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DUTCH CREEK VILLAGE HOMEOWNERS & RECREATIONAL ASSOCIATION
MEETING MINUTES OF THE BOARD OF DIRECTORS

April 8, 2008

ACTION / MOTION RECORD

1. **MOTION:** Minutes of Mar. 11, 2008 Board of Director's meeting approved as written.
2. **MOTION:** Mark moved that the Board accept Resolution 009-06 Regarding Application for Change which will then go through the hearing process before adoption of the Resolution. It was seconded by Eileen. For: Hannum, Melfi, Savoie, and Parker. Abstained: Pillow Motion passed. The notice of this resolution will be given in the notice for the Annual Meeting. The homeowners will be sent to the website to preview it. There is a 45 day hearing time before the Board will take up the adoption. Homeowners may comment at the Board meetings prior to that adoption and at that Board meeting.

Attachments:

1. Finance Report – Profit & Loss Budget vs. Actual and Balance Sheet as of March 31, 2008
2. Resolution 009-06 Regarding Application for Change

MINUTES APPROVAL SIGN-OFF:

President (signature)

Secretary (signature)

Date

Date

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DUTCH CREEK VILLAGE HOMEOWNERS & RECREATIONAL ASSOCIATION
MEETING MINUTES OF THE BOARD OF DIRECTORS

April 08, 2008

The Directors of the Dutch Creek Village Homeowners and Recreational Association, a Colorado non-profit corporation, met to hold their regular monthly meeting in the coffee shop meeting room of the Trinity Christian Center at 6500 W Coal Mine Ave. at 6:33 PM.

Attendance:

Board of Directors: Dan Dowell, Mark Hannum, Karen Melfi, Eileen Parker, Chris Pillow and Marcel Savoie; Debbie Swoboda was absent

Committee Chairmen: none

Homeowners: Dave Landes

President, Marcel Savoie brought the meeting to order at 6:33 PM.

HOMEOWNERS' FORUM:

Dave Landes said that he was attending because of his general interest as a homeowner.

DIRECTOR REPORTS

President: Marcel Savoie

*Noted that Debbie Swoboda called him and couldn't get away from work.

*Auditor has reported that she will be able to do the audit within this month.

Secretary: Eileen Parker

*Asked for any corrections/changes/additions to the emailed Minutes of the March 11, 2008 BOD meeting. No one had any. Eileen moved that the Minutes be approved as distributed via email. Dan Dowell seconded the motion. Motion passed unanimously.

Vice President: Karen Melfi

*Tennis – She has been collecting information on neighborhood tennis courts. Only one neighborhood association is reporting a decline in usage of their courts; but that is Normandy Estates and they have rebuilt their pool and pool house and resurfaced their four tennis courts. The reports Karen has received note a shortage of courts in the area. There appears to be an upswing in tennis playing among youth as noted by increased participation in tennis lessons locally.

*Pool - Mike Romero, the Patio Pool man, will send a copy of the contract. Debbie has stated that he is on board to do the pool preparation.

Grounds Maintenance: Dan Dowell

*Sprinkler installation and the retaining wall project which was approved at the March meeting will begin soon and should be done by May 1st.

*L & M, lawn maintenance company, has edged all walks, mowed whole area they are contracted to mow and picked up trash.

*Dan has hired a company to spray around the edges of courts with pre-emergent chemicals and around the pool and between rock wall and tennis court fences. This is a much stronger chemical than he and others can get and use.

*The fertilizing will be done.

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*The lawn mower was fixed. Dan traded the small riding tractor for a larger riding tractor. He got \$500 for the trade in and the difference is about \$1600. He gave his reasons for doing this as prudent planning in order to get a trade-in for this tractor while it still has some value, get another more usable one, and save wear and tear on the big mowing tractor which will be much costlier to replace when it eventually wears out – thus giving it a longer life.

Intense discussion ensued over this decision. Marcel and Chris strongly voiced their opinions that Dan acted without approval from the other Directors of the Board and outside the approved operating budget for '08-'09 which he, too, had voted to accept at the March meeting. A new riding tractor was not an approved item in the budget, that the tractor was on a list of items for future board review, and that the purchase was made without the knowledge or the approval of the Board. Chris stated that Dan has repeatedly shown a disregard for the budget. Marcel expressed frustration that Dan took this action without consulting other board members and with disregard for the Board's authority. Marcel also said that if each board member followed Dan's action and made unapproved purchases beyond the scope of the approved budget there would be complete financial chaos.

Dan reiterated that he believed that he was acting in the best interests of the HOA by doing this now. He stated his strong disagreement with these "unwarranted accusations." Dan pointed out that his budget is \$7000 lower now than what it was before he came onto the Board and took over the Greens/Landscaping responsibility and saved the HOA money. He believes that there had been no budget planning then and the budget was out of control. Now, he thinks he's being punished - for having saved the HOA money initially – by having his requests for more money for the Greens/Landscaping budget denied.

Furthermore, he believes that the tractor is in his budget and part of a frugal maintenance plan.

MOTION: Marcel moved, "The Dutch Creek Village Homeowners and Recreational Association not pay for this mower when it (the invoice) comes in." Motion failed for lack of a second.

TABLED: Eileen suggested that this discussion be tabled until the next meeting so that all parties could cool off. No vote was taken but no objections were stated.

Dan explained that he was just continuing his three year plan to "get the grounds and the shed" into shape and up to the condition that he set out to do when he came on the Board. He had pared the expenses down from about \$22,000 per year on the grounds maintenance before he became a Director. But, he believes that he is being punished for doing that by having other requests for what he sees as needed expenditures denied. He had asked for more money in this budget and had been denied. He believes that he can stay within this budget but there are some unforeseen things like sprinkler breaks, dry conditions, etc. that he can't control. Dan chided this Board for what he sees as a lack of vision.

Treasurers Report: Chris Pillow

*Attachment 1 – This is the report that will be presented at the Annual meeting. It shows the HOA Board expenses ran \$7000 under the budget projections. There is \$18000 in checking. We had \$16000 more income than had been projected. This was mainly due to raising the dues to \$495 and getting a better response than was projected. Administration expenses were lower but the interest shown had been double budgeted by mistake.

*Greens or grounds maintenance had \$15500 budgeted last year and \$16,800 was the actual expense. Chris brought up that Dan spent money on tree rings which had not been budgeted. Though Dan justified the expense as saving the trees, in the long run, from the weed whackers and mowers, Chris said it was money that should not have been spent without Board approval as it had not been budgeted. As Marcel and Chris continued to voice their disapproval of Dan's actions, Dan told everyone he was leaving the meeting before he said anything he might regret.

Eileen and Karen both appealed to Marcel and Chris to discontinue their expressions of frustration about Dan's actions which continued after he left and table the discussion, as agreed, for later when tempers cooled off. Eileen stated that the \$1300 over budget which Dan ran last year and the \$1600 over, now, weren't worth losing such a dedicated volunteer. It might well cost the HOA far more if we have to hire a

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grounds maintenance company to take his place and that of the volunteers who are working with him. Dave Landes agreed and stated that he believed that we'd pay more for such a company and probably wouldn't get nearly as much quality of work.

Eileen reminded everyone that the budget may not be adequate since Chris is stepping down also. We might have to pay someone to do what he has been doing for free.

*\$8000 in dues that had been in arrears was collected this past year. That only leaves one homeowner with greatly outstanding dues' balance at this time.

*Income projections are figured at \$495/unit X 184 units; plus some interest.

Architectural Control: Mark Hannum

*Resolution 009-06 Regarding Application for Change (Attachment 2) was handed out. It is a clarification of a similar proposal which Eileen and Marcel brought to the Board in February. Mark, Marcel, and Eileen had worked on it between this and the last meeting. MOTION: Mark moved that the Board accept Resolution 009-06 Regarding Application for Change which will then go through the hearing process before adoption of the Resolution. It was seconded by Eileen. For: Hannum, Melfi, Savoie, and Parker. Abstained: Pillow Motion passed.

The notice of this resolution will be given in the notice for the Annual Meeting. The homeowners will be sent to the website to preview it. Marcel will note it again at the Annual Meeting. There is a 45 day hearing time before the Board will take up the adoption. Homeowners may comment at the Board meetings prior to that adoption and at that Board meeting.

*The Application for Change form that goes along with the Resolution will also be posted.

*Mark is working on the Violation of Covenants notices and he showed us a list of the ones he has in the process.

OLD BUSINESS:

Community Fences:

*Marcel spoke with Hindman and Sanchez, HOA lawyers, who gave the costs for their input on the amendment to our documents, as they believe, are needed, at \$600 to prepare and \$500 - \$1200 to mail and collect/tabulate.

He didn't ask them for a template for us to use to do this ourselves and they didn't volunteer any.

Otherwise, the HOA is responsible for getting separate agreements with each homeowner and for filing them with the proper authorities.

No decision was made as we needed to move onto the Annual meeting preparation.

NEW BUSINESS:

Annual Meeting: May 6th, 2008 Columbine Library meeting room, 6:30 – 8:30 PM

*ACC – Mark will “float” the four proposals to get feedback from the attendees.

*Marcel will get the notice to Eileen who will mail the notices along with the proxy documents.

*Nominating of Directors: Marcel and Karen will work together to find potential candidates for the two openings on the Board of Directors. Others should let them know if anyone expresses an interest.

*Special meeting will be held, place to be announced, to meet and prepare for the Annual Meeting.

Due to the constraints of time, the rest of the items on the agenda will be carried over to upcoming meetings.

Meeting adjourned about 9 PM.

Draft respectfully submitted,
Eileen Parker, Secretary