	1 and 1	Smugglers-Betty	\$	67,000	\$ 90,900	0.74		
3/14/2014	LS 19	1 and 1	Smugglers-Betty	\$	72,000	\$ 85,000	0.85		
3/14/2014	LS 20	1 and 1	Smugglers-Betty	\$	143,100	\$ 156,400	0.91		
3/27/2014	MV 01	1 and 1	Smugglers-Betty	\$	110,000	\$ 115,600	0.95		
3/28/2014	MV 04	3 and 2	Smugglers-Betty	\$	197,500	\$ 195,500	1.01		
5/13/2014	LS 23	1 and 1	Smugglers-Betty	\$	78,000	\$ 85,000	0.92		
5/20/2014	SS 33	3 and 3	Smugglers-Betty	\$	289,000	\$ 268,800	1.08		
8/28/2014	N 09	1 and 1	Smugglers-Betty	\$	60,000	\$ 73,900	0.81		
9/26/2014	C 09	4 and 3	Smugglers-Betty	\$	161,000	\$ 232,000	0.69		
6/20/2014	TE 03	3 and 3	Smugglers-Betty	\$	335,000	\$ 397,100	0.84		
10/31/2014	MV 31	4 and 3	Smugglers-Betty	\$	245,000	\$ 262,700	0.93	0.90	2014
1/23/2015	H 16	2 and 2	Smugglers-Betty	\$	204,500	\$ 224,000	0.91		
5/8/2015	LS 37	2 and 2	Smugglers-Betty	\$	270,000	\$ 397,100	0.68		
9/4/2015	SS 40	3 and 3	Smugglers-Betty	\$	225,000	\$ 255,300	0.88		
10/28/2015	LS 30	1 and 1	Smugglers-Betty	\$	93,500	\$ 88,700	1.05		
11/13/2015	C 27	5 and 4	Smugglers-Betty	\$	150,000	\$ 225,500	0.67	0.84	2015
1/11/2016	MV 35	4 and 3	Smugglers-Betty	\$	145,000	\$ 262,700	0.55		
2/4/2016	N 20	1 and 1	Homeowner	\$	100,000	\$ 129,400	0.77		
3/9/2016	TE 05	3 and 3	Smugglers-Betty	\$	278,500	\$ 400,200	0.70		
3/27/2016	TE 04	3 and 3	Smugglers-Betty	\$	313,500	\$ 397,100	0.79		
4/8/2016	TE 01	3 and 3	Smugglers-Betty	\$	295,000	\$ 397,100	0.74		
6/9/2016	LS 02	1 and 1	Jane Kiley	\$	65,000	\$ 85,000	0.76	0.72 0.84	2016 Overall
								0.04	Overall

# Housekeeping and Quality Home Program Florrie Page reported

- 1. Having a good season. Crew is international partnered with regulars
- 2. Homes are reported to be in Best condition ever in early summer

#### QHP- Implemented once a yr inspection/action list - Lauren

- 1. Thanks to the homeowners rapid response with 85% of homes in compliance with action lists.
- 2. 9 homes off
- 3. Introduction of Laurie Thorp as QHP Coordinator
- 4. Picture program will start in late July guests must commit to stay in the pictured home.
- 5. State of Vermont changes smoking is now prohibited in all homes
- 6. Guest comments go into action list for QHP. Furnishings get attended to, décor not in standards list

# **SNHA Insurance Overview 2016-17 - Joe Ingram**

Master Policy – covers 100% replacement cost for the building properties and structures and some built in furnishings and General liability of the group at \$1,000,000

- Property Loss based on agreed upon values
- Terrorism
- Directors and Officers for Board, Regime Directors and volunteer leaders
- Umbrella extending liability to \$50,000,000
- Fidelity bond on staff handling funds
- Records loss and recovery for SNHA and Regimes

See link for full program review.

www.snha.net/home quick link to Insurance Program

# Home contents, renter's liability, and loss of use and/or rental income

- Separate policy from the master policy, and is <u>the responsibility</u> of the homeowner to obtain and pay for separately.
- May Use Associates of Glens Falls
- Shop and select an agent of your choice. Be sure to understand the limits of the master policy so you can be sure your unit owner policy limits your exposure to loss without duplicating or carrying excessive coverage.

#### **Homeowner Unit - Coverage to obtain:**

- "Renter's liability"
- "Loss of rental income or use of your home"
- Betterments and improvements
- Be sure that your agent is familiar with how your Smugglers' home is used in order to include all the necessary components for your situation.

# Insurance Reserve Fund maintained by SNHA to cover out of pocket deductible

- Deductible is currently at \$5,000.
- Annual Cost to Homeowners is \$35 125
- Covers losses between the first \$1,000 and \$5,000.
- Insurance kicks in at \$5,000
- Sometimes Home Unit policy will cover a portion of the deductible

### Maintenance Report – Tracy Whitney



Since 2014 the SNHA involvement in assisting homeowners with interior maintenance projects has grown dramatically. Meetings with both the Quality Home Program and the SNMCo Maintenance department occur regularly to discuss upcoming projects and how best to complete them. Moving into 2017 SNHA will have designated weeks to complete services. These homeowner services are categorized in 2 ways. **Group** or **individual**.

#### **Group Services:**

- are preplanned, offered through email notification, time sensitive and include an SNHA flat fee
- Asbestos testing (2012- 13 continuing as needed)
- Tub/Tile Cleaning (spring/fall)
- Flat Screen TV Installation (2015)
- Water Heater Replacement (annually)
- Baseboard Heater Replacement (2015-16)

#### Individual services are

- specific to one home, time sensitive, reviewed by professional and SNHA fee is based on time spent.
- Appliance replacement
- Flooring
- Kitchen/Bath remodel
- Furnishings
- Fixtures
- Refinishing
- Interior Design work

#### What time sensitive means...

- Scope of the work is defined (what, when, how)
- Vendor/Contractor identified (qualifications, availability, price)
- Homes are reviewed (by the professional)
- Estimates are provided for homeowner approval
- Work is scheduled and tracked through the SNHA office
- Photo follow up upon completion (QHP is notified- if action item)



The path to successful completion starts with <u>early communication</u>

# Home Inspection Program Bob Oehrlein

Another service that SNHA provides on a monthly basis that has been received extremely well is the Home Inspection Service.

- Homes are reviewed once a month around rentals to check for safety issues, heat settings, signs of water damage, lights on, doors or windows that may be left open etc.
- A report is issued with photos to document the inspection and are sent to the homeowner within 24 hours
- Maintenance issues are brought directly to the homeowners' attention and any emergency issues are called into the resort immediately
- The cost is \$15 a month and invoiced bi-annually.

Overall inspections serve as an extra pair of eyes on your home to bring peace of mind to you in between your visits. If you are interested in more details, please contact Tracy.

### SNHA Staff and Office Management

Florrie Paige and Michele Cloke

After Joe's surgery last summer, a committee was formed in the fall to work with him to learn more about the total functions of the SNHA and the roles and tasks completed by each staff member.

The committee goals are:

- To learn the details of what services are provided and the time commitments required by each staff
- To evaluate how best to maintain those services in the future as Joe reduces his role with SNHA
- To understand what aspects of the SNHA services are best provided by employees and what services could be contracted out if desired

### Technology – WiFi

Bob Oehrlein reporting for Lonny Gee



# Nominating Committee – Election of 4 Directors

Florrie Paige

This year there are 4 Director positions open, each with 3 year terms ending in July 2019. The nominating committee has recommended to the Board and the Board has approved nominations as follows for 3 Directors whose terms end in 2016 to be re-elected for terms to end in 2019:

- Kevin Rohrbacher, LS 58 and LS 02
- Barbara McGee C 28
- Michele Cloke LS 12
- The Nominating Committee has also recommended and the Board has approved the nomination of:
  - Elizabeth Waldvogel RS 59 nomination for a Director position with term to end 2019.

The motion was made and seconded from the floor to accept the nominations as listed above and elected the directors as listed. Approval by voice vote was unanimous.

New Business – Bob Oehrlein reported and gave a BIG Thanks to Steve Hoey. For his service to the Board.

Other Business – Bob Oehrlein There being no other business -The Meeting was Adjourned

Lunch was provided by Smugglers' Resort and included a presentation by Bill Stritzler and Staff

A Social Gathering and Picnic was held by SNHA

on Saturday July 2nd, 2016, at the tent at the base of Morse Mt on the common ground at Smugglers' Resort 5:00 – 7:00 PM.

Hamburgers, hotdogs, and soft drinks were provided. Homeowners brought side dishes and desserts to share with others. Donations were collected to benefit the Cambridge Food Shelf. A representative from the Food Shelf was available. Please join your fellow homeowners in their support the local community! Additional donations may be received at SNHA PO Box 244 Jeffersonville, VT 05464. Make payable to the Cambridge Food Shelf.

## Happy July 4<sup>th</sup> Holiday!

