

Minutes of the Annual Meeting
Dutch Creek Homeowners' Association

May 17, 2007
Columbine Library

Lou Day, President of the HOA, called the meeting to order at 6:35 PM.

A quorum of at least 19 homeowners was present. In the interest of time, Lou asked attendees to write down questions as needed (to save for an Open Forum at the end of the meeting) and not ask them of presenters unless the presenter asks for them.

Minutes of the 2006 Annual Meeting: After giving everyone time to read them, Lou asked for corrections or changes. Having none, the Minutes were approved as written.

Welcome Remarks: Lou thanked the following people for helping with the ballot procedure: Lorren and Janet Lewis, Dianne O'Keeffe, Connie Adragna, and Jackie Mathewson; and Ann Stong and Linda Dowell for handing out the new Recreation Facility proximity cards. In addition, he thanked Eileen Parker for her getting the help and setting up the ballot procedure and serving as Secretary this past year. The current Board of Directors, in attendance, was introduced: Chris Pillow, Bob Stong, Mark Hannum, Dan Dowell, Peige Visser, and Debbie Swoboda. First priority is the election of Board of Directors. Again this year, we are using additional procedures to comply with SB100 (Homeowner's Bill of Rights) and the requirement for a secret ballot. As an HOA, we also must enforce the "one property - one vote" requirement as well.

With a PowerPoint presentation, Lou explained the *organization of the HOA in regards to the Board of Directors and the Officers*. Seven *directors* are elected by the membership in staggered, 3 year terms. The *officers* are then elected by the Board of Directors and serve 1 year terms – subject to reelection each year after the new members of the Board are elected. The Officers need not be Directors. In fact, the Directors and the Officers don't even have to be members of the HOA; but the Directors must be elected by the membership. The Board is given authorization over all matters of the HOA except for electing the Directors and removing a Director, increasing the dues' cap, and amending the governing Documents. The only officers that are specified in our By-Laws are the Pres., V. Pres., Secretary, and Treasurer. Other officers can be added as the Board sees fit. Only the Pres. and V Pres. have to be members of the Board. Officers can be appointed by the Directors if there is a "warm body" willing to do the job. In actual practice, the Directors usually divide the Offices and take on those responsibilities. For example, Eileen Parker is not a Director of the Board but is serving as Secretary at the discretion of the Board. Also, Rich Hagan has been serving as the Chairman of the Facilities Improvement Committee.

There are three Board members' positions that are due for election this year. Lou Day, Bob Stong, and Peige Visser have each chosen to not run for reelection. The positions of Directors Chris Pillow and Debbie Swoboda will be up for election in '08. Mark Hannum and Dan Dowell are in positions which will be up for election in '09.

Donna LeNoble, Gordon Pape, and Pat Clark volunteered to be the ballot counting committee tonight.

Bob Stong, Nominating Chairman, presented the three candidates for the open Director positions: Karen Melfi, Eileen Parker, and Marcel Savoie. Then, he asked for nominations from the attendees. Arne Birkeness spoke up to nominate himself. Dee Pape made **the Motion** to close the nominations, seconded by Tom O'Neill. There were no objections so Lou accepted the motion by consensus.

The candidates were given time to speak to the membership.

Karen Melfi: She and her husband, Dan are residents of filing 3; semi-retired “land-man” doing work in title search, etc., long-time Columbine area resident (grew up in Bow-Mar); sister and brother-in-law also live in Filing 3

Eileen Parker: She and her husband, Gary, have lived in Filing 1 since Aug. of 1993, has served on a past committee which looked into options for stemming the vandalism at the pool; has served as Secretary to the Board for the past two years, is co-editor of our neighborhood newspaper with Jackie Mathewson; spoke to desire not to turn our Covenant Enforcement into a “policing” type of operation

Marcel Savoie: Resident of filing 2; is a realtor now after working in land development for many years; served on the Board in the past - stepped down early in his term for personal reasons; served as the chairman of the Architectural Control Committee at that time and would like to see the Board step up and make some positive changes in our community.

Arne Birkeness: Resident in filing 2; served as Board President a few years back (and was instrumental in getting the current lower retaining wall north of the pool built); didn't stand for reelection at the time due to job commitments; believes that there are some issues facing the HOA at this time that he'd like to be involved in

There was a brief break while attendees were given time to vote and put their secret ballots into a box at the back of the room for the committee to count.

Facilities Improvement: Lou used his computer/projector to present the major accomplishments of the 06-07 year: pictures showing the before & after condition of the Recreation Facility – sidewalks, fence, picnic shelter, landscaping in progress. He showed the new security gate and explained how the proximity cards will work. It is programmed to recognize specific cards, time of day and privileges. For example, there are a few cards like the pool manager and grounds/landscaping managers that have 24 hour access cards and most homeowners' cards have the access during the established open hours of 6 AM – 9 PM. Those whose dues/assessments are in arrears (prior to the current year's dues/assessments) won't have access and their cards won't be recognized by the gate. The gate has an alarm on it which will go off if the door is ajar longer than the programmed time. **AT THIS TIME**, the gate is not fully installed and not yet fully programmed. The goal for opening is Memorial Day weekend – but is dependent upon weather and other construction issues. The attendees showed their appreciation for the work done and the efforts of the Board and the Facilities Improvement committee with applause!

Rich (& Lyn) Hagan, Facilities Improvement Chairman, are traveling but will return before Memorial Day. In his place, Tom O'Neill has been overseeing the construction process and working with the contractor. Tom reiterated that the gate and fence and landscaping still need to be completed. There will be a continuation of the wood fence down the side to the ornamental fence and the chain link fence on the west side of the facility. A new sign will be in place soon where the old cottonwood tree was. A sprinkler system will be installed, sod put in around the picnic shelter and where the old volleyball court was, and native grass seed planted in the new open area where the east tennis court was.

NOTE: Most of this landscaping area will have to be roped off and kept off of for about three weeks once in. PLEASE obey the signs and tell your children the same.

Again, the attendees applauded the committee for the work done. The committee is made up of: Rich Hagan, Tom O'Neill, Charlie Swanson, Scott and Juli Thomas.

Result of Election of Directors: Karen Melfi, Eileen Parker, and Marcel Savoie have been elected for the three open positions. Lou noted that Arne "put up a good fight".

Finance Report: Chris Pillow addressed the financial statement (in Handout #1). The report shows that we have taken more money in and spent less than was projected in the budget for '06-07. Some of this is because of the loan taken on for the Facilities Improvement Project. \$81,712.63 has been spent to date (03/31/07). We are committed to spend \$104,400.00 more – monthly payments of \$2000 on the loan to Vectra Bank which will pay \$24,000 on the loan this year (5 yr loan). We will have about \$80,000 coming in from the dues. This should be more, about \$90,000; but realistically, not all of it is collected each year. We have \$111,476.93 in the bank now for continued payment on the loan and meeting our obligations for operation of the HOA. The total cost of the improvements is, rounded off, \$185,000 (we used reserve funds of \$90,000 and took out a \$90,000 loan). The other \$5,000 in additional costs will be made up through reserves created in 2007-08. The loan assessment showed that we needed dues of \$495/home with 184 homes in all the HOA to service the debt AND cover the costs of running this association. We usually recoup delinquent dues/assessments upon sale of a home if not collected before due to lawsuit collections.

There was a question from a homeowner regarding the expenses under sprinkler repair. Dan Dowell said he'd address that in his section.

Pool: Debbie Swoboda – aiming for the Memorial Day opening as said before. There was a suggestion that a sign be posted about the alarm if gate is propped open.

Architectural Control Committee: Mark Hannum

Submittal forms will be available on line via the website within 30 days. He'd like to have at least one volunteer on the committee from each Filing. There are 3 members now – need a couple more. He wants to "crack down" on people not taking care of their property, etc. He'd like to see more cohesiveness with the two older filings and the covenants of Filing 3. Filing 3 has its own, additional, HOA so they have their own Architectural Control Committee (ACC).

Landscaping/Grounds: Dan Dowell

Thanks to many volunteers, he's been able to decrease the expenses to the HOA and still provide a higher level of maintenance than we've had in the past few years.

His committee consists of Jack Clark, Dave Anderson, Rich Hagan, and Dave Landes.

Some students have been hired to walk the open spaces and pick up trash but everyone needs to do this, please. Some of these young people are also doing line-trimming. Logan Hoffman will, once again, be a major employee for the summer.

The mowing of the 90,000 sq. ft. of open space within our community will be done differently this year. The goal now is to maintain a healthy riparian zone and create a natural and neat looking area that is acceptable to most homeowners but within the confines of accepted scientific practices. (Please see the upcoming newsletter for more details of this plan.) A commercial company has been hired to do some of the mowing and volunteers are doing some and Jefferson County Open Space will do some.

Dan noted that a homeowner in Filing 3 whose property backs to the holding pond there has planted trees about 3 feet outside of his fence. Dan believes that other homeowners ought to take such an interest and proactive stance. An unidentified homeowner voiced the his understanding that that is a risk because counties have been known to come in and take out plantings in open spaces.

The volunteers are saving us about \$1500/season in mowing, etc. Jack and Pat Clark in Filing 3 and Dale Cloud and Frank McKinney, Filing 1, have saved the HOA about \$1000 in sprinkler repairs and water fees by monitoring and shutting down when we get rain, etc. As well, Pat is responsible for the beautiful flowers/shrubs at the entrances of Filing 3. Dave Landes is mowing Tract F in Filing 1. Larry Money redid the flowers, mulch along Coal Mine. Dave and Judy Anderson (and others) are responsible for the beautiful flowers at the entrance area on Weaver. Henrietta and Dean Peterson are to thank for the work done on entrance at Caley. Additional volunteers to thank: Kay & Gordon Loundagin, Karen Melfi, Lorren Lewis, Logan Hoffman. Dan also recognized Kevin Harris, Filing 3 HOA President for his cooperation and leadership. In the future, he wants to finish the landscaping and maintenance plan for Caley and Coal Mine and continue to work toward more xeriscaping.

Homeowners are asked to mow three – four feet outside of fences/yard which adjoin open space. Again, they are being told not to dump grass clippings in the green belt.

Open Forum:

Bruce Lebsack stated that he's been an outspoken critic in the past. But, he wants to be on record, now, for his appreciation of the way the entries all look and the directions being taken in the open space management; and to say thanks to the committee, Directors, and volunteers for the work done.

Donna LeNoble asked what can be done to improve communications with the neighboring community of Leawood to get across to them that we don't want their trash and signs posted

in our neighborhood. She and her husband have taken down signs in the past. Dan Dowell voiced his opinion that this is an acceptable action. Eileen Parker expressed concern that signs posted in the medians and open space are not, technically, on HOA property.

Dianne (Dee) Pape voiced concern about the state of the pool furnace. Debbie told everyone that it was replaced a couple of years ago. Dee also asked if the Board is planning to address the state of the tennis courts. The answer is that it was not addressed in Phase I of the Facility Improvement because of the high cost and because other areas were of higher homeowner concern in the surveys that were returned when Peige undertook the job of surveying the homeowners in early fall of 2006. Gordon Pape noted that the continued deterioration of the tennis courts will only detract from the good done by Phase I improvements and wants the Board to be aware of this. It was noted by the Board.

Eric Friesen questioned some of the previous homeowner undertakings in the green belt such as a softball diamond being mown behind the homes along Weaver at one time. He also has seen trees in green belts/open spaces taken out by government authorities.

Arne Birkeness agreed with Eric. Jeffco has been making some homeowners take out improvements put in open spaces.

Someone questioned getting street signs put in. The answer given was to call Jefferson County Streets/Transportation department.

Frank McKinney asked if the Board will be addressing or have plans to address the state of disrepair in the perimeter fence along Pierce St. Lou stated that there had been some discussion this past year but for various reasons it was tabled. Eileen Parker expressed interest in pursuing it.

New Business: Lou has reserved the meeting room at Columbine Library for May 24th for the next Board meeting. Dan Dowell has been appointed interim Pres. of the new Board, pending the Board's election of officers. The new Board needs to meet immediately after this meeting and decide whether or not that room reservation is to be kept. Philip LeNoble asked why the HOA is paying for a meeting room when in previous years the Board has met at member's homes. Lou explained that HOA's are required to publish meeting times and welcome any and all to the meetings. It has been his practice not to ask individuals to open their homes to this requirement. Chris said that the meeting room costs only \$10. The new Board of Directors can decide what they want to do now.

Adjournment: The meeting adjourned at 8:30 PM

Respectfully submitted,

Eileen P. Parker