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**DUTCH CREEK VILLAGE HOMEOWNERS & RECREATIONAL ASSOCIATION  
MINUTES OF THE BOARD OF DIRECTORS MONTHLY MEETING  
November 11, 2008**

**ACTION / MOTION RECORD**

1. **MOTION:** Approval of the minutes of the previous two meetings, September and October were approved as written and emailed to Directors prior to this meeting was unanimous. Motion made by Eileen Parker and seconded by Kathy Mohrbacher.
2. **ACTION:** First Draft of “Policy and Procedure for Conduct of Financial Operations of the Association” was prepared by Kathy Mohrbacher and given to each Director. Each Director was asked to study it and prepare for discussion at the next meeting.
3. **ACTION:** Regarding Financial Review of HOA Financial Statements, etc. by Michele Giometti, each Director was asked to review and study the “Tentative Draft Subject to Change for Management Discussion Only” documents which were handed out by Kathy Mohrbacher. All comments from Directors should be given to Kathy as soon as possible.
4. **ACTION:** Marcel Savoie will get a new estimate of cost from Hindman Sanchez, attorneys, for writing an Amendment to the HOA Documents to address the issue of boundary fences. As well, he will get a cost estimate and recommendation for course of action regarding the adoption of such an amendment.
5. **ACTION:** Marcel Savoie will endeavor to impress upon Troy Brown the importance of attendance at our meetings.
- 6: **ACTION:** Due to the upcoming holiday season, please let Marcel know of plan to attend, or not, this meeting. If there are enough Directors for a quorum, there will be a meeting.

**MINUTES APPROVAL SIGN-OFF:**

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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**DUTCH CREEK VILLAGE HOMEOWNERS & RECREATIONAL ASSOCIATION  
MINUTES OF THE BOARD OF DIRECTORS MONTHLY MEETING  
November 11, 2008**

The Directors of the Dutch Creek Village Homeowners and Recreational Association, a Colorado non-profit corporation, met to hold the regular November board meeting in the coffee shop meeting room of the Church of Many Nations Littleton campus at 6500 W Coal Mine Ave. at 6:30 PM on this date

**Attendance:**

Directors: Marcel Savoie, Karen Melfi, Kathy Mohrbacher, and Eileen Parker which constitutes a quorum of the authorized number of the directors of the association.

Mark Hannum arrived about 7 PM.

Absent: Dan Dowell and Troy Brown

Committee Chairmen: Lou Day

Homeowners: Lyn Cole

**The meeting was called to order at 6:30 PM by President, Marcel Savoie. The agenda was given to everyone in attendance.**

**DIRECTOR REPORTS**

President Remarks: Marcel Savoie

\*Dan Dowell called that he was not able to attend. Troy Brown did not call.

Secretary: Eileen Parker

The Minutes of the September and October Board meetings were sent via email attachments prior to this meeting to all Directors and to Lou Day and Rich Hagan. No changes, corrections, or additions were received by Eileen. Eileen made the motion to accept these Minutes as distributed. Kathy Mohrbacher seconded and the motion passed unanimously.

Treasurer: Kathy Mohrbacher

\*Report as of Oct. 31, 2008: (complete report attached)

**CASH FLOW STATUS**

Beginning cash	\$34,295.21
Inflows	\$86,829.40
Outflows	-\$78,414.09
Interest earned	<u>\$ 311.21</u>
Ending Cash	<b>\$43,021.73</b>

**CASH ON HAND**

Checking	\$ 1,073.87
Money Market	\$42,085.93
Reserve Accts	<u>-\$ 138.07</u>
Subtotal	<b>\$43,021.73</b>
Reserved for Bank	
Loan Payments	
Nov08-Mar09	<u>-\$11,432.28</u>

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CASH AVAILABLE for

Fiscal Yr Ending 3/09 **\$31,589.45** (less outstanding checks of \$1360 = \$30,229.45)

\*Collections Status Report: Six dues outstanding -- 2 foreclosures – possibly 3; 1 new sale; 1 may be being rented. Kathy reported that she is having some difficulty with Hindman Sanchez's reporting procedures; in that their report of collection status reflects dates that email and U.S. Mail reports were sent to the association, but they can't seem to identify the party within our association that reports have been directed to. Marcel had not received one either.

\*Financial Best Practices Proposal: Handout #1, Resolution \_\_\_\_ of ... Policy and Procedure for Conduct of Financial Operations of the Association

**ACTION:** Kathy put in a lot of time and consideration and asked that we each study it and be ready to discuss it at the next meeting.

Vice President: Karen Melfi

Pool – Karen now has all the materials for pool management from Troy Brown

Tennis – no report

Fence – she will meet with Rich Hagan about the repairs needed

ACC – Architectural Control Committee: Mark Hannum arrived at 7 PM and just in time for his report

\*Mark stated that there are no pending applications or violation hearings at this time.

\*Rich Hagan asked Lou to look into the documents for guidance regarding barking dogs. “Article X, Land Use Restrictions, Section 10 Animals Within The Properties” addresses this in that it gives the Board authority to direct that the nuisance animal be permanently removed from the properties after a 2/3 vote of the Directors. Unfortunately, it doesn't say who should be taking the lead in any issue prior to this step. It was recommended that the homeowner be encouraged to contact the Jefferson County Sheriff's Dept, animal control - if meeting with the neighbor whose dogs are barking is less than satisfactory.

### COMMITTEE REPORTS:

\*Website: Lou Day

He's been working with Mark to try to get forms for applications and violations reporting on the website. He is still working on the applications for an online survey, as well.

Howard Wisher has been able to get more email addresses from homeowners.

\*Pool Gate Security: Lou Day

Howard Wisher is interested in being a back up or taking over the pool gate security administration for next year. Lou is working with him on this.

### OLD BUSINESS

\*Financial Review for year ended March 31, 2008: Kathy Mohrbacher

- Michele Giometti's initial report (Tentative Draft Subject to Change for Management Discussion Only) was handed out for review and input by Directors. Please let Kathy know of any additions/corrections ASAP.
- The report states that the financial statements are in order and in conformity with generally accepted accounting principles in the USA.
- Recommends that the Board provide estimations of the remaining lives and replacement costs of the common property and other elements of a Reserve Study.
- Ms. Giometti noted that the HOA documents fiscal year designation and our current fiscal year designation do not match. Kathy's recommendation is to stay with the fiscal year as practiced for

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the past 20+ years as that is how the taxes have been filed and the fiscal year has been established with the I.R.S. The auditor recommends that we amend our documents. Do we need to check with the attorneys to make this amendment?

- There is an outstanding check, from Oct. 2007, for which she recommends follow up.
- Invoice from Ms. Giometti is \$1,078.90 which includes deduction of \$200 from the contract fee of \$1250 for tax preparation which was done by HOA treasurer and an addition of \$28.90 for copies and postage.

**ACTION:** Please direct comments to Kathy Mohrbacher ASAP as this report will be made final as soon as possible.

## NEW BUSINESS

### Boundary Fence

\*Report of working meeting held the week following the last (October) Board meeting to study issues surrounding the boundary fence issue:

- Lou Day had done online research and found that “perimeter fence” was often considered a common element of HOA property.
- Following the discussion, Marcel talked with Eric McLennan at Hindman Sanchez.  
1) They can write an “Opinion Letter” which would be based on case law, etc. which would state a position from which the Board of Directors could then base a fence policy. That would cost \$250/hour for a minimum of a day’s work. 2) They could write the Amendment to the HOA documents to address this issue which might be a less expensive option with longer lasting results – if the HOA then adopts the Amendment.
- We need to be very specific about which fences we are referring to – perhaps use the term, outer boundary fences.

\*Discussion ensued. It is clear that we have minimal money budgeted to this issue this year.

**ACTION:** Marcel will contact Hindman Sanchez to get more exact price estimates for having them write an Amendment to the HOA Document to address the issue of the outer boundary fences prior to our next meeting.

### Director Status:

Troy Brown had expressed his interest in continuing on the Board as a Director now that he is planning on continuing to live in his home in our community. However, he is absent again tonight.

**ACTION:** Marcel Savoie will endeavor to impress upon Troy Brown the importance of attendance at our meetings.

NEXT MEETING: December 9, 2008

Due to the upcoming holiday season, please let Marcel know of plan to attend, or not, this meeting. If there are enough Directors for a quorum, there will be a meeting.

Meeting adjourned.

Respectfully submitted,  
Eileen P Parker