



Annual Meeting of Homeowners

Miners Alley Playhouse – 1224 Washington Ave., Suite 200, Golden, CO 80401

December 3, 2019

Minutes of Meeting

The Annual Meeting of the Homeowners was called to order at 07:05 pm pursuant to a proper notice of meeting.

The agenda for tonight's meeting is:

- Approval of 2018 Annual Meeting Minutes
- Owner Education
- Highlights of the Year
- Board Nominations
- Review and Ratify/Reject the Association's 2020 Budget
- New Business

Homeowners were welcomed by Justice Keller, President, with introductions of Board Members, including Justice Keller, Leslie Rutherford, Vice President, Bill Brown, Treasurer, and Tim Raub, Secretary. Additional introductions and note of gratitude were for Allen Rutherford, Ron Blair, and Brain Nickel who are members that serve on the Design Review Committee (DRC). Special thanks was given to Leslie Rutherford for arranging the meeting room for the annual meeting.

Tim Raub announced that this meeting was properly noticed in accordance with applicable Colorado law and the Association's governing documents. The Association used several methods to publicize the meeting including the Orchard community board and printed newsletter mailed to all members of the Association. Tim Raub announced the presence of more than 25% or 14 members of the Association, either is required in person or by proxy in order to hold an annual meeting. Tonight, there are 14 members present and 4 represented by written proxy, this constitutes a quorum to conduct the business of the Association.

The Minutes of the Annual Meeting of the Homeowners held December 4, 2018 were distributed to the attendees. Ron Blair made a motion to approve the minutes as presented. Upon second by Greg Miller. The motion to waive reading and approve the minutes of the 2018 annual Meeting was unanimously approved as written.

Bill Brown and Leslie Rutherford presented an overview of the Association structure, governing documents, management, regulatory environment, design and review committee, the assets of the association, consisting of four parcels of common real estate, the perimeter fence and cash in the bank. They also made a presentation about easements, including what they are, how they are recorded and how they function.

Tim Raub presented the highlights of the activities for 2019 including:

1. The competition of the first phase of the fence replacement project. Although the fence has been installed, the final walk-through has not yet been completed. Notification was given to contact a Board member if there are any issues noted on new fence that needs to be addressed.

Election of Directors:

There are two Director positions that need to be filled. Justices Keller and Bill Brown whose term expires this year (2020) in addition to the one other vacant position. The Directors will serve a term of 3 years.

President Keller opened the floor for anyone interested. There were no nominations from the floor. President Keller made the motion to close the nominations.

Treasurer Report:

Bill Brown presented the financial statements projection for the ten months ended October 31, 2019. Bill noted that there was some additional expense for November and December 2019 but expects an estimated net profit for the year of 2019. Bill then presented the Budget for 2020 which has been unanimously approved by the current Board of Directors.

In accordance with Colorado law and the Associations governing documents the budget is deemed ratified if not rejected by more than 50% or 27 plus members. Because there was less than 50% of the Members present in person or by proxy, the budget was hereby ratified. There were 18 homeowner's present.

Board Nominating Committee:

Justice had noted that in accordance with our Bylaws it states that a Nomination for election to the Board shall be made by a nominating committee. The nominating committee will serve from the close of this annual meeting to the close of the next. The committee is tasked with finding interested parties throughout the year to serve on the next Board of Directors. The floor was opened for anyone to state their interest in serving on the Board Nominating Committee. No nominations were made and there was no Committee designated and this time.

Design and Review Committee (DRC):

Justice noted that our current DRC members have served for 2 plus years. We would like to see others come forward and volunteer to be a part of this committee. This committee is formed to review and approve each Exterior Improvement to property and maintain the quality and architectural harmony of all of the Improvements constructed on any portion of property. Our current chair, Brian Nickel is stepping down and we are in need of a chair for this committee. We are also looking for new members of this committee. Justice opened the floor for nominations to serve on the DRC. There were no other interested individuals. Greg Miller agreed to generate a letter for recruitment to this committee.

Violations and a Management Company

Justice discussed the Board's issues regarding homeowner violation. Without going to get into details, but based on threats, defamatory comments and general harassment from Association members the Board has made the difficult decision to hire an outside company to take over issuing notices for Covenant Violations. The Board has an obligation to enforce our covenants and at this time the Board feels this task will be better managed by a third party. The cost for this is \$200 per month and currently is accounted for under the Legal and Administration line item on the budget. This equates to \$45.28 per year per house. We realize this an extra cost

and are willing to look at other options or suggestion before we make this switch. At this time the board would be willing to see a Violation committee formed to take over this task; however, with little to no interest being shown for other committees within the Association we would need to have a commitment no later than December 15th by at least 3 members in order to accept this as a reasonable substitute. If we do not receive a viable commitment by this date we will move forward with hiring a third party.

Furthermore, in the event we are unable to secure enough interest in new Board Members we have also received a quote from this same company for taking over the Administrative duties of the Board in the future. The quote for this was \$600 a month or \$135.85 a year per home.

Website and Beautification Project

Leslie discussed the Website and neighborhood beautification project, which is planned for later in spring.

Open Comment Period

Each year the Board asks for members to send any other items they would like discussed before the meeting and this year we received an email from a member and I would like to address those comments now. **INCERT TOM'S E-MAIL**. Additionally, there was a request for the Annual Meetings to take place that are ADA compliant.

There was no other business brought before the meeting.

Meeting adjourned at 08:40 pm.

Tim Raub, Secretary