

# The Orchard Homeowners Association, Board of Directors

## Meeting Minutes

Date: September 17<sup>th</sup> 2009  
Present: Aaron Bazar, Dan Wade, Kathryn Gault, Dan Knauss, Melanie Sealy, Russ Sealy  
Guests: John MacDonald  
Subject: Board of Directors meeting

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- I. Meeting Called to Order at 7:05 p.m. by Aaron
- II. Presentation of Agenda Items
- III. Old Business:
  - John MacDonald attended meeting to provide HOA Board decisions made in 2002 regarding a portion of fenced area at Lot 47. The Board in 2002 approved the fenced area that is on a part of common area. The land remains HOA property.
- IV. Landscape and Architectural Report:
  - There was discussion of roofing shingles replacement from the hail storm: Approvals are made to allow replacement with colors that match the individual house color.
  - A discussion on garage doors determined that essentially no guidelines exist for garage door replacement. Garage door replacement is considered as an individual case with the intent to generally match what currently exists within the neighborhood.
  - There was a homeowner complaint about the roofing and construction signs throughout the neighborhood. Homeowners will be asked to remove the signs.
  - There was a request to install a flagpole. This was approved.
- V. Fence Report:
  - There was a single complaint regarding post work from the fence repair. This was referred to Kayne's Fence for resolution.
  - A preliminary quote was obtained for replacement of the perimeter fence. The quote was \$120,000. Discussion focused on what options we may have for the fence in the future. An itemized quote is necessary to determine the actual cost of removal, replacement, staining, etc.
- VI. Board Issues
  - Cracks in the streets will be repaired after summer repairs are completed. Jefferson County will fill and patch cracks.
  - We are authorized to take down trees on the west perimeter along Flora (Andy Rohwer, District I North, District Supervisor). The work is expected to be performed by the County in October. They will send a letter of authorization.
  - For information, we own the gates, road, and easement for the west side thru alley connection to Flora and can place signage as necessary. Signs indicating Do Not Block Emergency Access will be placed on the gates.
  - There was a discussion of the flood plane and the common area. Email discussions between Aaron and Steven Williams, Associate Planner for Jefferson County confirmed the design and changes that are allowed to the detention pond area. The internal berms are not a part of the original design and the railroad ties are not sufficient for the intended use. Trees below the 100-year water surface elevation must be removed. New trees can be planted above the 100-year water surface elevation. The capacity of the detention pond cannot be negatively impacted. We are not allowed to place anything in the area that requires a permit from Planning and Zoning. We may place items in the area as long as they do not affect the adequate capacity of the detention pond.
- VII. Treasurer's Report

- \$2300 remains from the original budget. It is recommended to use remaining \$1500 for landscape maintenance to remove trees. An initial discussion of the proposed 2010 budget was begun, but was deferred to a subsequent meeting because of time.

VIII. Miscellaneous

- An additional meeting was scheduled for October 1 to continue the agenda from this meeting and discuss additional issues before the annual HOA meeting.

IX. As always, please keep your speeds below 25 MPH, as a significant part of the charm of the neighborhood are the families that live here. The neighborhood is not that large and speeding only aggravates your neighbors, while saving you mere moments - just to wait for traffic on 44<sup>th</sup> Ave.

XI. Meeting adjourned

Respectfully Submitted  
Dan Knauss  
Secretary

**The Orchard Homeowners Association, Board of Directors**  
Meeting Minutes

Date: October 1<sup>st</sup>, 2009  
Present: Aaron Bazar, Kathryn Gault, Dan Knauss, Russ Sealy  
Subject: Continuation of September 17<sup>th</sup> Board of Directors meeting

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- I. Meeting Called to Order at 7:00 p.m. by Aaron
- II. Continuation of agenda from September 17<sup>th</sup> meeting
- III. Treasurer's Report
  - A review of 2009 budget and actual expenditures was presented along with a proposed 2010 budget.
  - A 2% increase for insurance, a 3% increase for legal and accounting, and 3% increase for trash services are proposed.
  - We are still spending on landscape maintenance.
  - It is proposed that we separate legal and accounting costs for 2010.
- IV. Board Issues
  - Greg Miller presented motions to the Board via email communication. The motions were briefly discussed and it is anticipated that they will be brought forward at the annual meeting.
  - There was a discussion of the common area landscaping with regards to the failing berms. The Board recommends berm removal.
  - There was a discussion of the perimeter fence. The following options were discussed for bringing to the homeowners. A. \$175,000 special assessment; B. \$25,000 reserve increase per year (would go 4-6 years) plus \$10,000 each year (to maintain a fence reserve); C. Transfer ownership and maintenance to the individual homeowner; D. Split proportionally; E. Demolition; F. Replacement in sections.
  - It was determined that we need legal counsel on operation and how to proceed. Kathryn and Aaron will meet as soon as possible with legal counsel at Hindman Sanchez, who specialize in property law.
  - The annual meeting will be scheduled so that we have necessary information from the law firm.

V. Meeting was adjourned

**Through subsequent email discussion, the Annual Orchard Homeowner Association Meeting will be scheduled for November 19<sup>th</sup>, 2009 in the upstairs classroom of the Isabel Street Fire Station.**

Respectfully Submitted  
Dan Knauss  
Secretary