

The Reserve at Ute Creek Home Owners Association Board

February 2018 Meeting Minutes - APPROVED

Definitions:

BOD: Board of Directors
CCIOA: Colorado Common Interest Ownership Act
CD: Certificate of Deposit
DORA: Department of Regulatory Agencies
HOA: Home Owners Association
HS: HindmanSanchez
NGLA: Neighborhood Group Leaders Association
NIP: Neighborhood Improvement Program
POC: Point of Contact
RFP: Requests for Proposal
RSL: Rock Solid Landscaping
TBD: To Be Determined

Meeting Date: February 26, 2018
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 called to order at 7:04 PM.

Meeting Attendance:

Scott Knollenberg, BOD President
Emily Brangoccio-Vallery, BOD Vice President
Wade Whiteley, BOD Treasurer
Shannon O'Brien, BOD Secretary/Governance
Bill Hallett, HOA Webmaster and NGLA Representative

Minutes:

Minutes for November and December were sent out for review prior to the meeting. Emily motioned to approve; Scott seconded; all in favor; none opposed; November and December minutes approved as submitted. There was no January meeting and therefore no January meeting minutes.

Reports by BOD Members:

- 1) Scott Knollenberg, BOD President:
 - Nothing to report
 - Will get with RSL to make a landscaping care calendar closer to spring
- 2) Emily Brangoccio-Vallery, BOD Vice President:
 - Our NIP grant application has passed the first hurdle and we are first in line; now we wait for City Council to approve funding for the program. We got a revised estimate from Split Rail and sent it to the City (Wayne kept the revised copy but didn't forward to all voters); the new numbers were within our projected margin of error
 - Wade requests pdf of plat with easement(s) and suggests adding the map to our website
 - Emily will provide – Bill will check website
 - We need to verify easements for all properties/common areas
 - If it is on the website, then RSL can access it as needed
 - We also need to verify how future fence work will be done
 - No answers about NextLight stuff/potential WiFi for proposed sprinkler system
 - Emily will pursue and also ask NGLA for other ideas
 - Emily still has an IOU to draft a welcome letter for new homeowners/buyers

3) Wade Whiteley, BOD Treasurer:

- No financial statements to hand out
- 4 homeowners still unpaid for 2018
- 1 homeowner still unpaid for 2017
- Homeowner in arrears has paid for 2018 but still owes for prior dues
- One paid in February but took discount; this is not allowed and Wade will followup
- Ended the year in the black but not by much; new dues amounts should cover our expenses for 2018
- Fence is our main priority for now; we won't prioritize other projects until and unless the fence gets done

4) Shannon O'Brien, BOD Secretary:

- We discussed what the governing docs have to say about basketball nets
- It is a) not neighborly to block the sidewalk, and b) against city code
- Will follow-up with city for abatement of Trex graffiti
- May check with Split Rail for possible maintenance suggestions
- Will send annual disclosure statement to Bill; Wade will send insurance and other necessary info
- We did receive the interpretation in time for the December meeting (see attachment)

5) Bill Hallett, HOA Webmaster and NGLA Representative:

- Submitted receipt for website hosting (\$10)
- Jason Vallery has created an account to move the website hosting but Bill can't get it to work; Bill will recheck with Jason
- NGLA update:
 - Scott Abrahamson has stepped up as the alternate NGLA rep; he attended January meeting where they reviewed the NIP submissions
 - The February meeting had not significant police or fire reports
 - City Council meeting in March will likely include a vote for NIP funding
 - Mayor sets agenda for City Council, but City Manager is chief administrator for the city
 - Longmont's direction is set by the Comprehensive Plan, which is reviewed/updated every 3 years
 - Council is defining selection process for new pot shops, e.g., set backs from homes/schools; expect 4 each year (4 approved last year); there are currently 10 applicants that are awaiting state approval before seeking city approval
 - Expect a change to junked or abandoned vehicle policy
 - There is a new policy for RVs & trailers; they will have a 48-hour grace period then will need to be moved at least 600 feet; this will require a complaint rather than being proactively enforced
 - They can get a permit for up to 7 days
 - New rules also allow contractors to park for up to 6 months if they have a sign
 - Joan Peck talked about the Transit Center at 1st & Main; will have bus transfer site with pads in place for eventual rail transfers; expect 3-4 trains per day instead of original proposal of 55 trains
 - Trains will be high-efficiency diesel – there isn't enough clearance for an electric rail overhead
 - The City is applying for waivers to allow for quiet crossings
 - The Get Well Longmont survey is pending; Bill suggests all residents complete it
 - There is also a survey about a multi-use access corridor and the priority of improving safety and access
 - NIP project proposals totaled \$50,853; expect City to approve funding for \$50,000; Community and Neighborhood Resources (CNR) will cover the \$853 overage, so everyone who made it to the presentation portion of the process will be approved
 - There is an event on May 14 at the Senior Center to set up networking for seniors that live alone

Adjournment:

- 8:33 PM Shannon motioned to adjourn meeting. Wade seconded. All in favor. None opposed. Meeting adjourned.

ATTACHMENT

Email from HS regarding quorum:

Melissa M. Garcia MGarcia@hindmansanchez.com

Dear Members of the Board:

HindmanSanchez P.C. has been retained to provide an opinion on what must be done in order to pass a special assessment. This letter is in response to that inquiry.

Section 5.4(d) of The Declaration of Covenants, Conditions, and Restrictions of The Reserve at Ute Creek ("Declaration") provides, in pertinent part:

In addition to the other Assessments authorized herein, the Board of Directors, subject to the requirements set forth below, may levy a Special Assessment for the purpose of defraying, in whole or in part, any unexpected expense to include but not be limited to, the cost of any construction, reconstruction, improvement, repair or replacement of a capital improvement upon the Common Areas, including fixtures and personal property relating thereto, or for the funding of any operating deficit incurred by the Association provided that any such Assessment shall have the approval of Owners to whom at least sixty-seven percent (67%) of the votes in the Association are allocated, who are voting in person or by proxy at a meeting duly called for this purpose.

...

Written notice of any meeting called for the purpose of making a Special Assessment shall be sent to all Owners not less than fourteen days nor more than sixty days in advance of the meeting. At the first such meeting called, the presence of Owners or of proxies to whom at least sixty percent of the votes in the Association are allocated shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirement, and the required quorum at the subsequent meeting shall be one-half of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than sixty days following the preceding meeting. [Emphasis added.]

Reading the above two provisions together, it is my opinion that the special assessment must be approved by 67% of those Owners *who are present* at the meeting, in person or by proxy, *assuming at least a quorum are present and vote*. So, you first need to meet the threshold quorum requirement and, once that is met, 67% (rather than a majority, which is the typical requirement to approve an Owner action) of those present must vote in favor of the special assessment.

Here are the actual steps:

- 1) Association sends notice to the Owners of the meeting at which the special assessment will be voted on. The notice has to include specific reference to the special assessment and that it will be on the agenda for vote.
- 2) Although Section 5.4(d) says the notice must be sent not less than 14 and nor more than 60 days prior to the meeting, CO law trumps and prescribes a 50 day maximum on meeting notice. So read that provision to state not less than 14 nor more than 50 days prior to the meeting.
- 3) Make sure you send proxies out with the meeting notice. The proxy form should include a statement that the proxy may be used at the meeting "and any adjournments of the meeting". That way, if you are unable to reach quorum at the first meeting, you can still use the proxies collected at the subsequent meeting.
- 4) Pursuant to Section 5.4(d), the quorum at the first meeting is 60%. If there are 70 Lots, then that means 42 have to be present in person or by proxy to meet quorum. If at least 42 are present at the first meeting, in person or by proxy, then the Association can move forward on the vote. So, let's say 42 are present, then 67% of 42 (29) have to vote in favor of the special assessment. If, on the other hand, all 70 are present, then 67% of 70 (47) have to vote in favor of the special assessment.

5) If at the first meeting the Association does not meet quorum (i.e., 42 Lots are not present), then you need to call a second meeting, subject to the same notice requirements as the first, but at this second meeting quorum will be 30%, so at least 21 Lots have to be present. If 21 Lots are present, in person or by proxy, at the second meeting then you can move forward and vote on the special assessment. And, again, 67% of those that are present must vote in favor of the special assessment. We hope this satisfactorily addresses the question presented to us. Should you have any further questions or comments or desire further clarification, please do not hesitate to contact us.

Our recommendations and opinions are based on the facts stated or assumed and known to us as of the date of this letter, but are not a guarantee of results or a specific outcome.

Melissa M. Garcia :: *Shareholder*

[555 Zang Street, Suite 100, Lakewood, CO 80228](mailto:mgarcia@hindmansanchez.com)-1011

303.991.2018 Direct :: 303.432.9999 Main ::

303.991.2019 Direct Fax

mgarcia@hindmansanchez.com :: www.hindmansanchez.com

The Reserve at Ute Creek Home Owners Association

April 2018 Meeting Minutes - APPROVED

Meeting Date:

April 9, 2018

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 called to order at 7:11 PM.

Meeting Attendance:

- Scott Knollenberg, BOD President
- Emily Brangoccio-Vallery, BOD Vice President
- Wade Whiteley, BOD Treasurer
- Shannon O'Brien, BOD Secretary/Governance
- Bill Hallett, HOA Webmaster and NGLA Representative

Minutes:

Minutes for February were sent out for review prior to the meeting. Emily identified a necessary correction to a name and then motioned to approve as corrected; Scott seconded; all in favor; none opposed; February minutes approved as corrected. There was no March meeting and therefore no March meeting minutes.

Reports by BOD Members:

1) Scott Knollenberg, BOD President:

- Will get with RSL later this month to make a landscaping care calendar and to turn on sprinklers

2) Emily Brangoccio-Vallery, BOD Vice President:

- We still need to remove any stakes around trees in the common areas. We will try it after the next good rain (hoping the rain softens the ground); Jason Vallery has offered the use of a winch if necessary
- Emily will continue to seek support or options for Wi-Fi for a new sprinkler system; her next step is to approach some members of the Sustainable Longmont Board
- Emily needs to submit 3 fence bids in support of our NIP grant application; she will submit 5-10 Requests for Proposals (RFPs) to vendors and let us know what/when she hears back
 - Wade did reach out to the company in Colorado Springs but hasn't yet heard back
- Regarding the NIP grant, if there are any cost overages about the estimate, we are responsible to cover that; if the project comes in under the estimated cost, the grant will be reduced by that amount
- We need to get some bids on dumpster rental
- After all of the above are taken care of, we will need to start the project (we are responsible for tearing down the existing fence)
 - Wade will coordinate with the homeowner at 1200 Whitehall about preparing his property
- The City would like us to submit a photo essay about the project, including before, during, and after pictures
 - The City will be building a website of NIP project examples for reference for future submissions
- Emily brought plat map and will send a pdf copy to Bill for posting on the website
 - We still need to research all the easements
- Emily still has an IOU to draft a welcome letter for new homeowners/buyers

3) Wade Whiteley, BOD Treasurer:

- No financial statements to hand out, but so far money looks good (most dues have been received and we haven't paid a water bill yet this year)
- 1 homeowner still unpaid for 2018
- 1 homeowner still unpaid for 2017
- Homeowner in arrears has paid for 2018 but still owes for prior dues
- No resolution yet with the homeowner who paid in February but took discount

4) Shannon O'Brien, BOD Secretary:

- No abatement letters sent
 - Two ARC submissions for paint (1218 Whitehall and 1331 Reserve) and one for a roof (1224 Whitehall) were approved (all submissions included the necessary approval from neighbors)
 - Still have IOU to follow-up with city for abatement of Trex graffiti
 - Shannon asked for approval to submit draft Annual Disclosure (originally emailed out in February); all concurred; Shannon will send Annual Disclosure to Bill for posting on website
 - Wade will send insurance and budget info for inclusion
 - At our request, HS submitted our DORA registration; we are now registered through 03/10/2019
 - Shannon asked Wade if we had received the bill from HS for either submitting our DORA registration and/or for proffering the opinion we asked for regarding a special assessment quorum
 - Wade thinks so but will verify and report back
- 5) Bill Hallett, HOA Webmaster and NGLA Representative:
- Longmont Power and Communications (LPC) gave a history of the public utility, starting with their inception in 1911
 - A clause in the 2012 contract with RidgeView Telco (RVT) included transferring ownership of their deployed Wi-Fi equipment in Longmont to the City if RVT ceased doing business (sell or fold); RVT complied with that clause when they sold their business; LPC now owns that system but they say the system is no longer supported or updated by a vendor; currently there is no talk about replacing the system
 - NextLight is being run by LPC as a not-for-profit service, which means prices are expected to go down as the number of subscribers goes up
 - They've installed 343 miles of conduit, 543 miles of fiber, and have a 55% sign-up rate (better than the 35% required for break-even)
 - It is estimated that having fiber run to your property adds \$5,000 in value to the property
 - PC Mag named Longmont the fastest wireless city
 - Voice Over Internet Protocol (VOIP) phone service is available (see NextLight's website for info)
 - The charter membership offer has expired; current price is \$69.95/month for the first year then expected to drop to \$59.95/month after that
 - Currently no caps planned on bandwidth use
 - During the police report, they gave their annual warning against running your car unattended in your drive
 - There is a volunteer community service organization called Empowered Neighbors in Longmont
 - The NGLA leadership has 3 new people
 - The NIP budget was approved at the March 20, 2018, Council meeting
 - Neighborhood Activities Fund (NAF) application due by April 16
 - Up to \$150.00 available per application
 - Wade will submit proposal for another ice cream social
 - We may dovetail that event with either the expected spring mulch-spreading party or the fence tear-down (date for both TBD)
 - The NGLA also provides various items for use by neighborhoods, including coolers, canopies, generators, cones, signs; two weeks notice is required to use these items
 - NGLA is sponsoring upcoming leadership series
 - Five of seven will focus on HOAs
 - The first event has already occurred (it was the NGLA grant workshop)
 - For one event, Melissa Garcia, Esq., from HS will give an update on state regulations
 - The City will be making safety improvements to Pace Street between 17th Ave and Hwy 66
 - The City will be making spill and bridge improvements at Golden Ponds

Adjournment:

- 8:03 PM Shannon motioned to adjourn meeting. Scott seconded. All in favor. None opposed. Meeting adjourned.
- The May meeting will be replaced with our spring walkthrough (date TBD)

The Reserve at Ute Creek Home Owners Association

June 2018 Meeting Minutes - APPROVED

Meeting Date:

June 11, 2018

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 called to order at 7:06 PM.

Meeting Attendance:

- Scott Knollenberg, BOD President
- Emily Brangoccio-Vallery, BOD Vice President
- Wade Whiteley, BOD Treasurer
- Shannon O'Brien, BOD Secretary/Governance
- Bill Hallett, HOA Webmaster and NGLA Representative

Minutes:

Minutes for April were sent out for review prior to the meeting. Emily motioned to approve as submitted; Wade seconded; all in favor; none opposed; April minutes approved as submitted.

There was no May meeting and therefore no May meeting minutes; in lieu of a May meeting, the BOD conducted its annual walkthrough of the neighborhood and grounds on May 14, 2018.

Architectural Review Committee:

- 1) Coordination had previously been done via email, but we signed the ARC requests for:
 - Reserve: 1210 (patio work) & 1325 (paint)
 - Whitehall: 1218 (paint) & 1224 (roof)

Reports by BOD Members:

- 1) Scott Knollenberg, BOD President:
 - Sprinklers turned on; just changed from 2 to 3 days/week due to heat
 - Still working with RSL to make a sprinkler zone map
 - Got a landscaping calendar from RSL; he will send to Bill for posting on the website
- 2) Emily Brangoccio-Vallery, BOD Vice President:
 - Still awaiting responses to her RFPs from other fence companies; these are needed to meet City requirements for our approved NIP grant
 - Will reach out to Wayne Tomac (City POC for NIP grant paperwork/process) to see if he can help
 - No date set yet for fence teardown; we will need to wait for city approval then get on the Split Rail schedule
 - We are still planning to dovetail the annual ice cream social with the fence teardown party
 - Wayne Tomac may also be able to help with our wi-fi issue for a wireless smart sprinkler system; he requests we send him all the info we have and he will try to put us in contact with others who have successfully addressed the same issue
 - If we come up with a viable solution to the wi-fi issue, Wayne also suggests that we consider using our NIP grant submission for next year to maybe help cover some of our projected expenses
 - Stakes have been removed from trees in the SE park; will verify stakes removed from all common areas
- 3) Wade Whiteley, BOD Treasurer:
 - Annual numbers to date look fine
 - The homeowner in arrears who had a payment plan has been reminded to send payment
 - Wade emailed the homeowner who has not yet paid for 2017 and/or 2018; no response; Wade will follow up again

- Wade shared a complaint from a homeowner on Reserve who thinks some of the sprinkler heads on 17th may not have been repaired and/or turned back on after the fence installation
 - Request Scott investigate with RSL
 - We paid \$125 bill to move the old line or create a new line at the fence after fence installation; maybe it wasn't done?
 - Wade also suggested Scott verify the water on the 17th Ave entrance island is on (drip lines don't always look like they are on since the water shouldn't be visible above the surface)
 - Two trees were removed from the SE park (easily pulled out; the root system never took); Wade will research options and make arrangements for replacements (maybe autumn blaze maples?)
 - Wade talked to homeowner at 1200 Whitehall about pulling foliage and other landscaping off the fence in preparation for replacing that section of fence this summer
 - We need to shore up (or tear down) the pieces of that section that are (quite literally) falling down
- 4) Shannon O'Brien, BOD Secretary:
- Verified attendance at mulch party; will send out thank you
 - No abatement letters sent
 - Will verify POC for book club and bunko groups for welcome letter
 - Will send general info email about basketball nets on sidewalks, weeds in lawns/driveways, be a good neighbor
- 5) Bill Hallett, HOA Webmaster and NGLA Representative:
- Didn't attend last NGLA meeting; nothing to report

Adjournment:

- 8:34 PM Shannon motioned to adjourn meeting. Scott seconded. All in favor. None opposed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association

July 2018 Meeting Minutes - APPROVED

Meeting Date:

July 9, 2018

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 called to order at 7:07 PM.

Meeting Attendance:

- Scott Knollenberg, BOD President
- Emily Brangoccio-Vallery, BOD Vice President
- Wade Whiteley, BOD Treasurer
- Shannon O'Brien, BOD Secretary/Governance

Minutes:

Minutes for June were sent out for review prior to the meeting. Emily motioned to approve as submitted; Wade seconded; all in favor; none opposed; June minutes approved as submitted.

Architectural Review Committee:

- 1) Reviewed and approved a submission for paint at 1320 Whitehall (all required signatures included)

Reports by BOD Members:

1) Scott Knollenberg, BOD President:

- Checked the property in the 17th Ave entrance island and to the west; verified that all are being watered, although there is one spot on the west side of the entrance that seems to be getting less than the rest
- There are some points on 17 that need to have coverage verified; will get RSL to verify coverage
- Map project still in the works
- Received notice from DORA about a complaint received from homeowner Dyce DeHaan; the complaint is DORA Number 2018-1072
- Scott has 21 days to respond to the complaint. He will write up a response and share it with the Board before he submits it

2) Emily Brangoccio-Vallery, BOD Vice President:

- Still looking for RFPs; has one response refusing to bid, so hopefully that will count for the City as one
- We have up to the end of the year to be within the required
- The fence has had stopgap repairs done so it doesn't seem to be ready to fall down
- Still working on welcome letter
- Plans to attend August info meeting for the 2019 NIP grant; we may submit for our sprinkler wi-fi

3) Wade Whiteley, BOD Treasurer:

- Distributed year-to-date docs
- In good shape so far this year but haven't yet paid the hot season's water bills
- No bank statements arrived yet this month; likely due to holiday last week
- Cash reserves about \$45K; expect to spend about \$25K before end of year, plus will spend more for our share of this year's fence project
- Homeowner on payment plan has restarted payments
- One homeowner not yet paid for 2017/18
- CD at First Bank will mature at end of year; Wade will transfer that to Guaranty at that time
- Expects to get replacement trees for SE park in September, after price goes down
- Posts in SW park still need to be removed
- Broken bench in NW park still needs to be removed

4) Shannon O'Brien, BOD Secretary:

- Will send abatement letter about bad landscaping/lawn/weeds

- Reviewed and approved draft newsletter
 - Sent POC info to Emily for book club & bunko groups for welcome letter
- 5) Bill Hallett, HOA Webmaster and NGLA Representative:
- Via email reported that July and August NGLA meetings have been cancelled for summer hiatus

Adjournment:

- 8:49 PM Shannon motioned to adjourn meeting. Wade seconded. All in favor. None opposed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association

September 2018 Meeting Minutes - APPROVED

Meeting Date:
Submitted by:

September 17, 2018
Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

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

Meeting Attendance:

Scott Knollenberg, BOD President
Emily Brangoccio-Vallery, BOD Vice President
Wade Whiteley, BOD Treasurer
Shannon O'Brien, BOD Secretary/Governance
Bill Hallett, HOA Webmaster and NGLA Representative

Minutes:

Minutes for July were sent out for review prior to the meeting. Emily motioned to approve as submitted; Scott seconded; all in favor; none opposed; July minutes approved as submitted. There was no August meeting so no August meeting minutes.

Architectural Review Committee:

- 1) Reviewed and approved a submission for a roof at 1218 Whitehall (all required signatures included)
- 2) Reviewed and approved a submission for paint at 1344 Whitehall (all required signatures included)
- 3) Signed a previously-coordinated fence request for 1261 Whitehall (all required signatures included)

Reports by BOD Members:

1) Scott Knollenberg, BOD President:

- Scott responded to DORA's initial information request within 48 hours of receiving the request. He also responded to a request for clarification from DORA. No further communication has been received from DORA.
- Changed the water schedule from 3x/week to 2x/week due to lower temps
- Weed whacking complaint by a homeowner has been addressed
- Zone map project still pending

2) Emily Brangoccio-Vallery, BOD Vice President:

- Sent welcome letter out for review; still looking for feedback
- September 26 is due date for 2019 NIP proposal; is still working on putting together our bid
- Current NIP grant is still pending; still talking to Wayne Tomac about why we only have one bid
- A homeowner will take out part of the fence for the wood; Wade will check with 1200 Whitehall
- Free landfill drop day on November 17; can we wait until then to not pay a disposal fee
- Bagster bags (similar to but smaller than a dumpster) are 4'x8'x2.5'; if half of the fence would already be gone, it would probably take 2 Bagsters for last sections. Prices are \$29.95 each, plus a disposal fee of \$120 for the first Bagster and \$95 for each additional Bagster.

3) Wade Whiteley, BOD Treasurer:

- Distributed year-to-date financial docs
- First homeowner in arrears is paying as agreed
- No response from second homeowner in arrears
- Water is in good shape; expects another bill around \$1500 then the bills should start to drop down; if that works out, we should not use all of our water budget
- Will be a bit over-budget on ground maintenance
- Currently expecting to be in great shape at end of year
- Needs to order replacement trees for SE park (current sale is \$1 for second tree)

- Current proposal is for \$2K for NIP grant for 2019 line item
 - Broken bench pieces in NW park will be loaded on the fence tear-down day
- 4) Shannon O'Brien, BOD Secretary:
- Sent one request for Abatement
 - Sent one general newsletter to all homeowners
 - Sent one email about City Code Enforcement letters received by some homeowners; the Board did not file any complaints with the City, so not certain about impetus for the letters (possibly another complaint or maybe a general review by the City?)
- 5) Bill Hallett, HOA Webmaster and NGLA Representative:
- NGLA has been on summer hiatus; next meeting is this Thursday; Bill can't attend due to a schedule conflict; he will check with his alternate; if alternate can't attend, Shannon can attend
 - Current NGLA alternate has moved out of the neighborhood but is still a homeowner therefore still a part of our HOA. Bill will verify whether current alternate wants to continue in that role; Shannon can send email soliciting volunteers to replace current alternate if necessary

Adjournment:

- 8:13 PM Shannon motioned to adjourn meeting. Wade seconded. All in favor. None opposed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association

October 2018 Meeting Minutes - APPROVED

Meeting Date:
Submitted by:

October 8, 2018
Shannon O'Brien, Secretary, The Reserve at Ute Creek HOA

Call to Order:

This meeting was held at the Longmont Senior Center and called to order at 7:09 PM.

Meeting Attendance:

Scott Knollenberg, BOD President
Emily Brangoccio-Vallery, BOD Vice President
Wade Whiteley, BOD Treasurer
Shannon O'Brien, BOD Secretary/Governance
Bill Hallett, HOA Webmaster and NGLA Representative

Minutes:

Minutes for September were sent out for review prior to the meeting. Emily motioned to approve as submitted; Scott seconded; all in favor; none opposed; September minutes approved as submitted. Also, there was a minor correction to the July minutes (adding a missing acronym) that was approved. The corrected July minutes will be sent to the Webmaster for inclusion on the webpage.

Architectural Review Committee:

- 1) Reviewed and approved a submission for a roof at 1210 Reserve (all required signatures included)

Reports by BOD Members:

- 1) Scott Knollenberg, BOD President:
 - Still no response from DORA
 - Will contact RSL to turn off sprinklers
 - Zone map project still pending
- 2) Emily Brangoccio-Vallery, BOD Vice President:
 - Submitted 2019 NIP grant: Smarter Sprinklers, Greener Grass
 - For current NIP grant proposal, Wayne Tomac requested copy of email from TREX
 - Emily will ask Wayne if they'd rather have bids from out of state vs not enough bids
 - Flyers about the Neighborhood Facebook Group were distributed (group not affiliated with the Board)
 - Welcome letter has been finalized; we will send or deliver it to new move-ins
- 3) Wade Whiteley, BOD Treasurer:
 - Distributed year-to-date budget docs
 - Big water bill – will probably get at least one more of those
 - Still expecting to be below budget on water but above on grounds maintenance
 - First delinquent homeowner has been paying as agreed
 - Second delinquent homeowner has not responded to attempted email or phone contact; as a Board, we feel no need to spend the money to file lien since we will get the money if/when they try to sell; title cannot be transferred without our approval
 - CD comes due on 28 December at First Bank; the plan is to transfer it to Guaranty at that time to consolidate funds
 - SE park trees still on the to-do list
 - Discussed plan for next year's budget
- 4) Shannon O'Brien, BOD Secretary:
 - Sent email soliciting volunteer(s) to fill role of Alternate NGLA Rep; no responses received
 - Sent no Requests for Abatement

5) Bill Hallett, HOA Webmaster and NGLA Representative:

- Will work on an archive page for the HOA website
- Out of town for last NGLA meeting
- Current Alternate NGLA rep will continue in that role (moved out of the neighborhood but is still a homeowner in the neighborhood so is eligible to represent the neighborhood)

Adjournment:

- 8:13 PM Shannon motioned to adjourn meeting. Scott seconded. All in favor. None opposed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association

November 2018 Meeting Minutes - APPROVED

Meeting Date:

November 12, 2018

Submitted by:

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

Call to Order:

This meeting was held at the Bank of the West building on Hover (The Senior Center was closed for observance of Veterans Day) and called to order at 7:03 PM.

Meeting Attendance:

Scott Knollenberg, BOD President
Emily Brangoccio-Vallery, BOD Vice President
Wade Whiteley, BOD Treasurer
Shannon O'Brien, BOD Secretary/Governance

Minutes:

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

Reports by BOD Members:

1) Scott Knollenberg, BOD President:

- Still no response from DORA
- RSL turned off sprinklers
- Zone map project still pending
- Will check with RSL to see if final mow has been done for the year (contract lists one fall clean up in November and one in December)
- Will make arrangements to have the now-superfluous tree support posts removed

2) Emily Brangoccio-Vallery, BOD Vice President:

- Split Rail contract pending signature
- We discussed the contract as proposed; we want some changes made to include The Greens as a signatory since Split Rail will be working on their land and any damage will likely be to their property
- Wade will contact Foster Management (who manages The Greens) about paying their promised amount and co-signing the contract
- Wade and Shannon will draft the revisions and contact Ned at Split Rail
- Any request for extension for this year's NIP project needs to be submitted to the city by Nov 16 if project won't be done by Dec 7; we will try to get a project date from Split Rail this week and submit the request for extension if necessary
- This Saturday is the last free dump day for this year, so it is likely that disposal fees will be added to the project
- Emily hasn't heard from the city about the 2019 NIP proposal she submitted
- Things to be disposed of either on free landfill drop day or with the fence disposal:
 - Fence at 1200 Whitehall
 - Pieces of west side fence that fell down a few years ago
 - Broken bench pieces from NW park
 - Dead trees from SW park

3) Wade Whiteley, BOD Treasurer:

- Distributed year-to-date budget docs
- Will bring all account statements to annual meeting to have them available for review

- We expect to be in good shape overall at end of year, although ground maintenance will be slightly over budget (we set the budget before we got the contract numbers from RSL)
- First delinquent homeowner still paying as agreed
- Second delinquent homeowner has not responded to any attempted contact
- Distributed proposal for budget for next year; only changes are NIP amount and upped grounds maintenance to reflect increased amount on RSL contract
- SE park trees still on the to-do list

4) Shannon O'Brien, BOD Secretary:

- Sent no Requests for Abatement
- Will send email about General Membership meeting on December 3, 2018
- Reviewed Agenda for General Membership meeting
- Will also put out signs for General Membership meeting

Adjournment:

- 8:28 PM Shannon motioned to adjourn meeting. Scott seconded. All in favor. None opposed. Meeting adjourned.

The Reserve at Ute Creek Home Owners Association

December 2018 General Membership Meeting Minutes -

APPROVED

Meeting Date:

December 03, 2018

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 called to order at 7:03 PM.

Verification of Quorum:

Meeting Attendance: 13 of 70 Residences represented by attendees, plus an additional 17 proxies (30 total); 25% Quorum (minimum of 18 residences) achieved.

Reports by BOD and Committee Members:

- 1) Board Members introduced themselves to attendees.
- 2) Scott Knollenberg, BOD President:
 - a. Welcome and thanks for attending
 - b. Landscaping and water use costs were within budget
- 3) Emily Brangoccio-Vallery, BOD Vice President:
 - a. Talked about NIP projects with NGLA
 - b. This year's project has received approval – long road to get here but still pending date from SRFC due to delay in getting supplies
 - c. Getting up to \$3K from The Greens for that
 - d. Sweat equity will be made up by tearing down the old section of fence
 - e. Will post date for tear down party once we have a date from SRFC
 - f. Next year's NIP is focused on Smarter Sprinklers Greener Grass – research and set up wireless control on a smart sprinkler system – just on the scheduling equipment, not all the components of the system
 - g. Will automatically adjust watering according to the weather forecast, won't water when raining, may water more if hot and dry
 - h. Thank you to all the members of the fence committee for laying the groundwork for this fence upgrade
 - i. Anyone with any suggestions for current or future projects, please share
 - j. We had another mulch-spreading party this summer; thanks to all who attended
- 4) Wade Whiteley, BOD Treasurer:
 - a. Financial condition – by year end projecting about \$40K in Reserve Fund (it is building back up)
 - b. As we do fence (and other) projects that will go up and down
 - c. Our NIP grant proposal was approved – one member of the review committee said it was one of the best proposals they've ever seen – many thanks to Emily for putting that together
 - d. Bill got the same feedback about our proposal at the NGLA meetings
 - e. We appreciate the cooperation of The Greens; we will ask for the same type of cooperation from the apartments when the time comes to do that section(s) of fence
 - f. Dues were increased last year
 - g. NGLA and the City of Longmont are projecting a 10% rate increase per year for water
- 5) Shannon O'Brien, BOD Secretary
 - a. All requests for approval for work (this year was mostly roofing projects) were processed and approved by the Board. All submitted requests came with the required signatures of approval from nearby neighbors, which made our job very easy. Many thanks to all who read and complied with the rules before submitting
 - b. We sent a couple of abatement notices in 2018, and each of those issues has been resolved
 - c. We sent a couple of general reminders about Longmont code compliance

- 6) Bill Hallett, NGLA rep:
 - a. Bill's membership registers our neighborhood with city
 - b. His participation gives us access to such things as copy services and the Senior Center for meetings
 - c. Bill attends monthly NGLA meetings and also attends the monthly BOD meetings to report on the NGLA activities and announcements
 - d. NGLA is a way for the city to provide information to neighborhoods and for the city to get input from neighborhoods
 - e. NGLA membership gives us access to NIP grants and block party funds, plus the option of borrowing various pieces of equipment
 - f. Next year our project could be VERY helpful to other neighborhoods, if we can find a way to make it feasible
 - g. Different meetings focused on different groups in city, e.g., non-profits
 - h. Updates from police and city council
 - i. Lot of discussion about ongoing flood recovery efforts
 - j. NGLA provides various training sessions throughout the year for neighborhoods and HOAs
 - k. Bill would be happy to let someone else take over as primary; he has been on it for over 10 years
 - l. Scott Abrahamson is the backup rep
 - m. Bob Lee expressed his gratitude for Bill's service

HOA Fence:

- 1) Next section planned is 183 linear feet on the north side of Whitehall at west entrance to neighborhood
- 2) Split Rail is not expecting a delivery of product until 2019 so there is no way it will happen before then
- 3) We had extensive trouble getting bids; couldn't even get people to say they wouldn't bid
- 4) Stone columns (required by city code) are not expected to be an issue because we are not replacing the whole fence
- 5) Homeowner by this section has cut back vegetation; we are asking him to also move some of his rock work
- 6) Sprinkler repair will be between The Greens and SPFC – we are expecting The Greens to be a signatory to the contract with SRFC
- 7) The apartment complex has moved a lot of their landscaping rocks off our fence; we are still hoping for further cooperation from them when it comes time to replace that final section of the fence
- 8) We will require a permit be pulled for any other sections done (as it was for the initial section)
- 9) The fence that borders golf course also belongs to the HOA looks to be in good shape but we will attend to that as necessary; it shouldn't be as costly as the 6' fence along the south and west sides of the neighborhood but it will need to be replaced/repared at some point; the neighborhood fences are the only hard asset for the HOA

Sprinklers:

- 1) Our NIP Grant proposal for 2019, called Smart Sprinklers, Greener Grass, centers on the possibility of setting up wi-fi to be used with automatic sprinkler systems
- 2) We might not be eligible since we don't have a water audit in place
- 3) If that's the case, our plan it to have an audit in 2019 and reapply in 2020

Review of Other Projected Budget Items. As mentioned last year, this is the long-term list of big-ticket budget items that the Board has identified and will be planning for over the next 5-10 years:

- 1) Finishing the fence
- 2) Maintaining and possibly upgrading our sprinkler system
- 3) Review and revision of all HOA documents
- 4) Ash trees (removal and/or replacement, as necessary); as a reminder, this is what we've found during our research:
 - a. Treatment is about \$250/tree every other year
 - b. Wade walked the neighborhood with an arborist; the arborist told Wade that of the 30 or so trees we thought were ash, that about 10 of those were huckleberry
 - c. It would cost us \$5-7K every 2 years for treatment for something that has a limited life span anyway

- d. We've elected to remove trees as necessary (like the one next to 1349 Reserve)
- e. The city doesn't want us to plant more ash trees
- f. Instead we are trying to find trees like pear/maple/locust, although we had 2 maple die in SE park
- g. Wade and Jason Vallery will work together to replace those two rather than pay to have it professionally done; we currently have bags of topsoil in the two holes so no one falls in
- h. A couple of oak trees on 17th may need to be trimmed up next year after a couple of hard years
- i. Some of that work may require us to hire a professional to do it

Budget:

- 1) Copies of the proposed budget were available to all attendees.
- 2) Approximately 70% of our costs are a result of water and landscaping
- 3) Compared to last year there is very little change
- 4) Not proposing any increase in HOA dues, and not currently projecting a need for that for a few years to come
- 5) Ground maintenance went up a bit – the amount went up this year AFTER the last year's budget was passed, and that rise is reflected in next year's budget
- 6) Ancillary issue is the collection of dues – 1 homeowner who is not current and not paying, and 1 who is behind but is now keeping current (paying back dues while staying current on new dues)
- 7) Most homeowners take advantage of the credit if they pay by January 31 (\$50)
- 8) Bad debt line item is a "just in case" item that we might have if we need to write off unpaid debts – we've elected to put it in as a line item and maybe not need it, rather than take it as an unplanned hit if it ever does happen
- 9) We as a board have decided to not seek a lien against the homeowner who is not paying, since we expect that we will get our money, including penalty and interest, if/when the homeowner goes to sell; that homeowner is not responding to any communications from the Board
- 10) In an attempt to persuade homeowners to come current, Wade does explain the situation to them, but so far it hasn't worked; he also hand-writes on the individual invoices
- 11) Small claims court is an option; it could result in a judgement – which the homeowner could still refuse to pay – although we could then opt to garnish wages or some such; instead, we are opting to handle this in as neighborly a way as possible and count on being made whole at time of sale (if not before)
- 12) Bill motioned to ratify the budget as presented by the Board; Robert seconded; all in favor; none opposed; motion carried; proposed budget passed
- 13) Wade reminds all homeowners that HOA books are available for review by any homeowner

Dues Reminder: Must be PAID IN FULL not later than January 31, 2019 to receive discount. Please drop checks off at Wade's house (1303 Whitehall Drive); Wade will send out a generic invoice before sending out individual invoices

Open Floor:

- 1) Bill thanked Board for service
- 2) Board thanked homeowners for attending
- 3) Deb Ianucelli was bitten by a grey cat that roams the neighborhood; does anyone know who the cat belongs to?
- 4) Raccoon families are living in the neighborhood; please be careful
- 5) Packages have been stolen off a couple of porches, as has at least one milk cooler and milk from a couple of homes; please be watchful
- 6) There is an unofficial neighborhood Facebook group; if interested please check it out (Reserve at Ute Creek Neighbors)
- 7) If you have a Ring doorbell, you can register it with the Longmont Police Department
- 8) If you leave your car outside, a reminder to please lock it

Election of BOD:

- 1) Board as it currently sits is willing to stay on but anyone else is truly welcome to step up; no one volunteered

- 2) Bill motioned to elect sitting Board to remain in place; Sabrina seconded; all in favor; none opposed; motion passed; same four members will remain on the Board
- 3) The 2019 BOD will consist of Wade Whiteley, Shannon O'Brien, Scott Knollenberg, and Emily Vallery

Adjournment:

- At 8:13pm Emily motioned to adjourn; Scott seconded, all in favor, none opposed, meeting adjourned