

Minutes of 4 August 2007 HOA Meeting Held in the Common Area of the Orchard

Lots represented: 3, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 22, 25, 34, 36, 37, 49, and 51

Board members:

Anita Larson, President

Ron Blair, Vice President

Kathryn Gault, Treasurer

Dale Anderson, Design Review

(Aaron Bazar, Secretary was unable to attend)

There were no actions discussed at this meeting that required a vote.

The meeting was called to order at 10:45 by President, Anita Larson. Introductions were made as well as a review of the format for the meeting and picnic. Agenda items, and associated discussion follow.

1. Financial report. Kathryn Gault reported that disbursements to date were \$7883 and the checkbook account (operating account) balance was \$9432. She noted that unspent funds would be applied to new year's budget, which will be presented at the October 18, 2007, meeting.
2. Certified letters to homeowners. Dale Anderson asked the group if they had received certified letters in the mail (many had not) regarding the reported detection of perchloroethene (PCE) in wells near the Hazen Research, Inc. facility at 4601 Indiana Street. The letter notes that those residents who use well water should err on the side of caution and do not use their wells for drinking until further notification. Points of contact regarding this issue are Mr. Steven Flanike, Hazen Research (303.279.4501) or Jeannine Natterman, Colorado Department of Public Health and Environment (303.692.3303).
3. Fence Report. Dale Anderson provided the following information:
 - a. In the Board's attempt to have the fence inspected and a repair program implemented per the last HOA meeting in October 2006, he has run into a number of roadblocks. However, he was able to recently obtain a report from a fence repair company that has offered a reasonable program in a letter report. A majority of the fence will ultimately need to be replaced – due to age of fence, initial fence installation methodology, and other issues. The company proposes to install galvanized posts to a depth of 24-inches deep with concrete footings to the existing fence. These posts would be screwed to the existing fence and would serve as the support posts as the old posts no longer

function. The cost of the installed posts would be \$95 per post, new slates would be \$3 to 4 dollars. If we replaced existing posts and installed new ones, the cost would be \$135 per post. The benefit of this approach is that we will be able to pace the replacement of the fence over time and that the new posts will strengthen the existing fence. This is counter to the HOA issuing an assessment to rebuild the fence at one time (assessment estimated to be \$2000 per home to cover the \$80,000+ estimated cost to replace the fence). Homeowner comments to the discussion included the following:

- i. A preference was verbalized for on-going maintenance (as discussed) verses an assessment to rebuild the fence. Some homeowners felt that maintenance should be increased.
- ii. Comments were made confirming that the condition of the fence is "a reflection" of all the homes, whether they had fence or not. It was clarified that interior fences were the responsibility of the homeowner; again, a comment was made that the condition of interior fences also "reflected" on all the homes.
- iii. The Board would take these comments into advisement for preparation of the budget for next year. It was noted that a \$50 increase to our annual dues would provide the HOA with an additional \$2500+ for maintenance. The current year's budget included \$3,000 for fence repair and maintenance; dues for this year, including trash service, were \$280 (\$310 for those who recycle).

Dale encouraged all to read the Covenants and Design Review Standards and to please submit your proposed changes to your property (that are visible from the street) to him at least 10 days prior to implementation.

4. Covenants. Kathryn Gault presented her idea that it was time for us to consider updating the Covenants and Design Review Standards. She feels that we need to make them more applicable to what is in place now. Much discussion followed (as noted below), however it was agreed that a formal motion be made (at the next meeting) in order for us to proceed (or not proceed) with updating (or amending) the covenants. Items noted regarding this discussion included:
 - a. An amendment could provide a written record of the changes and note laws the supercede the covenants.
 - b. Updating the covenants would result in a large cost to the homeowners for legal review, the county filing, reprinting, and obtaining signatures of no less than 2/3 of the homeowners.
 - c. Colorado and/or federal law would override our covenants.
5. HOA Open Space. Discussion regarding this area (where this meeting and picnic was held) follows. This area is a drainage collection area

and the conduits need to remain clear – to flush out the conduits would be a minimum of \$600 should they be clogged by rocks, branches, grass clippings, etc. The Board will look into adding conduit cleaning to the contract for the lawn mowing service plus will work with the service to ensure that mowing debris is not allowed into the conduits. Parents in the Orchard need to let their children know that it is “not ok” to throw rocks and sticks into the conduits. Although it is not a problem for children to use the area, they need to be reminded that it is not a playground.

6. Cabela’s Update. Anita Larson passed around maps regarding the current zoning changes near Cabela’s – it is proposed that areas be rezoned from Industrial to Medium-scale Retail Corridor. She also encouraged residents to go to the website, <http://www.ci.wheatridge.co.us>, for more information regarding activities relating to Cabela’s; she noted that the Finding of No Significant Impact (FONSI), found on the website, provides a great deal of information.
7. Design Review Report – see item 3 above.
8. National Night Out. Jefferson Country Sheriff’s Department Officers Jim Brendle and Steve Hard joined our meeting per our invite and in support of the National Night Out. Steve Hart noted that he is our patrol officer and deputy liaison officer for our HOA. He noted that the liaison officers have been assigned to HOAs to execute their mission of working in partnership with the community to deter crime, develop trust, and to educate the public on crime prevention (like the officers “walking the beat” before patrol cars were employed). He noted that the President serves as the point of contact between his office and our HOA to address issues that he can support us with. He reminded us that we dial 911 for an emergency, but for the homeowners to contact the HOA President regarding other, more general issues. [Our President, Anita Larson, can be reached at 303.273.9018 or at anita.larson@att.net; the Jefferson Country Sheriff’s office phone number for non-emergency issues is 303.277.0211; the website for the Sheriff’s Department is www.jeffco.sheriff.com).

Jim Brendle was pleased to report that no crimes have been reported in our community since January 1, 2007. He did remind us of a few things to prevent crime. Keeping your garage door was one easy thing that all can do; he noted that timers for your garage door are available commercially (including locally and via the internet). Much discussion regarding speeding in the area was made – there was a feeling that the residents themselves were the largest problem and that alternatives to prevent speeding on Fig Street would continue to be evaluated and implemented. It was everyone’s hope that it will not take a tragic accident for this issue to be taken serious by the residents.

Other discussion regarding parked cars was also made – it was noted that county law requires that cars parked on the street have current

registration and be moved at least once in seven days. Motor homes are only allowed to be parked on the street for two weeks per year, though our Covenants allow only 72 hours per incident.

9. Other concerns and reminders.

- a. It was asked that Homeowners be reminded that watering their yards between 10 am and 6pm is in violation with watering restrictions and can be fined.
- b. The fire hydrants need to remain cleared at all times – including times of deep snowfall and plowing.
- c. Jefferson County Planning and Zoning is looking for feedback from you. To take the survey to assist them in their outreach efforts, go to <http://planning.jeffco.us>
- d. The Jefferson County Sheriff's office website is www.jeffco.sheriff.com.
- e. Your current HOA President, Anita Larson, can be reached at 303.273.9018 or anita.larson@att.net.
- f. The fall HOA meeting is scheduled for 18 October 2007; it will be held at the Fire Station on Isabell Road. More information forthcoming, but please plan to attend since we will be voting on next year's budget and potentially other issues.

The meeting adjourned at 12:15. It was followed by a picnic lunch.

Meeting minutes by Anita Larson.