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DUTCH CREEK VILLAGE HOMEOWNERS & RECREATIONAL ASSOCIATION
SPECIAL MEETING MINUTES OF THE BOARD OF DIRECTORS
May 12, 2009

ACTION / MOTION RECORD

1. **MOTION**: April 14, 2009 Minutes of the regular meeting of the Board, as received by all Directors previous to this meeting, were approved unanimously with the following correction/addition:
Pg 1, Vice President and Pool/Tennis report: “*Phone: Kathy Mohrbacher told the Directors of her discussion with FSH Co. in regards to the phone but she does not yet have a written proposal from them.”
2. **MOTION**: The Directors, with Kathy Mohrbacher abstaining because she was absent at that meeting, approved the minutes of the Annual Membership meeting which was held April 30th, and previously sent via email to all Directors. The approved minutes may be amended, if needed, at the next annual meeting to reflect any additional changes, corrections, or additions at that time.
3. **MOTION**: Due to Mark Hannum’s term ending, Eileen Parker moved that the appointment of the Director to fill Troy Brown’s remaining two years be addressed at this point in the meeting. Kathy Mohrbacher seconded the motion. After heated discussion and the following Amendment to the Motion: Lou Day moved that the motion be amended to table the appointment of the 7th Director until which time the board has opportunity to solicit other potential candidates. Marcel Savoie seconded the motion to amend. After discussion, the amendment was voted upon and defeated: For – Lou Day and Marcel Savoie; Against – Dan Dowell, Karen Melfi, Kathy Mohrbacher, and Eileen Parker.
MOTION – The first motion was passed 4-2: For - Dan Dowell, Karen Melfi, Kathy Mohrbacher, and Eileen Parker; Against - Lou Day and Marcel Savoie
4. **MOTION**: Eileen moved that the Directors appoint Larry Money to fill the remaining two years vacated by Troy Brown’s resignation. Karen Melfi seconded the motion. Vote: 5 Directors voting for appointment with Savoie abstaining.
5. **ACTION**: A security light at the pool gate, with concrete footing, pole, light and all labor will be installed for the estimated bid of \$1250.
6. **MOTION**: Dan Dowell moved the Boundary fence committee be given authority to convene the homeowners and find solutions to the boundary fence issue. Karen Melfi seconded the motion. Motion was rescinded by Dan after discussion.
7. **ELECTION OF OFFICERS**: The following Directors were elected, unanimously, to the following offices:
President: Marcel Savoie, V. President: Karen Melfi, Secretary: Eileen Parker, Treasurer: Kathy Mohrbacher
8. **ELECTION – ACC CHAIRMAN**: By secret-ballot, the Directors elected Larry Money. Lou Day and Lynn Cole-Day were the other nominees.

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9. **MOTION:** Kathy Mohrbacher moved to refinance the loan with Vectra Bank at 7.69% and the President and Treasurer are authorized to sign the refinance papers. Dan Dowell seconded the motion. It passed unanimously.

10. **MOTION:** Unanimous approval was given to pay Traveler's insurance's upgrade cost of \$448 to get 100% property replacement for the remaining time of this current policy.

11. **MOTION:** Lou Day moved that there be no diving board at the swimming pool unless we find some insurance coverage. It was seconded and passed unanimously.

Eileen P Parker, Secretary

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

May 12, 2009

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 Church for All Nations at 6500 W Coal Mine Ave. at 6:38 PM.

Attendance:

Board of Directors: Lucius (Lou) Day, Dan Dowell, Karen Melfi, Kathy Mohrbacher, Eileen Parker, and Marcel Savoie. Quorum was met.

Committee Chairmen: Rich Hagan, Facility Improvements

Committee Members: Lyn Cole - ACC; Dale Cloud & Frank McKinney - Boundary Fences

Homeowners Larry Money & Mark Hannum

President, Marcel Savoie brought the meeting to order at 6:38 PM.

OPEN SPACE PRESENTATION: Joy Lucisano, Acquisitions Manager for Jeffco Open Space, and Matt Cox, Jefferson County Parks Maintenance Supervisor, discussed land now owned by Jefferson County within the Lilley Gulch drainage (Tract B - south of Filing 2 and north of Filing 1, Lower Dutch Creek) and Dutch Creek drainage (Tract D – between Upper and Lower Dutch Creek of Filing 1) and which they wish to convey to our Association through a “Trail Easement Agreement.” (Addendum #1: Trail Easement Agreement)

Questions from the Directors and other homeowners were addressed by them. These two tracts of land are the only open space still owned by Jefferson County in this area of the county. All others have already been conveyed to HOAs or Foothills Parks and Recreation. Jefferson County would continue to maintain the trail easements for the bike path which runs through Tract D from the Foothills Parks and Recreation Open Space on the west side of S. Pierce St. through Leawood Park and east. The Urban Drainage District would continue to own and maintain the creek drainage areas.

The Board will address this issue at a later meeting.

DIRECTOR REPORTS and OLD BUSINESS

SECRETARY: Eileen Parker

MOTION: April 14, 2009 Minutes of the regular meeting of the Board, as received by all Directors previous to this meeting, were approved unanimously with the following correction/addition:

Pg 1, Vice President and Pool/Tennis report: “*Phone: Kathy Mohrbacher told the Directors of her discussion with FSH Co. in regards to the phone but she does not yet have a written proposal from them.”

MOTION: The Directors, with Kathy Mohrbacher abstaining because she was absent at that meeting, approved the minutes of the Annual Membership meeting which was held April 30th, and previously sent via email to all Directors. The approved minutes may be amended, if needed, at the next annual meeting to reflect any additional changes, corrections, or additions at that time.

*Administrative budget: 1000 copies were purchased from the UPS Store at the King Soopers Center on S. Coal Mine and Pierce in order to make handouts for the Annual meeting. This can be used by the

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Directors, if needed. Eileen can give the code to the other directors via email. This way the copies are only 5 cents each page. Agreement was by consensus.

ARCHITECTURAL CONTROL COMMITTEE: Mark Hannum

*Marcel Savoie thanked Mark Hannum for his service as a Director of the Board and told all that Mark would help his replacement at the ACC chairman's position to get up and running.

*Handed out "Monthly Activity Log" which reflected one application for change in the works – expansion of a deck on the Anderson home on W Caley Pl

MOTION: Due to Mark Hannum's term ending, Eileen Parker moved that the appointment of the Director to fill Troy Brown's remaining two years be addressed at this point in the meeting. Kathy Mohrbacher seconded the motion. After heated discussion and the following Amendment to the Motion: Lou Day moved that the motion be amended to table the appointment of the 7th Director until which time the board has opportunity to solicit other potential candidates. Marcel Savoie seconded the motion to amend. After discussion, the amendment was voted upon and defeated: For – Lou Day and Marcel Savoie; Against – Dan Dowell, Karen Melfi, Kathy Mohrbacher, and Eileen Parker.

MOTION – The first motion was passed 4-2: For - Dan Dowell, Karen Melfi, Kathy Mohrbacher, and Eileen Parker; Against - Lou Day and Marcel Savoie

Eileen Parker nominated Larry Money to fulfill the remaining two years of the term left vacant by Troy Brown. Kathy Mohrbacher, Karen Melfi, and Dan Dowell spoke in favor of Larry Money's appointment. Larry told the Board that he wants to be on the Board to try to help move forward and remedy some of the issues he sees in need of attention. He stated that he believes he is qualified to be a Director and is willing to do almost any job except that of the Treasurer. He has worked in the federal government in several capacities for many years.

MOTION: Eileen moved that the Directors appoint Larry Money to fill the remaining two years vacated by Troy Brown's resignation. Karen Melfi seconded the motion. Vote: 5 Directors voting for appointment with Savoie abstaining.

TREASURER: Kathy Mohrbacher

*\$50,000 in dues has been collected to date.

*Advised everyone to be careful with the spending in light of the economy and that not all dues will be collected.

As of April 30, 2009:

ASSETS:

Checking/Savings:	\$58,541.43
Accounts Receivable	\$64,390.18
Fixed Assets	<u>\$ 2,220.26</u>
Total Assets	\$125,151.87

LIABILITIES

Vectra Bank Loan	\$51,944.41
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EQUITY

Total Equity	<u>\$73,207.46</u>
Total Liabilities/Equity	\$125,151.87

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V. PRES. & POOL/TENNIS: Karen Melfi

*Work contract with Mike Romero of Patio Pools & Spas = \$5750; covers his maintenance work only – not parts or chemicals, etc.

-Karen will get proof of insurance from him

-Contract covers opening preparation through Labor Day weekend and pool closing work (does not cover any additional time that the pool may be open)

*Drain options to meet requirement of the Virginia Graeme Baker Pool and Spa Safety Act, passed in 2007, can be met for about \$700 for the big pool and \$300 for the kiddies' pool & is budgeted.

ACTION: Both the contract and the fix for the drains was approved by consensus.

*Ornamental fence work: Due to a mistake in estimating the lengths of the fence sections, the materials cost more than initially believed. Therefore, there was no savings on the amount allotted for this project.

*Pool Security Gate Light: Karen has the bid for the work, with the concrete footing, light pole, and light for about \$1250. This is needed and was planned for in Phase 1 of the Master Plan.

The design will be such that it will illuminate the gate area without shining into the homeowners' homes and be directed toward the east end of the pool and pool house further illuminating that area. This can be done within the budget. Everyone showed agreement by raising a hand. There is one of the lights there that isn't working properly and needs to be replaced. The new light will be planned with the design elements in mind.

GROUNDS/LANDSCAPING: Dan Dowell

*Getting bids for the landscaping as discussed in April for the entrances at Coal Mine & Marshall, and S. Pierce & Caley.

WEBSITE: Lou Day No Report

BOUNDARY FENCE: Eileen Parker, committee chairman

Discussion ensued: 1) regarding the meaning of the recommendation made to the Board from this committee at the April 14th board meeting and 2) what did the committee have authority to do and 3) where do we go from here on the boundary fence issue.

Karen Melfi and Dan Dowell both spoke to their belief that the committee was taking positive steps to get a long-standing issue resolved. Marcel Savoie and Lou Day spoke to their beliefs that the committee had tried to over-step its authority.

MOTION: Dan Dowell moved the Boundary fence committee be given authority to convene the homeowners and find solutions to the boundary fence issue. Karen Melfi seconded the motion.

Continuing disagreement about how to solve the issue of the boundary fences followed. Dan rescinded his motion.

NEW BUSINESS

ELECTION OF OFFICERS:

Lou Day stated his opinion that he believes that the Board needs to have continuity at this point in time and he believed it best for Marcel Savoie to continue as the President. Directors Mohrbacher, Melfi, Parker, and Savoie agreed to stay in the same positions. This slate was accepted by unanimous vote.

Dan Dowell will continue as the Grounds/Landscaping Chairman.

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Architectural Control Committee Chairman

Lou Day and Larry Money both wanted the job. Mark Hannum nominated Lynn Cole-Day since she has shown her interest and competence as a committee member and the chairman does not have to be a board member. Larry Money – 6 votes; Lou Day – 1 vote

REFINANCE OF FACILITIES IMPROVEMENT LOAN: Kathy Mohrbacher

***MOTION:** Kathy Mohrbacher moved to refinance the loan with Vectra Bank at 7.69% and the President and Treasurer be authorized to sign the refinance papers. Dan Dowell seconded the motion. It passed unanimously. This will save about \$4000 in interest. The loan will be paid in Sept. 2011.

COLLECTIONS: Kathy Mohrbacher

*Asked if anyone disapproved of her sending letters to six homeowners who are now fully a year delinquent to let them know that they will incur the additional cost of legal fees if they don't get caught up with their dues. There was no disagreement.

INSURANCE: Kathy Mohrbacher

*After discussions with Traveler's insurance to get more information and to get additional information as discussed at the March meeting:

- No property damage insurance on the pool or other recreational facilities is in the current policy (pool, tennis courts, fences, etc.)
- There is \$1,000,000 general liability coverage on the common areas
- \$250 deductible on property loss
- Director/Officer coverage is \$1million/occurrence; \$2million aggregate
- They won't issue umbrella coverage to extend the limits of liability
- Interim cost (to the policy renewal date) to upgrade to 100% replacement coverage rather than the 80% we now have is \$448
- It will be \$1,993 more per year to upgrade current policy to the 100% replacement cost coverage

MOTION: Unanimous approval was given to pay Traveler's insurance's upgrade cost of \$448 to get 100% property replacement for the remaining months of this current policy.

MOTION: Lou Day moved that there be no diving board at the swimming pool until we are assured that insurance is in place for same. It was seconded and passed unanimously.

Larry Money suggested that we communicate in some way with the owners prior to the opening that this is the case and why we've made this decision as the diving board is well-used at the pool. Karen Melfi will make a sign to post at the pool. Perhaps a notice can be sent, also, to those for whom Lou has e-mail addresses as well. Mark Hannum asked everyone, please, not rule out the diving board – try to find some way to keep it.

Marcel Savoie and Mark Hannum will work with Kathy to get insurance coverage and go over all the options prior to the July due date.

Perhaps we should consider a donation to the church for use of the area. Meeting was adjourned at 9:00 PM.