

The Orchard Homeowners Association, Board of Directors

Meeting Minutes

Date: March 27th, 2008
Present: Anita Larson, Dale Anderson, Kathryn Gault, Aaron Bazar
Subject: Board of Directors meeting

- I. Call to Order by Anita
- II. Initial points of discussion:
 - The Board is compiling a summary of the clauses governing the disposition of the fence and will obtain a lawyer's opinion and post that information on the orchardhoa.com website around the beginning of May.
 - Board members were not in attendance at the Fairmount Improvement Association last week
 - Cabela's Wheat Ridge Project is delayed until 2009.
 - 2 Fence repair incidents YTD
 - OrchardHOA.org (website) needs 2 years of minutes posted; action of Aaron to put historical minutes onto the website.
- III. Treasurer's Report:
 - Several houses have unpaid HOA dues. The Board is working with one homeowner regarding partial payment of dues.
 - In order to protect the HOA, we must exercise the Covenants and issue a lien against the house if these dues remain unpaid. This is especially important this year in light of the number of bank foreclosures.
 - The board unanimously voted on the proposition that if required to obtain a lien we will seek a \$35 penalty plus the cost for filing the lien. This would be in addition to the original amount due and current \$10 penalty for 60-day delinquency in payment.
 - Kathryn has had multiple miscellaneous and relatively minor problems with the trash company:
 - Landfill fee assessed outside of the negotiated rate – disputed and removed
 - Base charge of \$7.50 per house (the 2007 rate) instead of the agreed-upon \$8.25. Not that there is a desire within the board to pay more per household but due to contractual obligations and the integrity of the situation, Kathryn is attempting to rectify the mistake with the vendor.
- IV. Board Issues:
 - Homeowner's that have not paid dues are to be notified that the HOA will attach liens for unpaid dues as of 1st of May. (This does not apply to homeowner's that are working with the board regarding partial payment of their annual dues.)
 - Anita met with Rebecca Wallace Beattie (the HOA's lawyer) regarding the ownership and disposition of the fence.
 - It is clear that the entire perimeter fence is the responsibility of the HOA.
 - The HOA has legal and liability responsibilities for the fence.
 - The word "maintain" has a very wide definition of care.
 - The Board is held to a high standard of care for the fence.
 - An opinion paper on the subject should be forthcoming on April 21st and will be distributed with these minutes if timing permits.
 - Met with Rebecca Wallace Beattie (the HOA's lawyer) regarding the responsibilities of the Board pertaining to trash and abandoned vehicles.
 - Abandoned vehicle can only be determined via proof of licensure. As written, the Covenants require that vehicles parked outside of garages be registered with the Department of Motor vehicles. Anita has an action item to work with homeowners that have unlicensed vehicles parked in their driveways. [Note,

Country law does not permit a vehicle to be parked in the street, unmoved for than 14 days.]

- Yard debris and unsightliness should be dealt with via form letter for citation of homeowners in non-compliance. That will provide documentation should the Board be required to take action.
- If feasible within our limited budget, Ms. Beattie will provide a list of laws overriding the covenants; she recommends that the HOA consider updating our Covenants.
- The fence:
 - The current contractor has proven very adept at handling fence issues and been very prompt in response.
 - If you need fence work done on the perimeter fence, contact Dale Anderson.
 - The perimeter fence is the responsibility of the HOA. Self-maintenance is NOT an option due to liability concerns!
- Per the Covenants, homeowners are to notify the design review (Dale) of any and all proposed exterior housing changes (paint, construction, etc.).
- Ron Brown is the new Sheriff's Dept contact and will be present for the August 2nd homeowners' meeting and picnic.
- Aaron will be the new contact for the Jefferson County Board registration; he will receive notifications from Jeffco on items of interest (hearings, public meetings, etc.).

V. We need people to fill in the Board positions at the end of the year. If we do not get volunteers we may be forced to pay a professional board!

VI. **NEW SIGNAGE!** The front sign is becoming dilapidated due to age. The Board would like to take action on complaints about it. The cost of repair to the current signs were estimated to be \$3000 and a like-amount bid was received to build new Sandstone engraved signage for the community entrance. As such the Board will **HOLD A VOTE** at the annual picnic (August 2nd meeting) in the summer on whether to do this from the reserve funds. We will distribute proxy forms for this vote. The Board believes it to be in the best interest of all of our property values and the appearance of the neighborhood to keep the entrance looking professional and crisp. We will have more information available at the picnic, and hopefully sooner to answer concerns.

VII. Community events:

- Jefferson County Master Plan update: Wed May 7th, 6:15 PM in Hearing Room One of the Administration and Courts Facility, 100 Jefferson County Pkwy. <http://planning.jeffco.us>
- Jefferson County Public Hearings: Notice of Public Hearing to Amend the Zoning and the Land Development Regulations. May 7th @6:15PM and May 20th @9:00 AM. Hearing Room One, 100 Jefferson County Pkwy.

VIII. 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 44th Ave.

Meeting adjourned
Respectfully Submitted
Aaron Bazar
Secretary