

UNAPPROVED COPY
Minutes of the Annual Meeting
Dutch Creek Homeowners' Association
May 6, 2008
Columbine Library

Marcel Savoie, President of the HOA, called the meeting to order at 6:40 PM.

A quorum of at least 19 homeowners was present.

Welcome Remarks: Marcel thanked the following people for helping with the check-in and set up procedure for this meeting: Lorren and Janet Lewis, Karen Melfi, Linda Dowell and Lou Day. The current Board of Directors, in attendance, was introduced: Karen Melfi, Chris Pillow, Mark Hannum, Dan Dowell, and Eileen Parker. Debbie Swoboda was absent. Rich Hagan, Facilities Improvement chairman, also was introduced and thanked for his work. Lou Day was also recognized for his work on the HOA website.

Marcel stated the purpose of an HOA as, paraphrased, the effort of a community to enhance and protect the value and attractiveness of the properties in the neighborhood which bind us together and to promote the common interests of our community. He showed, via PowerPoint® presentation, the community monuments/entry signs and spoke to how these are examples of the HOA enhancing the value and attractiveness of the community which is Dutch Creek Village. The agenda and key topics were shown by the PowerPoint® presentation as well.

Minutes of the 2007 Annual Meeting:

After giving everyone time to read these which were available as a hand out, Marcel asked for corrections or changes. Having none, Bob Stong made the motion to accept the Minutes of the last Annual meeting as written. Lyn Hagan seconded the motion. Motion passed.

Election of Directors:

There were two Board members' positions that were due for election this year. Chris Pillow and Debbie Swoboda had each chosen not to run for reelection. The positions of Directors Mark Hannum and Dan Dowell will be up for election in '09. Marcel Savoie, Eileen Parker and Karen Melfi are in positions which will be up for election in 2010.

Chris Pillow has served the HOA for about 24 years now as the treasurer. Marcel and the attendees thanked Chris for his service with applause. Debbie Swoboda, though not in attendance, was thanked by Marcel for her long service to the HOA.

Troy Brown had consented previous to the meeting to stand for election to the Board of Directors. Marcel introduced him stating that Troy is interested in taking on the responsibility of the Pool Manager as he and his family is avid users of the pool. The actual officers and areas of responsibility will be decided by the Directors of the Board at the first meeting following this Annual Meeting.

Nominations from the attendees for these open positions were called. Kathy Mohrbacher asked questions of Chris Pillow regarding time spent on the treasurer's job, what method is used for bookkeeping, etc. Being sufficiently satisfied that she could do the treasurer's job, Kathy volunteered to stand for election. The question was asked about filing the tax report &/or handling some of the tasks that Chris has done for the past 24+ years. Marcel answered that the Board could decide to hire someone like Chris to do those things that the elected Directors are unqualified to perform.

No other people were nominated. Marcel asked each of the nominees to tell the attendees something about themselves.

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Troy Brown: His family lives on Lamar Ct., is a CO native who moved back to CO 3 years ago; background in construction and real estate investing, starting a new business

Kathy Mohrbacher: has been in residence since 1980; works for a family that owns several businesses as the Administrator/Accountant; is also the treasurer for a non-profit organization; and is willing to try to fill Chris' shoes.

As there were no other nominations for the two open positions, Marcel asked past President, Lou Day, for the ruling on whether or not we needed to vote by secret ballot. His opinion was that since the election was uncontested, we could do so. Bob Stong made the motion that the two nominees, Troy Brown and Kathy Mohrbacher be elected to the Board of Directors. Rich Hagan seconded the motion. The attendees voted to elect Troy and Kathy.

Audit:

The Declarations of our HOA require a yearly audit. This Board decided to get one done rather than ask for a change in our documents. Marcel noted that Chris Pillow and the past Boards had done an admirable job with the finance of the HOA. Michele Giomatti, CPA and independent auditor, was hired in March to do an audit of the 06-07 financial records. She has completed the audit and stated that our HOA complies in all areas, all the documentation is there, etc. Chris Pillow added that Ms. Giomatti gave us the highest level of opinion that she could give - "unqualified opinion." Chris pointed out that this is very good.

Finance Report:

Chris Pillow addressed the financial statement (Attachment #1.) There was a good rate of payment of the dues this past year – better than had been projected. About \$6000 in prior uncollected dues were collected as well. The under-budget area in Administration was due to an error in categorization of interest in planning last year's budget. Chris also pointed out that our HOA insurance agent of 20+ years was able to convince the insurer that our organization should not be charged per unit and saved us about \$6000.

He also noted that there is a category on this report, "Insurance claim payment" of \$6477 which was a collection on an auto accident whereby the driver drove into the Recreational facility area last fall. Not all the work to repair has been done yet and next year this will show as an expense which will cancel this out.

Summary of Financial Report:

Total income for this past year:	\$96,461.04
Total expenses:	\$42,268.16
Net income:	\$60,669.88
Loan Payments:	\$22,962.83
Improvements:	\$114,449.69
Utilization of Reserves:	(\$76,742.64)

Balance Sheet as of March 31, 2008:

Total current assets:	\$41,733.29 (\$7,055.40 of which is uncollected dues to date)
Total liabilities:	\$70,112.12 (which is the loan from Vectra Bank for the facilities improvements)
Equity:	
Retained earnings	(\$20,378.83)
Total Liabilities and Equity	\$41,733.29

The loan repayment to Vectra Bank is about \$1900 per month.

Chris thanked many people, several who were in attendance, for serving on the Board over the years. He asked others to step up and serve in the future.

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Bob Stong made the motion that Chris Pillow be commended for his dedication and talents and that we, homeowners in attendance, appreciate his dedication these past 24+ years. Troy Brown seconded it. There was unanimous agreement and thanks were shown with applause, once again.

Budget for '08-09:

The PowerPoint showed the main categories for this fiscal year's budget (Attachment #2) which began on April 1, 2008: Anticipated Income of \$87,000 and anticipated expenses of \$80,341.

Marcel showed a picture of the final part of Phase I improvement which the Board has approved – a retaining wall below the sidewalk which runs along the east side of the Recreational Facility area and which is the east side of the multi-use field on the east side of the tennis courts and multi-use courts. The bushes above the wall were being put in this week as well as the sprinkler system for that area which has been re-seeded. The question was asked about removal of the orange construction fence. Rich Hagan stated that it would stay for this summer in order to establish that grassy area there which had not been able to make it without the sprinkler system.

~~The attendees were told that a Reserve Study by the Board was done~~* to establish a Reserve accounting category for long-term repairs and future needs like roof replacement, tennis court upkeep, etc. Items were added to the budget to begin this reserve account. In the past, Chris kept adequate control on the accounts without specifying a reserve account. This board decided to establish this category and plan accordingly. *Some* of the future projects that have been discussed: in line water metering so that we aren't reliant upon specific homeowners who now have the water meter for some areas of common grounds, mower replacement, bike racks at the Recreational Facility, pool filter replacement, benches, another picnic table, a second picnic shelter, additional trash containers at the pool and tennis courts, improvements to the perimeter or community fences, replacement of the fence between the furthest west two courts and the pool, replacement of the tennis court sunscreens, and improvement of the tennis courts.

*03/19/09 Correction by Board of Directors for clarification purposes, should read: Directors recommended an estimated Reserve Budget based on their knowledge of their areas of responsibility ...

Architectural Control Committee: Mark Hannum

Mark reminded everyone of the Proposal for a Resolution for Architectural Change Procedure which was noted in the Notice of the Annual Meeting letter. This proposal is on the website for everyone's perusal. Please look it over and make comment to the Board members – specifically, at an upcoming meeting of the Board. This proposal will be voted upon by the Board at the July Board meeting. There were a couple of questions related to this issue. Marcel and Mark asked homeowners to review the proposal and come to a Board meeting with their concerns.

Mark also reminded everyone that our HOA documents are on the website. If anyone wants a hard copy, let Mark know and he will get one to you.

Marcel told everyone that the CO State Legislature has legislated that HOAs must make Bylaws, Covenants, Articles of Incorporation, Budget/Financial reports, Minutes of Meetings of past 6 months, etc. available upon request by a seller/buyer of a home in a Covenant Restricted Community. The website helps us to meet these requirements along with compliance by the Board of the HOA.

Mark noted that he has another homeowner working with him on this committee. He'd like to see another volunteer from the original area of our community to help. Filing III has its own ACC committee. Let him know if you are willing to help.

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For the past two months, Mark's committee has been working on the Covenant violations. He has sent out notices of violation. He plans to continue to be proactive for the purpose of keeping our community's property values up.

There has been a new fence installed along Coal Mine without the approval of the ACC committee. Mark stated that he believes the homeowner has done a good job but pre-approval should have been asked. The Board has been working with the community fence issue and no decision has been made yet as to exactly how to proceed. A survey of the fence and property lines was done which showed a mix of the fence being on homeowners' property in some instances and on the HOA common property in others – within the same section of fence in some cases. The law firm which the Board has retained has recommended that our Declarations be amended to designate ownership of the perimeter fences.

Grounds & Landscaping: Dan Dowell

This will be Dan's third summer in this area of responsibility as a Director of the Board. He believes that each year is better than the last so far. Thanks to 20-40 volunteers, his committee of Jack Clark, Dave Anderson, Rich Hagan and Dave Landes, has been able to make noticeable changes in our community. He recognized the following for their help:

- 1) Caley Entrance – John & Henrietta Peterson and Dean Peterson who is paid but overseen by his dad, John. Dan is hopeful that the trees there will now live and thrive and that more improvements might be made there, yet.
- 2) Filing III entrances - Patt & Jack Clark for their talent and time; Patt has done a beautiful job with the plants there.
- 3) Weaver entrance – Frank & Pauline McKinney and Dale & Phyllis Cloud have done a great job there with the flowers and Frank and Dale take care of the sprinklers and oversee that area.
- 4) Coal Mine/S Marshall Ct – Larry Money set this up and it helped but Dan stated that he believes it needs more work and money.
- 5) Tract F – which runs N-S from Lilley Gulch greenbelt to W Weaver Ave has been cared for by Dave Landes who mows and oversees the sprinklers there.
- 6) Filing III – Kathy Aarnio and her committee do a fine job with their areas.

Dan stated that he has the gardening/facility tools shed in good condition now. He recently was able to trade a small riding tractor for a larger one which he believes was a good deal and will save the HOA in the long run.

Rich Hagan explained how this committee decided last year to manage the riparian zones along the creeks, Lilley Gulch and Dutch Creek, which are great assets in our neighborhood. This riparian zone of non-irrigated lands has specific natural areas with specific needs. Dan noted that these open spaces belong to Jefferson County but they say that they will mow but don't always do so; and they don't always handle with the best management practices. However, Jefferson County Open Space will do one noxious weed spray per season which is helpful especially because not every landscaping company can have those chemical licenses.

Dan told us that our community has roughly 34,000 sq ft of landscaping which is managed by his committee. There is a total of about 100,000 sq ft of open space, too. There are 52 trees which were trimmed and ringed last year. The trees were ringed to prevent further damage from the hired mowers. This will help save our trees.

Everyone was asked to help with picking up trash in our community. While out walking, please pick up trash. He does hire a few adolescents each summer to help do this as well as a few other tasks.

Pool & Tennis and Multi-use Courts: Karen Melfi

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Karen told us that the pool will open May 24th – Memorial Day weekend and close on or about Labor Day depending upon weather conditions. The pool hours are 6 AM – 9 PM and the rules are posted at the pool site and may be added to the website. Mike Romero of Patio Pools & Spas has been employed again for the daily upkeep of the pool.

She shared with us her findings in talking to other area communities about the tennis court demand. It seems that tennis is in an upswing once again and demand is great. Bear Creek HS pays to use Marker Park tennis courts for their program because of lack of courts in their area. The homeowner survey done about three years ago here showed that there is still interest to keep our courts as a viable asset and would like to see them maintained/improved. We could, possibly, offer lessons or even rent our courts to clubs or schools if we had good courts.

This past year, the Board authorized about \$500 for repair of the east tennis court so that we'd have one playable court. This has to be done annually. There are a variety of levels of "fixes" for tennis courts from the bottom end of \$500+ to \$60,000.

Website: Lou Day

The domain name has been changed and is registered: www.dutchcreekhoa.com

Please spread the word that email blasts with news and information can be sent to a homeowner if he/she will just send their email address to Lou at the website.

There is an email address too: info@dutchcreekhoa.com

Questions and Answers:

Karen Wisher asked how the dues increases are determined and whether or not it is legislated in any way. She also wanted to know how the determination to take out a loan at Vectra Bank came about. The answer to the first question is that there is an Article in the HOA Declarations that cover this. Lou Day said that it is based on the CPI (Consumer Price Index) and the past dues amount. Someone else noted that the increase last year was less than what could have been levied based on the formula. The loan for the facilities improvement was done with full disclosure to the membership with notices and meetings.

Patt Clark stated that she saw a few times last year when she was at the pool kids come over the fences where the gates for the equipment are specifically. She asked whether or not there is a plan to overcome these places where the security is breached. Marcel replied that there has been talk on the Board about more security fixes like cameras but that it all takes more money. Also, there is almost no way to make the facility impregnable. There were fewer late night parties last year than in previous years, he thinks. Also, some of the Board members took their time to be at the pool at 9 PM and reminded people of the hours which seemed to help as the summer went along.

Lyn Cole-Day asked why the realtor type signs weren't used this year at the entrances to the community to remind people of the meeting. Marcel jokingly answered that maybe there was a shortage of realtor signs this year. Apparently, no one on the Board remembered to find out where these signs are kept – if they were kept. Another homeowner told everyone that the low attendance might be a sign that the majority of residents are satisfied with the status quo; they show up when dissatisfied.

Janet Gradwell-Lewis asked everyone to help clear the room by stacking their chairs.

Adjournment: The meeting adjourned at 8:32 PM

Respectfully submitted,

Eileen P. Parker

Minutes of 07-08 Annual Meeting of DCVHO&RA, unapproved copy, May 8, 2008

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