

Dutch Creek Homeowner's Board of Director's Meeting

February 8, 2006

Columbine Public Library Meeting Room

President of the Board, Lou Day called the meeting to order at 6:32 PM. The following Board Members & guest homeowners were in attendance: Lou Day, Chris Pillow, Debbie Swoboda and Peige Visser; Eileen Parker - to record the business of the meeting; and the following: Lyn Cole, Jennifer Shirley, Cindy Fast, Bill Groskopf, Charlie Swanson, Cindy and Gary Losh, Henrietta Peterson, and Tony Richie who arrived about 7:15 PM. Lou invited the guests to participate in the proceedings; but advised that one must be a Board Member to vote.

Quorum of minimum of 4 Board Members was established.

Approval of Board Meeting Minutes of Nov. 28th, 2005: accepted as published.

Architectural Control Committee Report: The issue is the request by a homeowner to waive the covenants requirement of the setback for a building added to a yard. The playhouse has already been placed in the yard. Lou has let them know of the problem; and apprised the Board that not responding to the request for waiver approves it by default. Chris Pillow voiced concern that that would be setting a precedent. Several people, who are neighbors of the homeowner, stated that they think there is no problem with the playhouse as placed. The Board decided by consensus to accept this particular variance by inaction to the request for waiver.

SB05-100 Documents:

Lou has received the documents, approved for purchase by the Board in November, has filled in the questionnaire and just received the First Draft copies from Hindman and Sanchez (formerly Orten and Hindman). His recommendation is that Board Members read them from the copies he'll send by e-mail and make comments. It was his opinion that the questionnaire without the documents weren't useful and the draft proof documents are what Board members need to review before they are finalized. There will probably be legislative changes, this session, to SB05-100 relaxing some of the requirements. Part of the requirements of SB100 is a provision that "owner education" be conducted yearly. Lou would like to offer this to any interested homeowners before the general meeting. It was decided to try for an early April date and schedule the General Meeting for May. The dumpsters for the neighborhood cleanup have been scheduled for the first weekend of May.

Newsletter/Directory: The first of the quarterly newsletters has gone out; no negative comments have been received. Jackie Mathewson is working on the Directory and hopes to have it out no later than March.

Lawsut/Dues collections: Finance Chair, Chris Pillow, reminded the Board that one year ago the decision was made to take a more proactive approach to dues collections. Therefore, he and Lou have gone to one court hearing for collections of overdue dues on one homeowner's part. The homeowner didn't show; the dues are expected to be paid. The plan is to file liens on homeowners who have 2 yrs or more of unpaid dues because by the third year the bill is more than \$1000. To date \$6300 in dues and interest has been collected. \$1900 from this last case should be coming in this month. It cost the association \$2500 for the collection of about \$8000. It is not the wish of this Board to file foreclosure on any homeowner – but to apply pressure to adhere to the Covenants. There are definite compliance issues in filing 3. Chris is working on this issue.

Pool/Landscape/Greenbelts: Debbie stated that all is ok. She will begin the hiring of summer help ASAP.

Dutch Creek Recreation Facility Committee: Peige Visser, Board member and chair of the Facilities Improvement committee, reported that the last committee meeting was attended by past HOA President, Arne Birkeness, who voiced his opinion that the Board had approved a phased development plan when he was President (reference the 2003 Sterling Architectural plan). Peige said that she believes that Rich Hagan has withdrawn his plan for use by the committee; but would like to know if that is final. Homeowner, Cindy Losh expressed a desire to work with Rich Hagan's plan but modify it so that we can achieve improvements at less cost and sooner rather than later. Gary Losh suggested that the disagreements could be overcome with a plan to move forward; that we use Tom Martino's referral line for contractors and get estimates – "get the show on the road." Tony Ritchie, Board member in '92-'98, addressed the group with his opinion that this phasing of improvements began with the wall that was redone in 2003. That it was a 3 Phase Plan. He wanted to know just what the problems are keeping the project from moving forward. Cindy Fast, committee member who was also on the original committee prior to the wall being built, said that Phase II was to be the volleyball area, parking lot, and such in that area.

Chris Pillow made the following motion, "I move that this committee as constituted be dissolved at this time." More discussion followed; Lou called for a rereading of the motion which he then seconded. After more heated discussion, the vote was taken: Opposed – Debbie Swoboda, Peige Visser; In Favor – Chris Pillow, Lou Day, **AND** Chris presented Bob Stong's proxy giving Chris the right to vote in his stead at "... any Meeting of the Board of Directors ..." "... of the Dutch Creek Homeowners & Recreational Association, or any adjournment thereof, to be held during the period of Jan1, 2006- March 10, 2006 ..." (Attachment #1).

Several guest homeowners left the meeting at this point. Debbie and Peige packed up and walked out. Eileen Parker voiced her concern of the legitimacy of the proxy for any one vote not so noted on the proxy.

The meeting ended as a quorum no longer existed.

Respectfully submitted,

Eileen P Parker,

February 18, 2006