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

June 3, 2008

**ACTION / MOTION RECORD**

1. **MOTION:** to suspend Director and Committee Reports till June 10<sup>th</sup> monthly meeting and to dedicate this meeting to – 1) Review of Board Policy regarding the payment of late dues, and 2) Review of Proposed Special Projects for the 2008-2009 budget year. Karen Melfi seconded the motion. Passed
2. **MOTION:** to suspend Old and New Business Agenda items until the June 10<sup>th</sup> monthly meeting. Troy Brown seconded the motion. Passed unanimously
3. **MOTION:** Dan Dowell moved that the annual assessment (dues) were due by May 21<sup>st</sup>, 2008 and delinquent on May 22<sup>nd</sup>, 2008. Therefore, the treasurer will send the First Notice” as in Resolution 002-06, #8 as soon as possible. She will include the information that their pool card will be “cut-off” (disabled) on June 22<sup>nd</sup> if all dues and past due assessments with interest are not paid by June 21<sup>st</sup>, 2008. Troy Brown seconded the motion. Vote was 5 Directors in favor and Marcel Savoie abstained. Motion passed.
4. **ACTION:** Community/Perimeter Fence along Pierce Street in Filing 1 - Mark Hannum will contact, ASAP, Dale Cloud and Frank McKinney to ask them to work with him to contact the other homeowners along Pierce St in Filing 1 in order assess the level of cooperation among these particular homeowners to make the fence improvements such as Mr. Cook has done without the financial support of the HOA at this time.

MINUTES APPROVAL SIGN-OFF:

\_\_\_\_\_  
President (signature)

\_\_\_\_\_  
Secretary (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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

June 3, 2008

The Directors of the Dutch Creek Village Homeowners and Recreational Association, a Colorado non-profit corporation, met to hold a special meeting in the coffee shop meeting room of the Trinity Christian Center at 6500 W Coal Mine Ave. at 6:30 PM.

**Attendance:**

Board of Directors: Troy Brown, Dan Dowell, Mark Hannum, Karen Melfi, Eileen Parker, and Marcel Savoie; Kathy Mohrbacher was absent

Committee Chairmen: Rich Hagan, Lou Day

Homeowners: Lynn Cole, Lynnea Anderson (who arrived after 7PM)

The meeting was called to order at 6:32 PM by President, Marcel Savoie.

Marcel Savoie:

- MOTION: to suspend Director and Committee Reports till June 10<sup>th</sup> monthly meeting and to dedicate this meeting to – 1) Review of Board Policy regarding the payment of late dues, and 2) Review of Proposed Special Projects for the 2008-2009 budget year. Karen Melfi seconded the motion. Passed unanimously.
- MOTION: to suspend Old and New Business Agenda items until the June 10<sup>th</sup> monthly meeting. Troy Brown seconded the motion. Passed unanimously.

**Review of Board Policy Re: payment of late dues and pool access card enabling/disabling**

\*Authority for the Board of Directors of the DCVHOA to make policy regarding late payment of dues:

-Resolution 002-06 of the DCV Homeowners and Recreational Association REGARDING  
POLICY AND PROCEDURES FOR COLLECTION OF UNPAID ASSESSMENTS

#8 Collection Process a, b, and c

-Bylaws of the DCV Homeowners and Recreational Association

Article VIII – Powers and Duties of the Board of Directors

Section 1. Powers. (b) suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;

-Declaration: Covenants, Conditions and Restrictions Declaration of the DCV Homeowners & Recreational Association

Section IV Property Rights in the Common Areas, Section 6. Charges Against the Common Areas.

\*The Annual Dues Invoice, sent by then Treasurer, Chris Pillow, was dated 4/21/2008 and stated, "Payment is due within 30 days, after 30 days interest is charged at 12% annually from April 1."

**Discussion:**

-The Covenants, Conditions and Restrictions Declaration of this HOA states in Article V, Covenant for Maintenance Assessments, Section 6. Date of Commencement of Assessments, Due Dates: "The annual assessments provided for herein shall commence on the date fixed by the Declarant but shall not be later than March 1, 1979, and shall be due and payable annually thereafter."

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-Chris Pillow and past boards have used the fiscal year of April 1 – March 31<sup>st</sup> upon which to fix the assessment. As well, the majority of the HOA expense is incurred from April 1 – September 30<sup>th</sup>. Therefore, the dues' invoice has been sent, for many years, in April.

- Question: whether or not the dues are 30 days delinquent then on May 22, 2008, 60 days delinquent then on 6/21/08, and 90 days delinquent then on 7/21/08 OR 30 days delinquent on 6/21/08, 60 days on 7/21/08, and 90 days on 8/21/08

-Troy Brown stated his position, as the Pool Manager, is that we need to think about going back to the dues notice being sent earlier than currently so that the dues are due on April 1<sup>st</sup>, 30 days delinquent on May 1<sup>st</sup>, 60 days delinquent on June 1<sup>st</sup>, and 90 days delinquent on July 1<sup>st</sup>. Thereby, the use of the pool as a tool to encourage payment of dues is more effective. As now, a homeowner might be able to use the pool most of the summer before access could be cut off.

- “Resolution 002-06 of the DCV Homeowners and Recreational Association REGARDING POLICY AND PROCEDURES FOR COLLECTION OF UNPAID ASSESSMENTS,

#8 a) After an installment of an annual assessment or other charges due to the Association becomes more than 30 days delinquent, the Association shall send a written notice (“First Notice”) of non-payment, amount past due, notice that interest has accrued and request for immediate payment.

b) After an installment of an annual assessment or other charges due to the Association becomes more than 60 days delinquent, the Association shall send a second written notice (“Second Notice”) of non-payment, amount past due, notice that interest has accrued, notice of intent to file a lien and request for immediate payment.

c) After an installment of an annual assessment or other charges due to the Association becomes more than 90 days delinquent, the Association shall turn the account over to the Association attorney for collection. ...”

-In that the only recreational facility use which we can suspend and effectively enforce is the use of the pool because of the pool security gate, the Board agreed that we can and should use this as a tool for encouraging payment of assessments/dues.

**MOTION:** Dan Dowell moved that the annual assessment (dues) is due by May 21<sup>st</sup>, 2008 and delinquent on May 22<sup>nd</sup>, 2008. Therefore, the treasurer will send the First Notice” as in Resolution 002-06, #8 as soon as possible. She will include the information that their pool card will be “cut-off” (disabled) on June 22<sup>nd</sup> if all current dues and past due assessments with interest are not paid by June 21<sup>st</sup>, 2008. Troy Brown seconded the motion. Vote was 5 Directors in favor and Marcel Savoie abstained. Motion passed.

Marcel stated his belief that this Board must always be cognizant of the need to set policy, going forward, and prior to next year. All policy changes must be posted to allow sufficient time for input from homeowners. He also stated his reason for not going along with the other Directors who wanted to make the decision, which was just made, via email voting because the Board has the fiduciary responsibility to always conduct business in an open format.

### **Prioritizing of Special Projects**

Decision was to list projects desired for this year, discuss, and prioritize tonight – if time. Most items and estimates of cost were taken from the budgeting process' discussions.

\*Sub-meter for water on Tract F – cost of \$1300 maximum and could be some less

\*Caley entrance landscaping improvements

\*Lap-top computer owned by HOA for use with pool gate security cards ~\$800

\*Quick-books purchase for such time as treasurer may not personally own it.

\*Reserve study done by company hired to do it or by the Directors and other volunteers

\*HOA Record archives

\*Community/Perimeter Fence Project: discussion - Same problems as has kept this Board from making a decision – the HOA documents do not give authority to the HOA to own the perimeter fences and

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therefore, the fiduciary responsibility to maintain or repair such. After more discussion, Mark Hannum will contact Dale Cloud and Frank McKinney to ask them to work with him to contact the other homeowners along Pierce St in Filing 1 in order assess the level of cooperation among these particular homeowners to make the fence improvements such as Mr. Cook has done without the financial support of the HOA at this time.

\*Pool house restroom improvements (painting, counter tops, etc.)

\*Fire Dept Knox Box - \$500

\*Replace pool filters

1) Continue to patch at \$400/year 2) Replace filters at about \$2250 (which will last approximately 10 years) and at the same time solve the leak problems

\*Clean the heat exchanger in the pool at ~ \$350

\*Repair Mechanical room ventilation issues (high heat problem there) with added ventilation in the doors

\*Trash containers added at the tennis court

\*Park bench at the tennis court area

\*Second shelter as in initial planning for Phase I

\*Security system at the Pool ~\$1900

\*Additional picnic table(s)

\*Bike rack at the pool ~\$1500

\*Night lighting/security lighting at the pool

\*Replace diving board with slide – Troy suggested that he contact the insurance company to find out what impact additional security system and lighting might make on our insurance costs; and whether or not replacing the diving board with a slide or removing it altogether might impact our insurance costs

\*Boiler room – electrical improvements as there are potential problems there with safety

\*Concrete scaling around pool area

\*South Fence needed along the multi-use courts

\*Tennis court replacement

Prioritizing:

#1 Sub meter for water on Tract F ~\$1300

#2 Pool - filters ~\$2200

#3 ~~Cleaning of heat exchanger – can probably be handled under the pool budget this year~~

#4 Replace fence north/west end of pool – south side of multi-use courts ~\$2000

#5 Security System ~\$1950

Directors, who have the area of responsibility related to these items, as well as Rich Hagan and Marcel Savoie, will try to get more exact estimates on the above 4 items prior to the next meeting so that decisions can be made on these.

Meeting adjourned about 8:50 PM.

Respectfully submitted,  
Eileen Parker, Secretary