

The Reserve at Ute Creek Home Owners Association Board

January 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

Meeting Date: January 12, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:12PM (called to order late due to waiting for missing attendee).

Meeting Attendance:

Bill Hallett, NGLA Rep

Dave Boerner

Scott Knollenberg

Shannon O'Brien

Wade Whiteley

NOTE: The President was not in attendance with usual formal agenda, so we set an ad hoc agenda:

Confirm BOD members & positions

Review bylaws; verify selection process

Minutes:

Minutes for the November 2014 meetings were emailed out for review prior to the meeting. Minutes discussed. No amendments requested. Wade motioned to approve November minutes; Dave seconded (NOTE: Dave was the only other BOD member present at the November meeting who is present tonight and could second the motion). November minutes approved as submitted. December minutes will be submitted for approval at next General Membership meeting.

Discussion:

- Dyce is not in attendance at this meeting
- Wade reported that Dyce has indicated he may resign
- Extensive discussion ensued and the bylaws were read to verify the requirements of how to move forward if that does happen
- As we read the bylaws, the remaining BOD members may appoint a replacement if a BOD member resigns his/her position at a time other than at the General Membership meeting
- Since there has been no resignation yet, business tabled pending further developments

BOD Members & Positions:

- There was some confusion as to what was actually voted on at the General Membership meeting in December

- There was a motion by Jim Gates and second by Dan Termeer to elect a Board consisting of the three attending BOD members (DeHaan, Whiteley, O'Brien) with the addition of Scott Knollenberg. Motion passed (no opposition voiced).
- BOD positions decided:
 - President: Dyce DeHaan
 - Vice President: Scott Knollenberg
 - Treasurer: Wade Whiteley
 - Secretary/Governance: Shannon O'Brien

Adjournment:

- 8:14PM: Motion to adjourn made and seconded. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

January 2015 Special Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NIP: Neighborhood Improvement Program

Meeting Date: January 17, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

Shannon O'Brien and Wade Whiteley agreed to call a Special Meeting. Scott Knollenberg was in attendance by phone. The meeting was held at the Longmont Senior Center and was called to order at 2:57PM.

Meeting Attendance:

Wade Whiteley

Shannon O'Brien

Scott Knollenberg

Dave Boerner

Agenda: address resignation of Dyce DeHaan from HOA BOD

Stimulus for Meeting:

On Tuesday, January 13, 2015, at 2:04PM, the Treasurer@ReserveUte.com forwarded to the Secretary@ReserveUte.com the following email:

From: President BOD <president@reserveute.com>
Date: Tue, Jan 13, 2015 at 12:26 PM
Subject: resignation
To: Treasurer BOD <treasurer@reserveute.com>

I hereby resign my position as board President of the Reserve at Ute Creek as of January 11, 2015 @ 4:00PM

Dyce DeHaan

Per The Bylaws of The Reserve at Ute Creek Home Owners Association, §6.6, the receipt of that notice by the Secretary makes the resignation official.

Per The Bylaws of The Reserve at Ute Creek Home Owners Association, §6.8 and §8.6, vacancies shall be filled and may be filled by appointment for the unexpired term.

BOD Members & Positions:

- Discussion ensued as to options.
- There is precedent for appointing a member to replace a member who has resigned

- Wade motioned to appoint Dave Boerner to be the fourth member of the BOD. Shannon seconded. All approved, none opposed, motion passed. Dave welcomed as a BOD member.
- Dave then motioned to elect offices. Scott seconded. All approved, none opposed, motion passed.
- Wade motioned the following:
 - President: Dave Boerner
 - Vice President: Scott Knollenberg
 - Treasurer: Wade Whiteley
 - Secretary/Governance: Shannon O'Brien
- All approved, none opposed, motion passed. BOD positions assigned as noted above.

Other Notes:

- Dave and Scott will follow up on the application for the NIP grant
- Wade advised that Bob Lee has experience doing this and has offered to help if needed

Adjournment:

- 3:23PM: Shannon motioned to adjourn. Dave seconded the motion. All approved, none opposed, motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

February 2015 Meeting Minutes - APPROVED

Definitions:

ADA: Americans with Disabilities Act

BOD: Board of Directors

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

NIP: Neighborhood Improvement Program

Meeting Date: February 16, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Panera Bread and was called to order at 7:09PM. The meeting was held at Panera Bread due to the Longmont Senior Center being closed for the holiday.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Bill Hallett, NGLA Rep and Reserve HOA Webmaster

Jaime Boerner, Homeowner

Minutes:

Minutes from the January 2015 meeting and the Special Meeting held on January 17, 2015 were emailed out for review prior to the meeting. Minutes discussed and amended. Dave motioned to approve as amended. Scott seconded. All in favor; none opposed. Minutes approved as amended.

Reports:

Wade Whiteley, Treasurer:

- Expenses in line for January
- All but 5 members have paid for 2015; Wade thinks it likely we will have all members current for 2015 before the end of this month
- The homeowner still in arrears has paid for 2015 and has agreed to set up a payment plan for the arrears; Wade will coordinate with homeowner regarding payment plan

Shannon moved to suspend accrual of interest while payments are actively being made by this homeowner, provided the payments begin before the end of March. Dave seconded. All in favor; none opposed. Motion passed.

- The HOA's Collection Policy is listed on website so this should meet our compliance requirement

Bill Hallett, NGLA:

- At the January meeting they set the agenda for the year, with topics to be voted on in February
- Various topics discussed, including there are City board positions open and the city is soliciting interest
- NIP grant deadline extended until February 11, 2015

- NGLA reps will rank grants prior to March 11th. By the March NGLA meeting, the scores will have been tallied and the grants will have been ranked. Using rank as a criterion, NGLA votes on the final proposal, which is then sent to City Council for approval.
- March 12 at 7PM there will be an ADA presentation at Senior Center

Dave Boerner, President:

- NIP grant application has been submitted; a map was included with the application
- Longmont arborist Ken Wicklund said he didn't need to consult on site before the application but will work with us afterwards if we are approved
- Landscaping proposals: we received 3 proposals (our current contractor, Rock Solid, plus Green Man and Twin Peaks). The current Rock Solid contract expires March 10
- The Rock Solid bid was the lowest, even though it included a 3.6% increase (the second increase in 2 years; last year's increase was 5%)
- We are wondering why the increase, especially since gas prices have gone down. We'd like them to give the basis for the increase. Also, Rock Solid's bid included unequal payments (higher in summer); we'd like to have the contract written for 12 equal monthly payments. In addition, we would like to ensure that the pruning schedule is appropriate for each item pruned. Scott will discuss these issues with Rock Solid
- Even with all of that, Rock Solid has been doing good work for us and they are the least expensive bid

Wade motioned to approve the contract with Rock Solid, not contingent on the changes above being incorporated. Dave seconded. All in favor; none opposed. Motion passed.

Shannon O'Brien, Secretary/Governance:

- DORA registration renewed. Registration now current until March 10, 2016
- Email sent to fence committee; no response heard from anyone and no meetings scheduled yet that we know of; will follow up with another email.

New Business:

- Email:
 - Bill Hallett is using Webmaster@ReserveUte.com, although he suggests backing up with a phone call if we send him a time-sensitive email
 - Dave Boerner is using President@ReserveUte.com
 - Scott Knollenberg is using VicePresident@ReserveUte.com, although he also suggests backing up with a phone call if we send him a time-sensitive email
 - Wade Whiteley is using Treasurer@ReserveUte.com
 - Shannon O'Brien is using Secretary@ReserveUte.com
 - The Governance@ReserveUte.com is currently not being used
 - We reconfirmed for the Webmaster that he is not required to comply with any requests not cc'd to the entire BOD (for transparency, all email conversations about any topic that has been/will be/should be discussed amongst the BOD should include all BOD members)
- Questions for the Attorney:
 - Verify that our collection policy posted on the website meets CCIOA requirements
 - Review our actions in the December and January meetings to ensure we haven't misread or misapplied the ByLaws
 - Get an estimate to build a "ByLaws as Amended" document for the website
 - Do we need to incorporate an 'in case of conflict' clause as suggested at the January 2014 meeting:

- From January 2014: Bylaws written in 2008 allow the board to change a bylaw (not a covenant); discussed adding a bylaw that says “Wherever our covenants are in conflict with the City, County, State or Federal law, we are subordinate.” (This discussion was held but no decision made.)
- Request a summary of new laws that affect us since the last time he talked with us

Business to be carried forward:

- Fence at 1200 Whitehall (we will plan on getting a contractor to fix the posts in the spring, so the homeowner will have until then to move his landscaping away from the fence)
- Trees at 1224 Whitehall (still awaiting a response from that homeowner regarding the response from their arborist)
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment)
- Decision on repair/replacement of the utility cover on the west side of the passthrough sidewalk at the SW corner of the HOA
- Verify the requirements for a quorum (did the bylaws change in 2008?) = 20% equals quorum (25% under certain circumstances...not annual meeting)
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October
- 20mb account, using approximately 16mb for pictures. We may want to consider updating those pictures
- Bill will try to put a link to the NGLA minutes on the HOA website (from Jan 2014)
- 2015 Disclosure Statement to Bill
- Guaranty Bank Signature Cards

Adjournment:

- 8:19PM: Scott motioned to adjourn. Wade seconded. All in favor; none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

March 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

NIP: Neighborhood Improvement Program

Meeting Date:

March 16, 2015

Submitted by:

Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:00PM.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Bill Hallett, NGLA Rep and Reserve HOA Webmaster

Jaime Boerner, Homeowner

Minutes:

Minutes from the February 2015 meeting were emailed out for review prior to the meeting. Minutes discussed. Dave motioned to approve. Scott seconded. All in favor; none opposed. Minutes approved.

Reports:

Dave Boerner, President:

- Dave spoke with the homeowner who owes for past years

Dave motioned to approve settlement of \$3750 (interest and penalties and the full amount of dues owed), to be paid in 12-15 equal payments, homeowner must stay current on all present & future obligations for settlement to remain in place. Scott seconded. All in favor; none opposed. Motion passed. Dave will contact homeowner and present approved settlement.

Wade Whiteley, Treasurer:

- 3 homeowners have not yet paid for 2015, which is not unusual for the 1st quarter; Wade has had contact with all 3 homeowners and expects them all to be current by end of year
- 3 snow removals so far; we budget for 8 total
- No significant water or electric bills yet
- Wade brought the Guaranty Bank signature cards to get a couple of missing signatures; the cards were signed and Wade will return them to Guaranty Bank

- Regarding the questions compiled at the last meeting for our lawyer, Wade will revise and update the list and send it for review by the BOD. After BOD review, Wade will then send the questions to our lawyer, David Eisenstein. A sit-down meeting will not be required; a written response will be sufficient, although Wade will advise if the lawyer recommends a telephone meeting

Scott Knollenberg, Vice President:

- The Rock Solid contract has been signed and sent
- Sprinklers could be turned on in April, but not before next meeting (Dave advised that Eric is the site manager and Rick is the irrigation guy); Scott will contact Rock Solid prior to the next meeting
- Every effort will be made again this year to stay on top of the watering schedule in relation to any forecasted precipitation, with an eye toward saving as much as possible on the water bill
- Dave reminded us that we don't pay for the water on 17th (it is our clocks that manage the schedule and our responsibility to make sure it is done, but the City of Longmont pays the bill for that area)

Shannon O'Brien, Secretary:

- The Annual Disclosure document for 2015 has been sent to the webmaster for posting on the website
- We need to make either the April or May meeting be our annual walkthrough of the grounds. We discussed dates and decided that we would do it on Monday, May 11, 2015, in lieu of our regular meeting. We will meet at 6PM at 1221 Reserve Drive.
- No news from the fence committee

Bill Hallett, Webmaster & NGLA Representative:

- Our current website is hosted on a free site; we could pay \$7-12 a month for an ad-free site if we so chose, but so far we don't see the need to spend that money
- Bill will explore possible free website space with our Google email accounts
- NGLA Update:
 - Dave got all of the paperwork turned in for our NIP grant application. Two projects won't be funded (not enough money for all). The NGLA will vote on rankings at the next meeting; those rankings will then be put into a recommendation which will be presented to City Council at their May meeting. Some of the other projects include building parks and flood mitigation projects, but most projects deal with water use
 - Longmont will be moving toward web-based applications for permits
- Longmont Comprehensive Plan Update:
 - Multi-phase planning project for a Comprehensive Plan for Longmont was last done 12 years ago; the new plan should be presented in 2016
 - Key issues and concerns include traffic with growth in the city, airport growth, mall traffic, trains, RTD, light rail, and affordable (but not subsidized) housing
- Buses will remain free in Longmont through the end of 2015
- City-wide fiber optic installation is scheduled to finish in the first quarter of 2017; The Reserve at Ute Creek is scheduled to be the second to last neighborhood completed (probably last quarter of 2016). Each homeowner will be given the option to pay to have fiber optic run to their house

New Business:

- Dave will check bulbs at 17th Avenue entrance and replace as necessary
- Dave brought up the idea of moving the junction box to see if we can get the light sensor to function as it should; he estimates it could be done for not more than \$20

Wade motioned to approve the expense for parts for Dave to try to move the junction box. Scott seconded. All in favor; none opposed. Motion passed. Dave will purchase the necessary supplies and try to relocate the junction box; receipt to be submitted to Wade for reimbursement

Business to be carried forward:

- Fence at 1200 Whitehall (we will plan on getting a contractor to fix the posts in the spring, so the homeowner will have until then to move his landscaping away from the fence)
- Trees at 1224 Whitehall (still awaiting a response from that homeowner regarding the response from their arborist)
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment)
- Decision on repair/replacement of the utility cover on the west side of the passthrough sidewalk at the SW corner of the HOA
- Verify the requirements for a quorum (did the bylaws change in 2008?)
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October
- The Reserve website is a 20mb account, using approximately 16mb for pictures. We may want to consider updating those pictures
- Bill will try to put a link to the NGLA minutes on the HOA website (from Jan 2014)

Adjournment:

- 8:33PM: Dave motioned to adjourn. Wade seconded the motion. All in favor; none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

April 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

DORA: Department of Regulatory Agencies

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

NIP: Neighborhood Improvement Program

Meeting Date: April 13, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:00PM.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Bill Hallett, NGLA Rep and Reserve HOA Webmaster

Minutes:

Minutes from the March 2015 meeting were emailed out for review prior to the meeting, but not everyone read them. Rather than taking the time to read and review the minutes line by line, we decided to table the March minutes until the next meeting.

Reports:

Wade Whiteley, BOD Treasurer:

- All but one HOA dues collected for 2015; that person plans to pay this summer
- \$300 spent on water so far
- Draft copy of letter to lawyer will be sent by this weekend

Dave Boerner, BOD President:

- Regarding homeowner in arrears, homeowner still unemployed; offer from BOD not rejected but not yet accepted (\$250/month over 15 months, with payments to start on June 1st; this would allow the BOD to report to the general membership in December that the payment plan was in progress and it would be paid off before the next general meeting); any default during the duration of the payment plan would return the amount owed to the original (non-settlement) amount

Dave motioned that he be granted the option of offering a July start date to the homeowner, if necessary; Wade seconded; all approved; none opposed; motion passed

- Dave will try to add an elbow to move the sensor on the 17th Ave entrance sign; if he is not successful, we may need to place a junction box at the elbow
- All lights on the 17th Ave entrance sign have been replaced and are now working

- One homeowner will be submitting a request for paint approval; we can address it during our walkthrough in May

Scott Knollenberg, BOD Vice President:

- Scott will connect with Rock Solid regarding turning on the sprinklers next week

Bill Hallett, NGLA Rep and Reserve HOA Webmaster:

- Police update: a few home break-ins through unlocked doors in NE Longmont
- \$370K vandalism damage in 2013; the city has produced a video about that and another one about alcohol awareness
- Volunteer opportunities in the community include raptor monitoring, native plant reseeding program, and adopt-a-park or -greenway
- Longmont's Clean-up/Green-up events will be April 11-30
- There were enough rankings received for the NIP to proceed; our proposal ranked 8th out of 10/11 projects; the recommendation from the NGLA will now proceed to the City Council and we now have to wait for the Council vote; money we spend before council approval cannot be reimbursed
- Wayne Tomack will be the new neighborhood resource specialist (John Clark is retiring)
- Bill will try to put a link to the NGLA minutes on the HOA website

Shannon O'Brien, BOD Secretary:

- There has been no news from fence committee and no meeting minutes submitted, even though they had been asked originally to give a report at the April meeting on progress to-date
- We will invite fence committee to walkthrough
- Shannon will review the DORA website for BOD licensing requirements

Business to be carried forward:

- Fence at 1200 Whitehall (we will plan on getting a contractor to fix the posts in the spring, so the homeowner will have until then to move his landscaping away from the fence)
- Trees at 1224 Whitehall (still awaiting a response from that homeowner regarding the response from their arborist)
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment)
- Decision on repair/replacement of the utility cover on the west side of the passthrough sidewalk at the SW corner of the HOA
- Verify the requirements for a quorum (did the bylaws change in 2008?)
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October

Adjournment:

- 7:59PM: Dave motioned to adjourn. Scott seconded the motion. All in favor; none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Homeowners Association Board

May 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

NIP: Neighborhood Improvement Program

Meeting Date: May 4, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was a walkthrough of the HOA by the Board Members. The BOD meeting/walkthrough began at 3:15PM at 1221 Reserve.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

(No fence committee members showed up for the walkthrough)

Minutes:

Due to the nature of this meeting, there were no minutes reviewed from prior meetings.

HOA Walkthrough:

- Fence:
 - In general, the fence is in rough shape
 - We will ask our attorney what it would cost us to have him draft a letter to the apartment complex asking them to remove their landscaping rock from where it is impacting our fence
 - The fence on the west side of 1200 Whitehall is worse than it was last year; the homeowner's landscaping behind the fence is continuing to put pressure on the fence and is causing boards to bow out and break.
 - No one has heard from the fence committee about their progress
- Trees & Landscaping:
 - What would be the cost to mulch the beds on 17th Ave, at the 17th Ave entrance, and in the common areas? We would rather spend extra for longer-lasting mulch, rather than having to replace all of it yearly, but it doesn't make sense to put down mulch before a decision is made about the fence
 - Dead trees: one to east of 17th Ave entrance and one on island at 17th Ave entrance and 2 along 17th to the west of the 17th Ave entrance
 - Dying/diseased/unhealthy trees: 3 in SW common area west of pass-through sidewalk (behind 1255 Reserve), possibly two more on 17th Ave; one in pass-through near 1224 Whitehall
 - The trees on 17th Ave that are rubbing on the fence should be cut back
 - The trees at 1224 Whitehall that were identified last year as requiring action have not been addressed: *From 2014 walkthrough minutes: At the HOA pass-through to the east of 1224*

Whitehall there is one limb of an HOA member's tree that is impinging on the pass-through sprinkler flow and will need to be cut back; there is also a co-mingling of an HOA tree and a member's tree near the front of that pass-through and both will need to be trimmed to reduce the problem. Wade will again address these issues with the homeowner.

- We discussed some possible locations for the new trees to be added if we are approved for the NGLA NIP grant
- Maintenance:
 - All lights on the 17th Ave entrance now working
 - Last fall Rock Solid did not clean up the dropped crab apples on the east side of the 17th Ave entrance; Scott will discuss with Rock Solid
 - Various spots in the sidewalk concrete are either not level or are breaking:
 - 3 on the SW corner pass-through from Reserve Drive to 17th Avenue, between 1255 & 1261 Reserve
 - 1 near the entrance on 17th Avenue
 - 1 east of the entrance on 17th Avenue
 - There is one utility cover on the west side of the pass-through sidewalk at the SW corner of the HOA that is broken.
- Other:
 - Homeowner at 1326 Whitehall requested approval for new color scheme on the house; he had paint samples on the house and provided the BOD with written approval from 2 neighbors.

Scott motioned to approve the paint as requested. Dave seconded. All in favor, none opposed. Motion passed.

Adjournment:

5:15: Walkthrough concluded. Shannon motioned to adjourn. Dave seconded the motion. All in favor; none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

June 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

DORA: Department of Regulatory Agencies

HOA: Home Owners Association

NIP: Neighborhood Improvement Program

Meeting Date:

June 8, 2015

Submitted by:

Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:02PM.

Meeting Attendance:

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Minutes:

Due to one BOD member not being present, minutes were not addressed.

Reports:

Wade Whiteley, BOD Treasurer:

- Everything on schedule; we expect to be below budget on our water usage
- Compared to this point last year, we are \$4K ahead of where we were last year (part is collection of late fees and penalties, and part is not spending as much on such things as water and ground repairs)
- Only one unpaid homeowner and they plan to pay this summer
- Letter sent to lawyer, but due to inability to get into his HOA email account, Wade was not able to say whether or not we have yet received a response; Wade will contact the HOA Webmaster and let the BOD know what he finds when he gets into his email
- We were approved to receive the NIP grant
- Back-flow test paperwork brought in for Scott to follow up on

Scott Knollenberg, BOD Vice President:

- Sprinkler system has been turned on but hasn't yet had to be run
- Scott will do a walkthrough with Rock Solid to look for dead trees & bushes, and a general review of the property;
- Rock Solid has sent us information regarding turf fungus and is recommending a fungicide treatment; Scott will review the affected areas during his walkthrough with Rock Solid
- No bid yet solicited for the areas in need of mulch; Scott will follow up on this before the next meeting

Shannon O'Brien, BOD Secretary:

- Shannon attended HOA training offered by DORA in downtown Denver. The original HOA Manager licensing requirement adopted in 2013 (to go into effect in 2015) did not require self-managed HOA Board members to be licensed, but the revised rules enacted in 2015 do require self-managed HOA Board members to be licensed if they receive compensation for their duties. The licensing requirements are long and convoluted and include yearly renewal, which would get expensive for the Reserve HOA; if there is no compensation received, there is no requirement to be licensed
- Lots of discussion about the pros and cons of hiring an outside management company, and the final decision was that there would be little benefit to us since we would essentially be paying for someone else to collect dues, keep our books, and write abatement letters (a management company would not replace the BOD, so the BOD would still need to exist to make decisions and direct the management company)
- Still no news from the fence committee

New Business:

- There was a request from the homeowners at 1333 Whitehall to have their new paint colors approved; the new color is in the same palette as their former color (just slightly darker) and they have written approval from their neighbors on both sides

Shannon move to approve the new paint colors as submitted, Scott seconded the motion. All in favor, none opposed. Motion passed.

Business to be carried forward:

- Fence at 1200 Whitehall
- Trees at 1224 Whitehall
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment
- Decision on repair/replacement of the utility cover on the west side of the pass-through sidewalk at the SW corner of the HOA
- Verify the requirements for a quorum (did the bylaws change in 2008?)
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October

Adjournment:

8:29PM Shannon motioned to adjourn, Wade seconded the motion. All in favor, none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

July 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

DORA: Department of Regulatory Agencies

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

Meeting Date:

July 13, 2015

Submitted by:

Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:01PM.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Bill Hallett, NGLA Rep and Reserve HOA Webmaster

Bob Lee, Homeowner

Minutes:

Minutes from the June 2015 meeting were emailed out for review prior to the meeting. Minutes discussed. Dave motioned to approve. Scott seconded. All in favor; none opposed. Minutes approved.

Reports:

Dave Boerner, BOD President:

- Hasn't yet fixed the lights on the 17th Ave entrance

Wade Whiteley, BOD Treasurer:

- Checked this afternoon and still hasn't heard back from the lawyer
- Paid Rock Solid bill; including sprinkler repair bill (possible cut line)
- Spent less than 9K to date for all expenses
- Estimating a total savings of approximately 3K in water again this year, assuming we don't experience a spike in usage in the next few months
- Currently projecting about 7K in cash left at end of year
- Wade does bring the bank statements to the meetings so everyone can see them, but he doesn't make copies for all to avoid unnecessary use of paper; he can make copies if the BOD desires; no one felt that was necessary at this time

Scott Knollenberg, BOD Vice President:

- Rock Solid did a walkthrough and sent an estimate to replace dead trees and other plants (\$6706.57)
- We are not going to move forward with this at this time; same is true for treatment of turf fungus

- Still awaiting a quote for the mulch
- Rock Solid is trying to balance the sod's need for water with the HOA's budget
- Scott will ask Ward's to put us on their backflow testing schedule

Shannon O'Brien, BOD Secretary:

- DORA is taking responses on the new legislation until the 22nd of this month; Shannon will send links to BOD
- Still no news from the fence committee

Bill Hallett, NGLA Rep and Reserve HOA Webmaster:

- Ken Wicklund, Longmont City Arborist, explained how last fall's early freeze and thaw contributed to excessive plant die-off
- Notes from the June NGLA meeting:
 - city forestry plans updated
 - new requirement for arborists to be licensed by city
 - arborists cannot top trees or they will lose their license
 - dead trees must be removed within 30 days; city will send notice to abate first
 - trees must be trimmed 8 feet above sidewalk and 15 feet above streets
 - trees are not allowed to be replaced with Siberian elm or female cottonwood (cottonwoods greater than 24" have preservation rights)
 - long talk on emerald ash borer (ribbons placed by the city identify ash trees, not infected trees)
 - please call the city forestry department if we think we have borers and the city will send a technician to check; treatments are effective but can be expensive
 - the City of Longmont has almost 2800 ash trees, and estimates 45K ash trees citywide including those private property; all ash species are susceptible; the borer has a 12-year cycle, so if we elect to save trees we should plan on treating them for at least 6 years;
 - Bill provided a map of trees in Thompson park in case we wanted to check out some different species
 - Discussion by Waste Disposal – empty 3million containers a year with a staff of 14-15 drivers; free landfill day quarterly
 - The Activity Fund approved The Reserve at Ute Creek for another ice cream social; total money available is \$150 (we were approved in Round 1) [we are tentatively planning the ice cream social for Sunday September 13th; we like the novelties idea]
 - NGLA is on summer hiatus for July & August;
 - On July 23rd there will be training on HOA Reserve Funds and options for financing (training held at the senior center);
 - Future training includes aging communities and the role of HOAs, and managing consensus
- Web updates: made as requested (some differences in IE and Chrome (which attempted to open malware), but no problems with Firefox; please advise Bill if any other issues are found
- Did content assessment: 19MB of content; 6MB of pictures; 8MB of documents (mostly due to bylaws and CCRs scanned as images instead of text files)

Discussion:

- Since Wade checked this afternoon and still hasn't heard back from the lawyer, it may be time to seek new legal counsel (this one is not very responsive to our communications or requests)
- Wade will send email to David Eisenstein to cancel information request

- Wade will research other options and pricing (including Hyndeman-Sanchez, since they are the acknowledged experts in the field of HOA law)

Open Floor:

Bob Lee, homeowner, 1320 Whitehall Drive:

- Bob requested an update on DORA legislation effective July 1st
- Shannon read minutes from June to explain how we have decided to proceed for now
- Bob requested the Board interview management companies and bring that info to the general membership meeting in December

Discussion included:

- The following items were identified as possible information we would need to give to management companies in order to get their bids for service:
 - We have a 70-member HOA
 - Our annual revenue is approximately \$35K
 - Our annual expenses are currently approximately \$30K
 - Would they act as the architectural review committee?
 - Would they address neighbor disputes?
 - How would they handle the administration of by-laws?
 - What would be their involvement with enforcement?
 - Will they collect money and pay bills? If so, will they advise the Board if a bill is more than average?
 - What about legal support? Do they have their own or will the HOA still have to pay?
 - Who will they interact with?
 - What would be their expectations of/from the Board?
 - Will they file all necessary documents with the State? If so, is that part of their normal fee or extra?
- Further discussion centered around the feeling that a third-party management company could feel unneighborly, in addition to costing us more money (current estimate is \$5-6K/year for services)

New Business:

- There was a request from the homeowners at 1333 Whitehall to have their new paint colors approved; the new color is in the same palette as their former color (just slightly darker) and they have written approval from their neighbors on both sides

Shannon motioned to approve the new paint colors as submitted, Scott seconded the motion. All in favor, none opposed. Motion passed.

Business to be carried forward:

- Fence at 1200 Whitehall
- Trees at 1224 Whitehall
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city

- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment
- Decision on repair/replacement of the utility cover on the west side of the pass-through sidewalk at the SW corner of the HOA
- Verify the requirements for a quorum (did the bylaws change in 2008?)
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October

Adjournment:

8:40PM Wade motioned to adjourn, Dave seconded the motion. All in favor, none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

August 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

DORA: Department of Regulatory Agencies

HOA: Home Owners Association

NIP: Neighborhood Improvement Program

NGLA: Neighborhood Group Leaders Association

Meeting Date: August 10, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:04PM.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Brandon Baker, Homeowner

Minutes:

Due to one BOD member being present by phone, minutes were not addressed.

Reports:

Dave Boerner, BOD President:

- Dog park has to go through planning and zoning; we won't be included in the process; we have been assured that they are aware of our concerns; there is no forum for us to give info to the planning and zoning; talked to someone in code enforcement and was advised they has issued a stop work order
- IOU: Dave will talk to Scott (property manager of apartment complex) to see where they are currently at in the process
- IOU: NGLA Grant: do we want to go forward; Dave will talk to Wade to make certain we have enough money to put forward for grant in matching funds
- IOU: find map of what we are planning to do with this year's NIP money

Scott Knollenberg, BOD Vice President:

- Scott got 2 quotes on the mulch for both gorilla and non-gorilla mulch; both were in the high \$5K to low \$6K range
- if we elect to purchase our own mulch, we should wait until fall to get an end-of-season bargain
 - We may elect to not lay any new mulch until after the fence plan is in place so as to not waste money
- Scheduled back flow test to be done in early September;

- Watering seems to be sufficient; no brown spots noted

Wade Whiteley, BOD Treasurer:

- Regarding our legal questions:
 - Wade has heard from Hyndeman Sanchez (HS), a legal firm specializing in HOA law; the response was verbal, not written; they need additional information in order to be able to definitively answer our questions
 - Regarding the issue of licensing BOD members, HS says if each individual only has a single role then we can be exempt from licensing issue (per Melissa, whom he talked to, and who will be getting copies of our governing docs from our website)
 - Question lies in whether our governing docs sufficiently outline what each position's responsibilities are
 - If supported by our governing documents, HS can issue a letter stating that we are exempt, which would cover us legally
 - There has still been no response from David Eisenstien, Esq; Wade has not yet cancelled the original request for information
- Financials are on track; our water bills are typical summer bills
- The delinquent homeowner is paying as agreed

Shannon O'Brien, BOD Secretary & Governance:

- Still no news from the Fence Committee; will resend email and request a report in September and ask the Committee members to attend the ice cream social
- Nothing further from DORA
- No abatement letters sent this month
- IOU: email to fence committee requesting their presence at September meeting, and advise that Brandon is willing take lead on committee (his father was in the fence building business)

Bill Hallett, NGLA Rep and HOA Webmaster:

Report sent via email prior to meeting:

- NGLA:
 - no meeting updates (the NGLA group is on summer hiatus, July-Aug)
 - He has hard copies of the NIP Grant Applications and procedures and has forwarded this information to BOD via email. Please let him know if we plan to proceed with a grant app for 2016
- Webpage: No changes but he did receive some information about helping to make homes less attractive to burglars and will post that material soon

ICE CREAM SOCIAL:

- The ice cream social is currently planned for Saturday September 12, 2-4PM
- We will be serving novelties, which Wade will procure
- Shannon will provide extra freezer space and at least one cooler
- We will use this as the September meeting; and post change on website
- The fence committee members will be invited as asked to bring any research they have done to date

- We will ask attending homeowners for their input on the fence info (if available) and for ideas for future NIP grant suggestions

Business to be carried forward:

- Fence at 1200 Whitehall
- Trees at 1224 Whitehall
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment
- Decision on repair/replacement of the utility cover on the west side of the pass-through sidewalk at the SW corner of the HOA
- Verify the requirements for a quorum (did the bylaws change in 2008?)
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October

Adjournment:

8:09PM Shannon motioned to adjourn, Scott seconded the motion. All in favor, none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

September 2015 Ice Cream Social - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NIP: Neighborhood Improvement Program

Gathering Date:

September 12, 2015, 2-4PM

Submitted by:

Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

This was not an official meeting and therefore was neither called to order nor adjourned. These are only notes of topics discussed during the neighborhood ice cream social. This event was paid for with a grant from the Longmont Activity Fund.

Attendance:

Dave Boerner, BOD President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Various Homeowners

NOTES:

Fence:

This was the most-talked about topic of the day. We talked with attending homeowners about the fence, its current state, and potential ways to address it. There were some questions about why we have elected to not repaint it and we explained that the consensus of the current BOD is that it would be throwing good money away since the fence is nearing the end of its lifecycle and will need to be replaced anyway. Our current plan is to present options for a new fence to the December General Membership meeting and have the membership vote on the options. Once that is decided, a timeline can be identified; whether we decide to replace all at once or replace in sections will likely depend on the cost associated with the choice selected. Brandon Baker brought some color samples of an engineered product (Trex) that is one of the options on the table as a material for the replacement fence.

Common Areas:

What to do with the common areas? Some questions were asked about the possibility of putting in a pool, and we explained that the reason this BOD has decided to not do that is a combination of the costs associated with it and the increased liability it would engender. There were no other suggestions offered.

Future NIP Grants:

We explained that to-date the NIP grants have focused on adding trees and saving water. There were no other alternatives suggested.

Apartment Complex Dog Park west of The Reserve at Ute Creek

We have been advised by the city that what we identified as a dog park has been identified by the apartment complex as a non-specific private-use fenced area and is not subject to city zoning restrictions. The city concurs.

The Reserve at Ute Creek Home Owners Association Board

October 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NIP: Neighborhood Improvement Program

NGLA: Neighborhood Group Leaders Association

Meeting Date: October 12, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:08PM.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Bill Hallett, HOA Webmaster & NGLA Rep

Minutes:

Minutes for July and August meetings, and notes for September's Ice Cream Social were sent out for review prior to the meeting. Dave motioned to approve all as submitted, Scott seconded. All in favor; none opposed; July and August minutes, and September notes, approved.

Reports:

Dave Boerner, BOD President:

- Planning to step down next year
- Will be at annual meeting
- Need to get trees planted by end of this year. Will get bids from Rock Solid. Will send for approval via email in order to get that started, including a map of the planned plantings
- Front light has been replaced but sensor not yet moved
- The stance of both the City and the apartment complex manager is that the fenced area at the complex is not a dog park; it is a private use fenced area. They want to paint that section of our fence and they may be willing to pay a portion of the new fence. Dave's current guesstimate would be about \$40K for half of the section we share with them
- City says we have no recourse (fenced private property is not the city's business); there is no specific city code regarding dog parks on private property
- Our homeowners need to call the Longmont police if it is a nuisance
- Re the new fence, bids for fence are around \$120K for Trex & hollow vinyl; stone was significantly more expensive

Scott Knollenberg, BOD Vice President:

- Will take the IOU to get bids from management companies to present to homeowners in December, including proposed cost and services provided
- Back flow test was scheduled for September; will verify that it has been done (no bill received yet)

Wade Whiteley, BOD Treasurer:

- Higher on water than would like to be, but not too far off
- 20K of expenses to date (slightly lower than last year, but last year included some ground repairs that are not part of this)
- Gorilla mulch next year will be added to next year's budget
- Previously delinquent Homeowner paying as agreed
- All other homeowners have paid for this year
- \$86K in bank accounts; projecting \$70K at year's end
- Cancelled the request for information we had submitted to David Eisenstein, Esq.
- Needs signature on Hyndeman-Sanchez (HS) agreement on how they will bill us; our choices are to pay \$6K/yr for a premium retainer, \$3K/yr for a non-premium retainer, or pay as we go
- HS will provide legal letter saying that our governing documents are specific enough in delineating responsibilities that we don't need to be licensed

Shannon motioned to contract with HS to pay as we go, Scott seconded. All in favor, none opposed; motion passed. Dave, as president, will sign contract to that effect with HS

Shannon O'Brien, BOD Secretary & Governance:

- The ice cream social was a moderate success; we were able to share some info the homeowners that attended but we got no further ideas about future NIP grants
- Verify the requirements for a quorum (did the bylaws change in 2008?): §5.4 of the original by-laws state a quorum is 25% (25% of 70 homes = 17.5, so 18 properties must be represented); no changes made in 2008
- Shannon couldn't find the 2015 minutes on the website and asked Bill Hallett to verify their availability

Bill Hallett, NGLA Rep and HOA Webmaster:

- NGLA was on summer hiatus July & August
- September meeting included an update on the new mall; it is now 85% leased, including Whole Foods, Boot Barn and a movie theater
- Near the old sugar mill there is calcium carbonate that needs to be removed before that space can be developed
- The 27.5-acre former Butterball area, historically blighted due to lack of investment, has been rezoned for mixed use instead of industrial, including office space, a new brewery, retail stores, and 300 single family units
- It has been historically tough to get retailers in this area due to the number of malls on nearby highways
- Regarding the complaints about railroad noise, the horns are federally regulated so we can't dictate; it would cost Longmont several million dollars to make quiet zones;
- Comprehensive plan 20-year plan sets policy, establishes values and priorities, and identifies types of projects (not specific projects). There was an exercise entitled Envision Longmont to help articulate items to be included in the next 20-year plan. Over the next 20 years, Longmont is expected to grow by

24K people and 9K new homes (6K have been plotted); NGLA offered to visit HOA meetings to see what is important to us as far as future plans (affordable housing seems to be a hot-button issue)

- There was a survey on housing types and transportation priorities (transportation includes non-vehicular traffic like bikes and pedestrians)
- Center for Resource Conservation (CRC) in Boulder will do an irrigation efficiency evaluation; the city wants to see an evaluation within the last 2 years when submitting landscaping projects, e.g., NIP proposals
- Bill will ensure the 2015 minutes are available on the Reserve website

Business to be carried forward:

- Fence at 1200 Whitehall
- Trees at 1224 Whitehall
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management
- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment
- Decision on repair/replacement of the utility cover on the west side of the pass-through sidewalk at the SW corner of the HOA
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October

Adjournment:

8:10PM Scott motioned to adjourn, Wade seconded the motion. All in favor, none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association Board

November 2015 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

Meeting Date:

November 9, 2015

Submitted by:

Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and was called to order at 7:07PM.

Meeting Attendance:

Dave Boerner, BOD President

Scott Knollenberg, BOD Vice President

Wade Whiteley, BOD Treasurer

Shannon O'Brien, BOD Secretary/Governance

Bill Hallett, HOA Webmaster & NGLA Rep

Minutes:

Minutes for October were sent out for review prior to the meeting. Dave motioned to approve as submitted, Scott seconded. All in favor; none opposed; October minutes approved.

Reports:

Dave Boerner, BOD President:

- Trees done; Rock Solid not notified they had not won bid; HOA planted 21 trees and a homeowner planted another 2 trees \$10,375 (HOA paid \$5K, City paid \$5,375)
 - Planted a variety of types including maple, linden & Cleveland pear, & pine (no ash)
- Dave still has to submit project completion paperwork to city
- Tree Farm will bill the city for their part
- Asked Ned for more info about options for phasing in the fencing and possible payment structures

Scott Knollenberg, BOD Vice President:

- Scott tried to research HOA management companies and couldn't find any that don't have bad reviews (BBB et al)
- Companies he got bids from were either recommended or simply had more positive reviews than negative, but not necessarily good
- Distributed bids he's received via email to the BOD for review
- Still has to contact Ward's for backflow testing; Wade has not yet received a bill

Wade Whiteley, BOD Treasurer:

- Distributed financial statements
- Saved around \$1600 on water (not as much as originally projected, but better than budgeted)
- Previously delinquent homeowner still paying as agreed

- Expecting to be around \$8-9K of saving at end of year
 - Saving in legal, bad debt, water, and (possibly) snow removal
- Projecting about \$75K in savings at end of year
- Suggested budget for 2016 includes:
 - No tree planting
 - Budget for tree replacement included in ground repairs line item
 - Planned more for
 - sprinkler repairs (every spring sprinkler repair is required on plastic sprinkler heads),
 - mulch in spring and
 - tree replacement in fall (possibly ash trees, etc, that are gone or going), plus 2 linden or locust, one in front of house east of the 17th entrance, some ash, one in 17th Ave island (Canadian cherry), plan to buy 2-for-1 sales,
 - Upped electric and storm and parks & greenway – all part of water budget/water bill
- Budget does not anticipate any increase in HOA fees; if the December meeting elects to move forward with management company, that will necessitate an increase of approximately \$100/homeowner
- Thoughts on fence:
 - Fence committee has a suggestion, \$ will come out of capital improvements, not maintenance fund
 - We've taken care of safety issues so fence is ugly but not unsafe
 - ~125K fence bid
- Management companies not saying they will take brunt of legal battle

Shannon O'Brien, BOD Secretary & Governance:

- No abatement letters
- Nothing further from fence committee; will verify their research for presentation
- Have made arrangements for larger room & projector
- Will put together presentations

Bill Hallett, NGLA Rep and HOA Webmaster:

- NGLA updates:
 - October meeting covered a couple of short updates and then had candidates' forum
 - \$600 left in city activity fund; looking for possible ideas for equipment that could then be borrowed by neighborhoods, e.g., public address system, awnings, umbrellas, generators, tables
 - Non-profit fair being postponed, as was the police update due to other commitments
 - Candidates responded to pre-submitted questions
 - Ward 1, our rep, was incumbent and ran unopposed, Brian Bagley
 - Sarah Levinson was done due to term limits; she's been the NGLA councilperson so they will be getting a new one
 - November meeting this Thursday in case there is anything we want to suggest or request
- Webpage updates: all minutes up
- Re-registered domain name; invoice submitted for payment

Business to be carried forward:

- Fence at 1200 Whitehall
- Trees at 1224 Whitehall
- Discussion of HOA fence maintenance/repair/replacement options, and what our next step will be with the apartment complex management

- Trying to make contact with the apartment complex management about the fence, regarding both moving the rock off the fence and possibly putting up some money for fence maintenance.
- Submission of requested concrete sidewalk repairs to the city
- Decision about if/how to address the ash and maple trees with and without borer activity, and the partially dead trees behind 1255 Reserve (possibly start by hiring a tree specialist to evaluate our trees (ash & others) for borer activity, and possible prevention and/or treatment
- Decision on repair/replacement of the utility cover on the west side of the pass-through sidewalk at the SW corner of the HOA
- Draft a long-range plan of planting a couple/few trees every September (purchase on sale); this would give the new trees approximately 1 month of watering before we shut off the sprinkler system at the end of October

Adjournment:

8:13PM Scott motioned to adjourn, Wade seconded the motion. All in favor, none opposed. Motion passed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association

December 2015 General Membership Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors

CCIOA: Colorado Common Interest Ownership Act

DORA: Department of Regulatory Agencies

HOA: Home Owners Association

NGLA: Neighborhood Group Leaders Association

NIP: Neighborhood Improvement Program

Meeting Date: December 07, 2015

Submitted by: Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and started at 7:08PM.

Meeting Attendance: 14 of 70 Residences represented by attendees, plus an additional 5 proxies (19 total);
25% Quorum achieved (18 Residences).

Reports by BOD Members:

- 1) Dave Boerner, BOD President:
 - a. Dave advised that he would be stepping down from the BOD after this term
 - b. Dave talked about the NIP grant and trees planted (22 trees, each ~2" diameter, each with a one year warranty from The Tree Farm, total value approximately \$10,000, for which we paid \$5,000)
 - c. Regarding the "dog park" at the neighboring apartment complex: it is not officially a dog park, instead, it is a private-use fenced area for that neighborhood. If anyone has any complaints, please direct them to the city. Also, they did not attach to our fence but they do want to paint our fence to take pictures of the area for their brochures; so far we've refused permission because we want them to pony up for part of the new fence
- 2) Scott Knollenberg, BOD Vice President:
 - a. Regarding the landscaping, we had a mild summer
 - b. There is some bind weed in SW park
 - c. Landscaping repairs were budgeted at \$2,500 but only cost about \$1,000, including the repair of 2 sprinkler lines that were punctured
- 3) Wade Whiteley, BOD Treasurer:
 - a. Financially, the year was pretty good
 - b. Previously-delinquent homeowner is paying off 5 years of arrears
 - c. By this time next year, if all members pay their 2016 dues, we will have no past due accounts
 - d. No bad debt write-off (we budgeted \$1,000 bad debt but didn't have any)
 - e. Ground repairs and legal costs were both under budget
 - f. We are trying to manage water usage and that is going well (the parks are sometimes a bit dry, but it allows us to save money)
 - g. By end of this year should have \$75,000 saved (part Reserve fund but mostly savings)

- h. Our savings are in 2 CDs and an interest-bearing checking account; they are at different banks but the BOD has felt that it is not worth moving the CDs
- i. CCIOA requires a reserve fund; we can use it if we actively replace it
- 4) Shannon O'Brien, BOD Secretary
 - a. We sent no abatement letters in 2015
 - b. Some landscaping and painting requests for approval were submitted; all had the required neighbors' approval so all submitted items were approved by the BOD
- 5) Bill Hallett, NGLA rep:
 - a. Bill's membership registers our neighborhood with city
 - b. His participation gives us access to such thing as the Longmont Senior Center for meetings, funds for our ice cream social, and copy services
 - c. He attends monthly NGLA meetings and also attends the monthly BOD meetings to report on the NGLA activities and announcements
 - d. Regarding the NIP, in 2014 the NGLA voted for no projects to give money toward flood repair
 - e. NGLA discussion topics over the past year included how to improve Longmont's sense of community and get people involved in neighborhoods; active mediation program offered for free; tips from police on how to improve safety; provided updates on comprehensive city plan and public works; discussion of future issues, e.g., affordable housing in city; budget and response for public safety, e.g., animal control after hours and may or may not get a response depending on circumstances and threat; updates on various non-profits available to community, this year focused on homeless and outreach services, e.g., OUR Center and community Food Share; candidate forum in October before city election in November (in Ward 1 – our ward – Brian Bagley ran unopposed); Parks & Rec updates on different green space programs, including response to emerald ash borer threat; contact Bill for further information about borer response; high speed cable: we are one of the last ones to be installed; there is a map online; rates quoting now approximately \$50/month forever if you put in the cable

Minutes: Minutes from December 2014 Annual General Membership Meeting were read and discussed. Dave motioned to approve as written; Scott seconded; all in favor; none opposed; minutes approved as submitted

HOA Fence:

- 1) Brandon Baker:
 - a. Brandon Baker gave a presentation on the research done by the fence committee (the committee was enacted at the 2014 General Membership meeting)
 - b. His family moved into the neighborhood in June and shortly thereafter he took over as chair of the fence committee. Much of the legwork was already done but he collected some more information.
 - c. His research indicated that Trex has fast become the most common material-of-choice for HOAs
 - d. Brandon asked a fence company representative to present options for 6' or 8' fence
 - e. Portions of the current fence might be inside individual property lines
 - f. Moving the fence line may require changes in irrigation and/or landscaping
- 2) Ned of Split Rail Fence Company:
 - a. He brought handouts for attendees and gave a brief history of his company, which was founded in 1974 and currently has 2 locations. They employ ~130 employees. They do background and immigration checks on all employees
 - b. All these fence options allow for sectional repairs
 - c. Recommends leaving the base of the fencing about 1" off ground to allow for undulations of ground

- d. Prices below are all for 6' fence and include removal of existing fence (8' pricing in parentheses)
 - e. Prices listed could go up if we elect a different picket and/or post size
 - f. 8' fence would provide better sound mitigation but would require a variance from the city
- 3) Vinyl
- a. Is available in 13 colors, all priced the same; color is surface only
 - b. Has a warranty against fading (should be colorfast)
 - c. Weed whacker won't chip finish of vinyl
 - d. Includes steel inserts in top and bottom rail
 - e. Is designed to shed water
 - f. Is low maintenance
 - g. Has a 30-year product warranty and 5-year labor warranty
 - h. Has a 105mph wind rating
 - i. Pickets are tongue-in-groove
 - j. Vinyl \$60.45/linear foot; \$120,900 6ft (8'=n/a)
- 4) Trex
- a. Has been a popular choice in fencing for about 11 years
 - b. Is a heavy-duty composite of recycled plastic and sawdust (very heavy duty)
 - c. Color is throughout (not only on surface)
 - d. Trex will lighten a couple of shades (mahogany color fades the least)
 - e. May show scratch marks from weed whacker
 - f. Trex will show sprinkler line (less pronounced than wood but more pronounced than vinyl)
 - g. Pickets are interlocked
 - h. Has a steel pin in bottom rail
 - i. Bracketed system
 - j. Composite posts (no inserts)
 - k. Has 120mph wind rating
 - l. 25-year warranty and projected 40-year life span
 - m. Has a bit of flex (good in case there is any ground movement)
 - n. Trex \$63/linear foot; \$129,100 6ft (8'=\$217,500)
- 5) Concrete
- a. Privacy fence with drop in system
 - b. No forgiveness for ground movement
 - c. CDOT-type stuff is \$300/linear foot
- 6) Cedar
- a. Would require stain every few years
 - b. Projected 20-year life span
 - c. Cedar \$33.70/linear foot; \$67,400 (8'=\$96,000)
- 7) Lots of discussion about pros and cons of each option
- a. Concrete ruled out for cost issues
 - b. Cedar ruled out for life span issues
- 8) Motion made to approve a new Trex fence; motion seconded, all in favor, none opposed, motion passed. New fence will be Trex
- 9) Moving forward:
- a. No decision made about color or installation schedule and we are running out of time tonight
 - b. The BOD will approach the apartment complex about them possibly putting some funds toward the new fence
 - c. We will call a special general membership meeting to make more decisions about the fence

New DORA licensing regulations:

- 1) Wade gave background of new law
- 2) Hyndman-Sanchez, the premier Colorado HOA legal authority, has advised that due to our BOD structure and how our by-laws are written, we should be clear without licensing, but we don't yet have an official letter stating that
- 3) Motion for next year's board to serve as is if we have legal standing to do so, and if not to have the HOA pay for each Board member to be licensed if required. Motion seconded. All in favor. None opposed. Motion passed

Professional HOA Management:

- 1) Some homeowners requested the BOD research options concerning professional management companies
- 2) The bids received are available for review by any interested homeowner
- 3) The bids received ranged from \$6000-7300 dollars for base annual costs, with additional costs possible depending upon services requested
- 4) If we were to hire a company, we could expect our HOA dues will increase by approximately \$100/home
- 5) The BOD has concluded those companies don't offer any services above and beyond those given by the current board configuration and therefore the BOD cannot recommend that we hire an outside management company
- 6) There was some discussion among the attendees. When asked by the BOD if anyone would like to make a motion to hire a professional outside management company, no one did so. Issue closed

Budget:

- 1) Wade Whiteley presented the BOD's proposed budget for 2016
- 2) Motion to approve the budget as submitted. Motion seconded. All in favor. None opposed. Budget approved as submitted.

Summation of IOUs from this meeting:

- 1) Obtain a letter from Hyndman-Sanchez that will allow our BOD to remain unlicensed
- 2) If that doesn't happen or the legal interpretation is changed, then each BOD member will seek licensing, with all fees to be paid by the HOA
- 3) The BOD will contact the apartment complex about the fence and will call a special meeting (likely in March or April) to discuss and vote on a color and implementation plan for the new fence

New BOD:

- 1) Dave Boerner, current BOD President, will not accept a nomination to next year's BOD
- 2) Nomination of Mike Hendricks to run for the BOD made and accepted
- 3) No other responses to calls for nominations
- 4) Motion to elect a BOD consisting of the remaining three current members of the BOD (Whiteley, O'Brien, Knollenberg) plus Mike Hendricks. Motion seconded. All in favor. None opposed. Motion passed. The 2016 BOD will consist of Wade Whiteley, Shannon O'Brien, Scott Knollenberg, and Mike Hendricks.

Adjournment:

9:06PM Motion made to adjourn meeting. Motion seconded. All in favor. None opposed. Meeting adjourned.