

Reserve At Ute Creek Homeowner's Association Approved Minutes

MEETING DATE: February 1, 2006
PUBICATION DATE: February 28, 2006
SUBMITTED BY: Gary Mutz, Acting Secretary

Meeting attendance:

- ✓ Scott Abrahamson
- ✓ Chip Haring
- ✓ David Sanders
- ✓ Gary Abbuhl
- ✓ Bob Lee
- Bill Hallett
- ✓ Gary Mutz

Agenda

- Call to order
- Board Officer Posts
- Old Business
- New Business
- Next Board Meeting
- Adjournment

Call to Order

The meeting was called to order.

Board Of Directors Office Postings Nominations

The following nominations were made, seconded, and approved by the meeting attendees:

Chip Haring - President
David Sanders - Vice President
Gary Abbuhl - Treasurer
Bill Hallett - Secretary [pending Bill's acceptance]
Bob Lee - Member At Large

Financial Review

Gary Abbuhl reported that only three out of seventy homes have not yet paid their annual dues payment. Collection efforts will continue.

Old Business

Common Area Improvements, Maintenance, & Repairs
Improvements:

The Board discussed the subject of the HOA membership desiring a visible return on their annual dues/investment. The Board agreed to initiate the solicitation of member feedback on what ideas they have for neighborhood improvements, including:

- Annual year end holiday lighting of common areas
- 17th Avenue entrance landscaping & monument improvements
- Repair of sink holes and water sprinkler systems
- General site beautification
- Site amenities, including swimming pool installation and other conceptual ideas

Action Item: Bob Lee will draft a survey document for consideration by the Board – Due date TBD

Maintenance:

Ward Landscape is expected to submit a bid for neighborhood landscape services to the Board by February 8th. Action Item: The Board will review the bid prior to contract approval.

Board members would like to see Ward Landscaping better control the watering levels along 17th Ave. No specific action item identified

Board members will investigate where City and neighborhood maintenance areas intersect along the landscaped area on 17th Avenue. No specific action item identified.

Leaning Fence columns: Board members noted specific instances of brick fence columns beginning to lean and damage the surrounding wood fence construction. Action Item: Bob Lee and Gary Mutz will inspect the fence and brick columns, making recommendations to the Board at the next meeting, including initiation of a request for quotation for repairs.

17th Avenue neighborhood entrance – top light of three lights: The top fixture is currently removed and in the possession of Bob Lee. Action Item: Bob Lee and Gary Mutz will inspect the light's location and make a recommendation to the Board for action at the next meeting.

Design Review Committee

Two areas of CC&R violations continue on a random manner:

- Trash cans / recycle cans stored outside the garage
- RV / Boat storage within the neighborhood in excess of the 72-hour limit

Board discussed the desire to ensure consistency of extension approvals requested by HOA members for specific issues, with an example of winterization maintenance for boats. Past violations of the 72-hour rule were addressed to specific homeowners, with extensions provided informally by the Board.

Gary Mutz voiced concerns that the current CC&R violation notification process was slow in execution and required repeated first notifications due to the one-year expiration date previously adopted by the HOA. The current process requires filing a written first notification to the Board, gaining three signatures, then mailing the notice by way of certified mail. Action Item: Gary Mutz & Bob Lee to propose improvements to the process. Chip Haring and Gary Mutz will discuss the process further. Due date by next meeting. The Architectural Review Committee needs membership. Action Item: Gary Mutz will get the ARC binder from Chris Ringman by next meeting.

New Business

Common Area Improvements

The Board discussed the subject of the HOA membership desiring a visible return on their annual dues/investment. The Board agreed to initiate the solicitation of member feedback on what ideas they have for neighborhood improvements, including:

- Annual year end holiday lighting of common areas
- 17th Avenue entrance landscaping & monument improvements
- Repair of sink holes and water sprinkler systems
- General site beautification
- Site amenities, including swimming pool installation and other conceptual ideas

Action Item: Bob Lee will draft a survey document for consideration by the Board - Due date TBD

Next Board Meeting

The next Board meeting will be on Wednesday, March 1st at David Sanders' home, 1239 Reserve Drive at 7:00 p.m.

Agenda: Will be provided by Chip Haring

Adjournment

Reserve At Ute Creek Homeowner's Association Approved Board Meeting Minutes

MEETING DATE: March 1, 2006
PUBICATION DATE: March 13, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- ✓ Bob Lee, Member-at-Large
- ✓ Gary Mutz, Alternate
Scott Abrahamson
Chris Zimmer

Agenda

- Call to order
- Board of Directors Office Postings
- Old Business
- New Business
- Next Board Meeting
- Adjournment

Call to Order

The meeting was called to order at 7:10 PM.

Board Of Directors Office Postings

Bill Hallett (who was absent from the Feb. 1 meeting) confirmed his acceptance of the post of Secretary.

Old Business

Common Area Maintenance, Repairs, & Improvements

Maintenance:

1. Landscaping Maintenance Contract

Ward's Lawn Service submitted a bid of \$17,689 as a 2-year contract proposal. This is about 25% higher than last year.

Chip reported that Ward's Lawn Service was among the lowest bids received in prior years. It is very difficult to estimate actual increases because the bids include some items, such as snow removal, that are billed on an as-needed basis.

Watering along 17th Ave. was high last year because of allowing runoff to flow onto the city-maintained strip. The city is currently installing sprinklers along this strip at the Board's request so that runoff can be reduced this year. The Board will request that landscaping firms post signs whenever turf areas are treated with fertilizer or herbicides.

Based on the discussion above, the Board voted to accept the bid from Ward's Lawn Service and approve Ward's Lawn Service as the landscape maintenance contractor for 2006-2007. **Action Item:** Dave Sanders will return the signed contract to Ward's Lawn Service.

2. Leaning Brick Columns and Damaged Fence

Leaning Brick columns: There are two instances of brick fence columns beginning to lean and damage the surrounding wood fence construction. Repair bids were received of \$500 per column. The Board voted to approve this expense and have the repairs made. **Action Item:** Bob Lee and Gary Mutz will arrange for the repairs to be made.

Damaged Fence: One area of damage was note that is probably due to dogs. **Action Item:** Chip will send a letter to the homeowners requesting that they repair the damage.

Bowing Fence: A section of fence adjacent to the apartment complex is bowing and will probably break if action is not taken. The damage appears to be caused by stone that has been backfilled against the fence by the apartment complex landscaping. The fence is apparently being used as a retaining wall by the apartment complex. **Action Item:** Dave Sanders will send a request to fix this situation to the apartment complex.

Fencepost Damage: Several fencepost show evidence of damage caused by weed-whackers. Installing galvanized steel collars at the foot of each post could easily prevent further damage. The Board proposed that Board members and/or homeowners do this during the annual May flower bed planting. **Action Item:** Bob Lee and Gary Mutz will count the number of fenceposts needing collars, and obtain enough collars, hardware, and paint to make the repairs in May.

3. 17th Avenue neighborhood entrance

The top light fixture is currently in the possession of Bob Lee. **Action Item:** Bob Lee will arrange to get this repaired by an electrician.

Improvements:

The Board continued discussion of common-area improvements to provide to the HOA membership a visible return on their annual dues/investment. Bob Lee showed a draft of a survey he has prepared for the HOA membership to review, comment on, and prioritize various ideas. Bob will prepare a final draft that includes several ideas:

- o Annual year end holiday lighting of common areas
- o 17th Avenue entrance landscaping & monument improvements
- o Xeriscaping or other general site beautification

The final draft will also include a request for HOA members to include any other ideas they have and to prioritize the improvements. Bob will also include a comment about the improvements being in the \$2,000 - \$3,000 range. **Action Item:** Bob Lee will send out a final draft of the survey for the Board to review.

The Board would also like to include cash flow and tax analysis in the decision-making process. **Action Item:** Gary Abbuhl advise on financial considerations, including expense versus capital limits.

After review of survey results, the Board will solicit bids and decide which improvements to pursue.

Architectural Review Committee

There have not been any recent filings of landscaping or architectural plans. Therefore, the Board decided to defer appointment of an Architectural Review Committee until an ARC is needed. The Board Secretary will keep and maintain the ARC binders until formation of an ARC.

Board members will handle CC&R violations.

Two areas of CC&R violations continue in a random manner:

- Trash cans / recycle cans stored outside the garage
- RV / Boat storage within the neighborhood exceeding the 72-hour limit

Board discussed the desire to ensure consistency of extension approvals requested by HOA members for specific issues, with an example of winterization maintenance for boats. Past violations of the 72-hour rule were addressed to specific homeowners, with extensions provided informally by the Board. The Board would like to continue this practice. Following is the proposed process for notifying homeowners of CC&R violations and associated penalties:

1. An archival copy of all notifications to be provided to the board.
2. For the **first notice**, any Board member will fill out a Notice of Noncompliance, initial it and send it via regular First Class mail.
3. For the **second notice**, any Board member will fill out a Notice of Noncompliance and then have three Board members initial it. The notice will be sent via Certified mail (about \$7.00). [This is really the LAST NOTICE, as the third letter will include fines and/or interest.]
4. For the **third notice**, any Board member will fill out a Notice of Noncompliance and then have three Board members initial it. The notice will be sent via Certified mail. This third notice will include a fine of \$100, another \$100 fine for any reoccurrence, and if not paid, will incur a 21% interest penalty.
5. The expiration of the repeat offender process is **extended from the current one year to two years**. This means that an HOA member must go two years (from the date of the first notice) without repeating the initial offense to avoid second and/or third notices. After two years, the HOA member will receive a first notice if the specific violation occurs again.

Extensions: Any HOA member may request an extension of the 72-hour limit by asking a board member to provide a brief note, dated and signed or initialed, to authorize extension of the 72-hour limit for a specific time period. An extension approval is required for each specific instance.

New Business

Annual Spring Planting

The Annual Spring Planting will occur in May. This year, the HOA will plant and mulch the beds, and also perform some minor maintenance on the fence posts. The Board discussed having a block party and barbecue this year.

Action Item: Gary Mutz will ask Linda to bring this up at the next Bunko club meeting to see if anyone is willing to organize the event. **Action Item:** TBD will contact Chuck Murphy about where to get “gorilla hair” mulch.

HOA Web page

The Board wants to explore setting up a web page for the HOA. It would be a read-only page with contact information, minutes, calendar, CC&R’s, and Forms. **Action Item:** Bill Hallett will check into approximate costs to set up a web page.

Next Board Meeting

The next Board meeting will be on Wednesday, April 5th at Chip Haring’s home, 1315 Whitehall Drive, at 7:00 p.m.

April 5th Agenda:

- Call to order
- Old Business
 - Ward’s Lawn Service contract
 - Fence Maintenance (brick columns, dog-damaged boards, bowed fence adjacent to apartment complex, collars for fence posts)
 - Electrical fixture for 17th Ave entrance
 - Improvements Survey
 - ARC and Notice of Noncompliance process
 - Annual Spring planting planning
- New Business
- Next Board Meeting
- Adjournment

Adjournment

The meeting was adjourned at 8:35 PM.

Reserve At Ute Creek Homeowner's Association Board Meeting Minutes

MEETING DATE: April 5, 2006
PUBICATION DATE: June 5, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- ✓ Bob Lee, Member-at-Large
- ✓ Gary Mutz, Alternate

Agenda

- Call to Order
- Approve Previous Meeting Minutes
- Old Business
- New Business
- Next Board Meeting - Thursday, June 8, 2006, Chip's House
- Adjournment

Call to Order

The meeting was called to order at 7:40 PM.

Previous Meeting Minutes

The March 1, 2006 Meeting Minutes were approved without corrections.

Old Business

Common Area Maintenance, Repairs, & Improvements

Maintenance and Repairs:

1. Landscaping Maintenance Contract

The Board amended the contract to specify that landscaping firms post signs whenever turf areas are treated with fertilizer or herbicides.

Dave Sanders has returned the signed contract to Ward's Lawn Service.

The Board requested that the contract be further amended to not include snow removal from neighborhood streets (the City of Longmont does this).

Action Item: Chip Haring will check with Gary Abbuhl to make sure we did not pay for this when we had snow in Feb. **Action Item:** Dave Sanders will contact Ward's to make this change.

2. Leaning Brick Columns and Damaged Fence

Leaning Brick columns: There are two instances of brick fence columns beginning to lean and damage the surrounding wood fence construction. the

Board approved repairs at \$500 per column. Bob and Gary arranged for repairs to be made on April 22. **Action Item:** Bob Lee will send a note to affected homeowners before repairs are made.

Damaged Fence: One area of damage was noted that is probably due to dogs. Chip sent a letter requesting the homeowner to repair the damage. **Action Item:** Chip Haring will follow up in a month or so. If repairs have not been made, he will visit the homeowner to discuss the matter.

Bowing Fence: A section of fence adjacent to the apartment complex is bowing due to stone backfilled against the fence. Dave requested that the apartment complex fix this, and they installed some metal flashing. The Board does not accept this as an adequate repair. **Action Item:** Dave Sanders will talk with the apartment complex management again to request a more robust solution.

Fencepost Damage: About 100 fenceposts have damage caused by weed-whackers. **Action Item:** Bob Lee will obtain collars, hardware, and paint to make the repairs in May during the annual flower bed planting event.

3. 17th Avenue neighborhood entrance

The top light fixture is currently in the possession of Bob. **Action Item:** Bob Lee will arrange to get this repaired by an electrician.

4. Real Estate Sign Non-Compliance

One homeowner has posted two "For Sale" signs. **Action Item:** Dave Sanders will contact the real estate company to remove one of the signs so as to comply with the CCR's.

Improvements:

1. The Board continued discussion of common-area improvements to provide to the HOA membership a visible return on their annual dues/investment. The Board made final changes to Bob's draft survey form, including a due date of June 15. **Action Item:** Bob Lee will distribute surveys during the week of April 10. He will include the date for the Annual Spring Planting (see below).
2. Chip discussed improvement projects with Gary, who advised caution since this is not in the current budget.
3. After review of survey results, the Board will solicit bids and decide which improvements to pursue, and when.

Architectural Review Committee

1. The Board Secretary will keep and maintain the ARC binders until formation of an ARC. This will be done on an as-needed basis.
2. The Board reviewed the suggested updates to the process for notifying homeowners of CC&R violations and associated penalties and agreed to update the forms to reflect these updates. Refer to the March 1, 2006 meeting minutes for details.
3. **Action Item:** Chip Haring will forward a soft copy of existing forms to the Secretary (Bill Hallett).
4. **Action Item:** Bill Hallett will update and distribute the forms to the Board Members.

Annual Spring Planting

1. The Annual Spring Planting will occur in May. This year, the HOA will plant and mulch the beds, and also perform some minor maintenance on the fence posts. Harvey Lang agreed to provide plants again this year. **Action Item:** Dave Sanders will arrange the specific date with Harvey Lang.

HOA Web page

1. Bill requested a spec and bid form from a local web page designer. **Action Item:** Bill Hallett will bring a copy of the bid form to the next Board meeting.

New Business

1. There was no new business.

Next Board Meeting

The next Board meeting will be on Wednesday, April 5th at Chip Haring's home, 1315 Whitehall Drive, at 7:00 p.m.

April 5th Agenda:

- Call to order
- Approve March 1 Minutes
- Old Business
 - Ward's Lawn Service contract
 - Fence Maintenance (brick columns, dog-damaged boards, bowed fence adjacent to apartment complex, collars for fence posts)
 - Electrical fixture for 17th Ave entrance
 - Improvements Survey
 - ARC and Notice of Noncompliance process
 - Annual Spring planting planning
- New Business
- Next Board Meeting
- Adjournment

Adjournment

The meeting was adjourned at 8:35 PM.

Reserve At Ute Creek Homeowner's Association Board Meeting Minutes

MEETING DATE: June 8, 2006
PUBICATION DATE: Aug 21, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- ✓ Bob Lee, Member-at-Large
Gary Mutz, Alternate

Agenda for June 8th Meeting

- Call to Order
- Approve Previous Meeting Minutes
- Old Business
- New Business
- Next Board Meeting – Thursday, August 22, 2006, 7:00 PM Chip's House
- Adjournment

Call to Order

The meeting was called to order at 7:10 PM.

Previous Meeting Minutes

The April 5, 2006 Meeting Minutes were approved without corrections.

Old Business

Common Area Maintenance and Repairs

1. Landscaping Maintenance Contract

The Board requested that the contract be further amended to not include snow removal from neighborhood streets (the City of Longmont does this). **Action Item:** Chip Haring will check with Gary Abbuhl to make sure we did not pay for this when we had snow in Feb. **Action Item:** Dave Sanders will contact Ward's to make this change.

2. Leaning Brick Columns and Damaged Fence

Leaning Brick columns: There are two brick fence columns that are leaning. The footers go down more than 24". Bob Lee had a contractor attempt to mud jack the columns upright, but this was not possible. The contractor did not bill the HOA for this, but they did say our only option would be to lift the columns up with a track hoe and backfill (at a significantly higher

expense). The Board decided to keep a watch on the columns and repair them if/when they begin to fail.

Fence Damage (due to dogs): Chip received no reply to his letter requesting repair by the homeowner. **Action Item:** Chip Haring will call. If there is still no response, then he will use the documented non-compliance process.

Fence Damage (bowing, adjacent to apartment complex): The flashing that the apartment management installed is not adequate. Dave called and left a message. **Action Item:** Dave Sanders will call the apartment management again to request a more robust solution.

Fencepost Damage (due to weed-whackers): 100 fence posts have been fitted with metal collars and paint to prevent further damage. The cost was \$3.63 each. The HOA will reimburse the cost.

3. 17th Avenue neighborhood entrance
The top light fixture has been repaired
4. Real Estate Sign Non-Compliance
The extra “For Sale” sign has been removed so as to comply with the CCR’s.

Common Area Improvements

1. Surveys requesting homeowner inputs for common area improvements were distributed and responses compiled. In summary, a majority of the responses suggested the HOA make investments in existing landscaping to prevent damage and future expensive repair/replacement. Here is the tally:
Preventative maintenance of existing landscaping: 7 responses
Install Playground Equipment: 2; (3 against installing equipment)
Install Holiday Lighting: 0
Build a Swimming Pool: 2
Add More Trees: 1
2. Chip discussed improvement projects with Gary, who advised caution since this is not in the current budget.
3. After review of survey results, the Board will solicit bids and decide which improvements to pursue, and when.

Architectural Review Committee

1. **Action Item:** Chip Haring will forward a soft copy of existing forms to the Secretary (Bill Hallett).
2. **Action Item:** Bill Hallett will update and distribute the forms to the Board Members.

Annual Spring Planting

1. The Spring Planting was completed in the common areas. Harvey did not charge us for the plants. (Thank you, Harvey!) The HOA will reimburse Harvey’s other expenses.

New Business

1. Dave Sanders walked around the neighborhood with Dave Ward (the HOA’s landscaping contractor) to discuss Ward’s suggestions for repair and preventative maintenance of the landscaping. (Follow-up notes between Dave Sanders and Harvey Lang from June 26 are attached to these minutes). Two trees were replaced, one more will be. One tree will be cut down. There is some damage that was caused by the dry winter (scorching and fungus). There are two areas with puddling due to poor sprinkler drainage. The Board will need to consider adding winter watering to

the landscaping contract. **Action Item:** Dave Sanders will get some bids (besides Ward's) to replace the mulch along 17th Ave., and also for repairing the areas needing better drainage. **Action Item:** Bob Lee will get competitive bids for the larger repair jobs per Harvey's note.

2. HOA Newsletter. **Action Item:** Bill Hallett will prepare a draft newsletter for the Board to communicate status and plans to homeowners.

Next Board Meeting

The next Board meeting will be on Tuesday, August 22nd at Chip Haring's home, 1315 Whitehall Drive, at 7:00 p.m. An agenda will be distributed prior to the meeting.

Adjournment

The meeting was adjourned at 8:03 PM.

Exhibit 1: E-mail Notes Between Dave Sanders and Harvey Lang

From: hlang@fischerusa.com

Date: June 26, 2006

To: davesanders@conleytelco.com

cc: Chip.Haring@engenio.com, bobandsabrinalee@comcast.net, garycpapfs@msn.com, william.hallett@seagate.com

Subject: RE: Tree bugs

Hi Dave,

As I talked to you last night from my walk around the neighborhood, there are several issues that need to be addressed.

1) Regarding tree insects, there are tons of insects under the barks of the Green Ash trees off of 17th Street. I noticed big pieces of bark coming off several of the trees when I was walking the dogs last night so I decided to go over and take a look. There were literally thousands of insects (they looked like small mole crickets) under the bark causing a lot of damage. It wasn't the aphid that Ward's is talking about below, but in any case, these need to be treated. I'm assuming that the injection will take care of both types of insects (aphids and bark insects), but check with Ward's to be sure. He might want to go in with a systemic spray for these bark insects to begin with since the infestation is so great. Then follow that up with the injections for long term control.

As for the other treatments he's listed below, my feeling is that we should go ahead with them. I think we need to do whatever we can to maintain the health of the trees in the neighborhood. From what I've seen, it looks like the trees have been neglected and untreated for sometime now (going back to the initial landscape contractor).

The iron chlorosis on the oaks and maples would be the lowest priority, but a treatment would green these up (especially the very yellow, chlorotic maple off of 17th Street.) Red, Silver, and Autumn Blaze maple hybrids always suffer with our alkaline soils here so this isn't anything uncommon. I haven't seen any major oak tree chlorosis in the neighborhood. Pin Oaks are the most susceptible to this chlorosis, but we don't have any Pin Oak on the property. I would just concentrate on the yellowed maples if we decide to go ahead with these treatments.

On the locust plant bugs and hackberry gall, we get these every year. They hurt the foliage, but I don't think they cause any long lasting damage. A treatment would take care of the problem, but as Ward's suggested, we could wait until next fiscal year to make this treatment.

Whatever insect treatments he does, he needs to give us a warranty for long term control. Tree injection treatments are expensive and should

give long term seasonal control.

2) Regarding some other issues, Ward's did prune the dead wood from the roses on the large bed across from the circular flower bed; however, they missed all the roses on each side of the 17th Street entryway. They need to go in and finish the job by pruning up these roses also. There should be no charge for this since this should be part of the pruning contract we pay for.

3) Ward's still needs to go in and prune away the winter kill from several of the large trees in the neighborhood. We discussed this with Dave when we walked the property. This is a similar type of pruning as what they done with the roses. Again, there should be no charge and is part of the regular pruning maintenance contract with Wards. There are a couple of trees off the 17th street sidewalk, along with a few others (locust, linden, etc.) in the neighborhood that need this pruning. We need to stress that this needs to be done every spring and especially after severe winters.

4) There is one of the grass islands on Whitehall Drive (the one with the sick linden tree) that has severe grass yellowing. Have Ward's check to make sure sprinklers are coming on here or if something is broken. If everyone thing is intact, then he needs to up the water on this island.

5) Lastly, as discussed with you last night, there are several large patches of white-flowering bindweed in the back common space behind our yards (west side common space). None of the other common spaces have this bindweed. I've been finding this bindweed in my back yard and I've never had it there before (I treat every year with a preemergence), so these weed patches are moving seed around. There's also a large patch of this bindweed on your dirt pile in your back yard. Ward's should have treated all common spaces with a pre-emergent herbicide early in the spring, but he needs to take care of these patches. A spray of 2,4-D in the grass areas should take care of the problem. In non grass areas, they could use Round-Up insecticide. Otherwise, they could try hand-weeding these patches.

Thanks Dave.

Harvey

-----Original Message-----

From: davesanders@conleytelco.com

Sent: Monday, June 26, 2006 9:36 AM

To: Harvey Lang

Cc: Chip.Haring@engenio.com; bobandsabrinalee@comcast.net;

garycpapfs@msn.com; william.hallett@seagate.com

Subject: FW: Tree bugs

Harvey,

See below for Wards' comments on the HOA Trees. What do you think?

Chip, I think we need to talk w/ Gary and make sure we are staying within our budget.

Regards,

Dave Sanders

Cell: 720-530-0614

-----Original Message-----

From: mailto:wardslawn@msn.com
Sent: Friday, June 23, 2006 2:25 PM
To: davesanders@conleytelco.com
Subject: Tree bugs

The trees and shrubs were inspected in the common areas @ The Reserves.

We found and recommend the following;

17 Ash trees were infected with Leaf Curl Aphid. Recommend treating with a root injected systemic insecticide asap. (it takes 3 weeks for uptake) Price for treatment \$493.00 (\$29.00 per tree)

There are yellowing Oaks & Maples with possible Iron chlorosis. Recommend a trunk injected iron application to help correct the problem. Price for application \$ 35.00 per tree

15 Pine trees have Zimmerman Pine Moth damage. Recommend foliar preventative treatment in August. Price for treatment \$330.00 (\$22.00 per tree)

Most all of the honey locust tree leaves show damage from the Honey locust Plant Bug. Recommend Dormant Oil application in February for control in 2007.

The Hackberry trees have Hackberry Nipple gall damage. Recommend treatment early spring of 2007.

Dave Ward (President)
Ward's Lawn Service, Inc.

Reserve At Ute Creek Homeowner's Association Board Meeting Minutes

MEETING DATE: August 22, 2006
PUBICATION DATE: October 1, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
- ✓ Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- ✓ Bob Lee, Member-at-Large
- Gary Mutz, Alternate

Agenda for August 22nd Meeting

- Call to Order
- Attendance
- Approve Previous Meeting Minutes
- Old Business
- New Business
- Next Board Meeting – ~~Tuesday, September 19, 2006, 7:00 PM Chip's House~~ Changed to October 10, 7:00 PM Chip's House
- Adjournment

Call to Order

The meeting was called to order at 7:04 PM.

Previous Meeting Minutes

The June 8, 2006 Meeting Minutes were approved without corrections.

Old Business

Common Area Maintenance and Repairs

1. Landscaping Maintenance Contract
The Board would like to apply snow removal funds from the contract budget to tree maintenance instead. **Action Item:** Bob Lee will check to see if this would be acceptable to Dave Ward.
2. Leaning Brick Columns and Damaged Fence
Fence Damage (due to dogs): Chip has received no reply to several messages requesting repair by homeowner Pfauth. **Action Item:** Chip Haring will visit the homeowner to discuss. If there is still no response, then he will use the documented non-compliance process.

Fence Damage (next to apartment complex): The apartment management has been trading messages with Dave. He will suggest we get it fixed and bill them. **Action Item:** Dave Sanders will follow up with apartment management.

Fencepost Repairs (install metal collars): The HOA will reimburse the cost (approx. \$363).

New Business

1. Landscaping Needs:

Tree Maintenance: The Board agreed to proceed with insecticide and medicine treatments. **Action Item:** Dave Sanders will review the bids with Wards and Harvey. If it's reasonable, then the approval will be obtained via email.

Winter Watering: **Action Item:** Dave Sanders will ask Wards about the cost and recommended frequency of winter watering.

Grass Repairs along 17th Ave: The city road crews did not completely repair the grass after their construction projects. **Action Item:** Dave Sanders will see if the city will finish this work.

Other Grass Repairs: Some other grass areas need to be repaired. **Action Item:** Chip Haring will check if it's better to seed now, or to seed (or lay sod) in the spring.

Mulching: The Board agreed to do this at the next spring planting event.

2. HOA Newsletter: **Action Item:** Bill Hallett will submit a draft newsletter at the next HOA Board meeting.

3. CCR Enforcement

The Board reviewed a letter from a concerned homeowner about boats being left in the neighborhood beyond the 72-hour limit. The Board is obligated to act on complaints.

Who should send notices? Anyone can/should send notices to homeowners in violation, and let other Board members know. Maybe it would be more consistent if an individual were responsible to do this. The responsibility could rotate among Board members. For now, Gary Abbuhl agreed to take the first "shift", until the next Board meeting. **Action Item:** Bill Hallett will provide a blank form for Gary to use. **Action Item:** Bill Hallett will send out soft copies of the form to all Board members.

As a courtesy, the Board felt it might help to provide a friendly reminder of the CCR's at the first notice of a boat, RV, trailer, or other item that might cause a violation. **Action Item:** Chip Haring will draft a note.

The Board will consider extending the limit to 7 days (in driveways) or 72 hours (on the street). **Action Item:** Chip Haring will write up a proposal for review by the Board.

Next Board Meeting

The next Board meeting will be on Tuesday, ~~September 19th~~ October 10th at Chip Haring's home, 1315 Whitehall Drive, at 7:00 p.m. An agenda will be distributed prior to the meeting.

Adjournment

The meeting was adjourned at 8:31 PM.

Reserve At Ute Creek Homeowner's Association Board Meeting Minutes

MEETING DATE: October 10, 2006
PUBICATION DATE: October 22, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
- ✓ Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- Bob Lee, Member-at-Large
- Gary Mutz, Alternate

Agenda for October 10th Meeting

- Call to Order
- Attendance
- Approve Previous Meeting Minutes
- Old Business
 - Review of fence issues
 - Substitute tree maintenance for snow removal in the landscaping contract
 - Tree maintenance
 - Grass patching along 17th Ave
 - Winter watering
 - Review newsletter before sending it out
 - Review courtesy reminder for CC&R violations
 - Review open action items
- New Business
 - Insurance renewal
- Next Board Meeting - **Tuesday, November 14th, 7:00 PM, Chip's House**
- Adjournment

Call to Order

The meeting was called to order at 7:05 PM.

Previous Meeting Minutes

The August 22, 2006 Meeting Minutes were approved without corrections.

Old Business

1. Fence Issues

Fence Damage (due to dogs): The dogs are gone, and some rocks have been piled in below the broken boards. Chip will send the homeowner a note saying when

someone will replace the broken boards. **Action Item:** Chip Haring will arrange replacement of the broken boards.

Fence Damage (next to apartment complex): The apartment management pulled back the rocks and installed flashing, but the fence is not straight anymore. **Action Item:** Bob Lee (who first noticed the problem) will have a look and recommend if further repair should be pursued.

Fencepost Repairs (install metal collars): Reimbursement of costs was made.

2. **Snow Removal in the Landscaping Contract**

We have \$1512 left in the contract. Dave Ward is open to applying that money towards tree maintenance. He understands that we want to let the city plow the roads, but has asked if we still want him to clear the common areas. **Action Item:** Review this at the next BOD meeting.

It was pointed out that we should monitor the landscaping more carefully so we can be sure the services we pay for are meeting our expectations.

3. **Tree Maintenance**

We reviewed the details of the recommended treatments and priorities as documented in the emails from wards and from Harvey Lang (refer to the minutes of the June 8th BOD meeting). **Action Item:** Dave Sanders will tell Wards to proceed with the tree maintenance following the recommended priorities. Dave will also ask Wards to advise of the schedule for the treatments (probably in the Spring).

4. **Grass Repairs**

Chip Haring spread some grass seed out and it seems to be taking well. He will repeat this in the spring. Dave Sanders contacted the city (Curtis Ansel), and they agreed to come look at the grass damaged during the road project. It was not clear if the city will actually do anything, though. **Action Item:** Spread more grass seed in the spring.

5. **Winter Watering**

Dave Sanders asked Wards to advise on frequency and cost of winter watering, but he has not heard back. **Action Item:** Dave Sanders will follow up with Wards on winter watering details.

6. **HOA Newsletter**

We reviewed the draft newsletter that Bill Hallett prepared. Some minor changes were suggested. Chip Haring agreed to contact Fire station #3 to reserve the community room for the HOA annual meeting. **Action Item:** Bill Hallett will make suggested changes, including details for the HOA annual meeting, and distribute the newsletter to all homeowners.

New Business

1. **Insurance Renewal**

Gary Abbuhl said we had received the notice to renew the HOA insurance policy. He also said that new laws in CO allow for reduced real estate coverage, and asked if he should pursue that. The board agreed since we don't really need the level of coverage mandated by the older laws. **Action Item:** Gary Abbuhl will renew the insurance with the reduced real estate coverage.

Next Board Meeting

The next Board meeting will be on Tuesday, November 14th at Chip Haring's home, 1315 Whitehall Drive, at 7:00 p.m. An agenda will be distributed prior to the meeting.

Adjournment

The meeting was adjourned at 8:15 PM.

Attachment #1: The courtesy reminder that was approved

Courtesy Reminder
The Reserve at Ute Creek
Covenants, Conditions, and Restrictions

The Board of Directors of the Home Owners Association (the "HOA") requests your cooperation in maintaining compliance with the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) of the Reserve at Ute Creek.

This is not a "warning" but only a courtesy reminder issued in hopes of attaining your cooperation and thus avoiding further intervention from the HOA.

Please be aware of CCR 7.16, which states (as paraphrased for brevity):

No house trailer, camping trailer, horse trailer, camper, boat trailer, hauling trailer, boat, etc. may be parked or stored anywhere within the Reserve at Ute Creek so that any portion of it is visible from neighboring Dwelling Units, common areas, or from the street except for emergencies or as a temporary expedience which should not exceed 72 hours.

Also, please be aware that exceptions may sometimes be temporarily granted by submitting a written request to any HOA board member.

Board members

Gary Abbuhl	1321 Whitehall Dr.
Bill Hallett	1314 Whitehall Dr.
Chip Haring	1315 Whitehall Dr.
Bob Lee	1320 Whitehall Dr.
Dave Sanders	1239 Reserve Dr.

Reserve At Ute Creek Homeowner's Association Board Meeting Minutes

MEETING DATE: November 14, 2006
PUBICATION DATE: November 24, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- Chip Haring, President
- ✓ David Sanders, Vice President
- ✓ Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- ✓ Bob Lee, Member-at-Large
- Gary Mutz, Alternate

Agenda for November 14th Meeting

- Call to Order
- Attendance
- Approve Previous Meeting Minutes
- Old Business
 1. Review fence issues (dog-damage; apartment section)
 2. Snow removal – do we still want common areas cleared?
 3. Tree maintenance schedule (insecticide and medicine treatments)
 4. Winter Watering
 5. Set agenda for annual meeting on Dec 5th.
 6. Review any other open action items from the October 10th meeting.
- New Business
 1. CC&R Enforcement (who has been sent warnings recently; is the spreadsheet OK for tracking; how long do we wait between first and second warning; do we need to formalize who should be sending notices and when so we aren't all thinking "someone else" is taking care of it; etc.)
 2. Review 2007 Budget
- Next Board Meeting – **Before Dec 5, if necessary (Chip to advise); Late Jan otherwise**
- Adjournment

Call to Order

The meeting was called to order at 7:04 PM.

Previous Meeting Minutes

The October 10, 2006 Meeting Minutes were approved without corrections.

Old Business

1. Fence Issues

Fence Damage (due to dogs): **Action Item:** Chip Haring will arrange replacement of the broken boards, and advise homeowner.

Fence Damage (next to apartments): We will replace the warped boards next Spring and push the rocks back. **Action Item:** BOD to make repairs next Spring.

2. **Snow Removal in the Landscaping Contract**

Dave Ward agreed to apply snow removal funds to tree repairs, but asked if we still want the common areas cleared. **Action Item:** Dave Sanders will tell Ward's to continue clearing snow from common areas.

3. **Tree Maintenance**

We agreed to proceed with treatments as recommended by Harvey and Ward's.

Action Item: Dave Sanders will tell Ward's to proceed with the tree maintenance following the recommended priorities and schedule, beginning next Spring.

4. **Grass Repairs**

The grass seed took well. **Action Item:** BOD will spread more grass seed in the Spring.

5. **Watering**

Ward's suggested winter watering as needed, but did not provide an estimate. We will probably have to do this ourselves. **Action Item:** Dave Sanders will ask Ward's how to tell when winter watering is needed.

Water expenses continued to be high this year. Can we reduce watering next year?

Action Item: Bob Lee will estimate how much area we are watering to see if the total water usage seems excessive.

4. **Other Landscaping**

Apparently, Ward's interpreted a discussion with Dave Sanders and Harvey Lang as authorization to put in some crushed rock. The cost was minimal, so the Board agreed to make payment. Future unbudgeted work will require a written estimate before it is authorized.

Harvey Lang will not be able to provide flowers for the Spring planting next year due to other commitments he has with his business. The BOD will need to plan ahead for this if we want to purchase and plant flowers next year.

5. **Insurance Renewal**

Gary Abbuhl reduced the real estate coverage based on the new laws. Our insurance premium was reduced by \$50 as a result.

New Business

1. **CC&R Enforcements**

Bob Lee provided copies of the Notices of Noncompliance that he sent out on Oct 15. The copies will be filed. Bill Hallett briefly discussed the log he has started to help keep track of when notices are issued. Bill also reported scaffolding in the driveway of the Duran residence on Nov. 12. **Action Item:** If the scaffolding is still there on Nov 16 (after the 72 hr limit), Bob Lee will send a Notice of Noncompliance.

2. **2007 Budget**

Gary Abbuhl reviewed 2006 expenses and an update of the proposed budget for 2007 which was presented at the October 10 meeting. Our cash reserves have been flat at about \$20k. We had some unexpected expenses this year related to wear and aging of existing facilities. It is expected that these types of expenses will continue or increase as the neighborhood becomes older. A motion was made to increase HOA dues by \$55 in 2007 to prepare for these types of expenses, and to build reserves if a major expense (such as fence repairs) should occur. The BOD voted 4-0 in favor of the increase. The Budget was approved by the BOD (4-0) with this change. This will be reviewed at the December Annual Meeting of the HOA.

3. **New Neighbors**

We have some new neighbors on Reserve. ***Action Item:*** Bob Lee will visit and drop off a copy of the CCR's.

There have been two foreclosures in the neighborhood. We will need to keep an eye on those properties to make sure the owners (presumably banks) do not let the properties become run-down. The BOD can contract for maintenance if necessary, and place a lien on the properties.

4. **Agenda for Annual Meeting**

Annual Budget (Gary will include a discussion of the special expenses this year, and anticipated extra costs next year including the Spring flower planting and mulch)

Discussion of Dues Increase

CCR Violations - reminder of the policies and procedures

Election of Officers

Other Items (Chip??)

Next Board Meeting

The next Board meeting will be in late January to coordinate landscaping repairs and maintenance for the Spring, and to plan for the annual Spring planting. It may be necessary to have one more brief meeting before the Dec 5 annual Meeting. Chip will have to advise on this.

Adjournment

The meeting was adjourned at 8:19 PM.

Reserve At Ute Creek Homeowner's Association Board Meeting Minutes

MEETING DATE: November 29, 2006

PUBICATION DATE: December 10, 2006

SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
- ✓ Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- Bob Lee, Member-at-Large
- Gary Mutz, Alternate

Agenda for November 29th Meeting

- Call to Order
- Attendance
- Prepare for Annual Meeting
- Next Board Meeting – Late Jan (use the November 14 minutes as agenda for the late Jan meeting)
- Adjournment

Call to Order

The meeting was called to order at 7:08 PM.

Preparation for the Annual Meeting

All BOD Members were encouraged to read the CC&R's and By Laws to be familiar with rules, regulations, and protocols at the Annual Meeting.

The 2007 Budget and proposed dues increase were discussed.

Dave Sanders had had some discussions with Dave Ward about some charges we paid for various repairs. Our contract includes some maintenance and repair expenses already. The net is about a \$3k savings that will be repaid to us in the form of an invoice credit and a partial refund check.

Gary Abbuhl provided an updated budget reflecting the dues change, and also the some refunds and credits we received back from Ward's Landscaping.

The BOD voted to approve the updated budget and present it at the Annual Meeting.

The Annual Meeting Agenda was finalized. **Action Item:** Bill Hallett will send Gary a copy of the agenda, including a proxy form. Gary will distribute it to all homes in the HOA on Dec 2.

Adjournment

The meeting was adjourned at 8:22 PM.

Reserve At Ute Creek Homeowner's Association Annual Owners' Meeting Minutes

MEETING DATE: December 5, 2006
PUBICATION DATE: December 10, 2006
SUBMITTED BY: Bill Hallett, Secretary

Meeting attendance:

- ✓ Chip Haring, President
- ✓ David Sanders, Vice President
- ✓ Gary Abbuhl, Treasurer
- ✓ Bill Hallett, Secretary
- ✓ Bob Lee, Member-at-Large
- ✓ Gary Mutz, Alternate
- ✓ 12 homeowners, plus proxies for 3 more homeowners

Agenda for Annual Meeting

- Call to Order
- Update on Landscaping – Dave sanders
- Update on CC&R restrictions and Violations – Bob Lee
- Discuss and Ratify Budget for 2007 – Chip Haring and Gary Abbuhl
- Elect BOD Officers for 2007 – Bill Hallett
- Adjournment

Call to Order

The meeting was called to order at 7:00 PM.

Update on Landscaping

Dave Sanders discussed landscaping costs for 2006, including items included in the contract.

Dave also discussed extra expenses that occurred (tree spraying, replacement of 4 trees, addition of some crushed rock, and replacement of several sections of the sprinkler system.

Snow Removal was discussed, and the BOD's decision to have Ward's only remove snow in common areas. The City has been plowing streets, and is expected to continue this.

Special expenses anticipated for 2007 were discussed: Mulch, Planting in the Common Areas, disease and pest treatments for the trees, etc.

CC&R Restrictions and Violations

Chip Haring discussed the Board's "more relaxed" policy on violations in 2006, and that it has not been especially effective.

Bob Lee discussed a more diligent enforcement plan that has recently been adopted, based on input from some homeowners. He also discussed some particular

violations that occur most frequently (boats, trailers, and RV's being parked in the streets for more than 72 hours).

Bob encouraged homeowners to also help keep the neighborhood attractive by observing the regulations and also contacting BOD members when violations are noticed. Although BOD members try to regularly inspect the neighborhood, they appreciate being notified when they have missed something.

A question was raised about whether the HOA is paying for repairs to a section of fence that was damaged by dogs. We did not charge the first time, but we are this time. **Action Item:** Bob Lee will send a letter to the homeowner.

Deb Ianusalli (1218 Whitehall Drive) requested forms for approval of the paint colors she wishes to use for her house. **Action Item:** Bill Hallett will provide the forms.

There was a general discussion of exterior conditions at three homes under foreclosure. For future snow removal, the City will be called. **Action Item:** Bob Lee will have a look at the yards and decide if they are in violation of §11.2. If so, the BOD will arrange for cleanup and bill the property owners.

Budget Review and Ratification

Gary Abbuhl provided copies of the budget to those who needed copies.

Chip Haring discussed why the BOD felt that a dues increase is needed. The primary reasons are: increasing costs trends for landscaping and other expenses, anticipation of special landscaping costs (replacement of mulch, treatment of trees for pests and disease), and the need to build up reserves for eventual replacement of fences.

Fence replacement was discussed in ore detail. Homeowners encouraged the BOD to develop a strategy for ongoing repairs (to avoid a sudden, large expense) and to decide if a specific reserve amount should be set.

Other options to a dues increase were discussed: special assessments, reduction of the discount for early payment of annual dues, and reduction of the number of BOD members receiving a HOA dues waiver.

Gary Mutz suggested that the dues increase be replaced instead with a reduction of the early payment discount fro \$100 to \$45.

Chip Haring motioned that the budget be modified to reflect no increase in dues, and a reduction of the early payment credit to \$45, and that the amended budget be approved by the BOD and ratified by the HOA. The motion was seconded, and a vote was called. The motion passed with 18 votes and 3 proxies (21 total) "for" and none "against".

Election of BOD Officers for 20067

Gary Mutz motioned that the number of BOD members be reduced to 4 from 5. There was some discussion of how the BOD came to have 5 members (this was done when the HOA took over management responsibility from Four Star, and also had to staff an active ARC). After discussion, the motion was seconded, and a vote was called. The motion passed with 6 votes and 3 proxies (9 total) "for", 8 votes "against", and 1 abstention.

Candidates were identified to serve on the BOD for 2007: Gary Abbuhl, Dave sanders, Bill Hallett, and Gary Mutz. Since there were only 4 candidates for 4 BOD positions, Chip Haring motioned that all 4 candidates be elected to serve on the BOD for 2007. The motion was seconded and a vote was called. The motion passed with 18 votes and 3 proxies (21 total) "for" and none "against".

The BOD Officers of The Reserve at Ute Creek Homeowners Association for 2007 are:

- o Gary Abbuhl, Dave Sanders, Bill Hallett, and Gary Mutz
- o Specific BOD responsibilities will be decided at the next BOD meeting.

Adjournment

The meeting was adjourned at 8:17 PM.