

Fox Creek Farms HOA Meeting, March 17, 2005

Meeting was called to order by Theresa O'Neill. Francie Orvis and Susan Zwiebel were also in attendance. No homeowners were present.

Neither Matt Maxfield nor Mike Monticello, our NGLA Representatives, were able to attend. Until we find a replacement for Matt, Theresa O'Neill is filling in for us.

Minutes from the annual meeting and the January meeting were approved as read.

Francie reviewed the financials, delinquencies and covenant violations. Most of the violations have been rectified. We have a couple of delinquencies that are out of control and the board authorized Francie to contact Jerry Cross to go to 1657 Deerwood to see who owns the home and when they expect to send in their past due payments.

The exterior fence has been repaired, except for one board missing on the fence west of Monarch. Francie will check into that prior to painting. Power washing has been completed and painting will commence as weather permits.

Theresa reported that Jon Clarke stopped by to see where the improvements that we applied for in the grant were to take place. Theresa's husband showed and told him and he said he needed to know to present our grant request. Theresa and Susan agreed that they would continue improvements along the greenway if the grant was approved.

Francie will contact Theresa next week regarding the detention pond improvements.

Board advised Francie to have the lights fixed at the front entrance, and that we would be thinking of ways to improve that area next year, or perhaps this fall.

Annual Easter Egg Hunt is scheduled for 10 am Sat, March 26, 2005, at the Aspenwood Place Cul de Sac. Theresa advises that we are all set!

Having no further business to discuss, meeting adjourned at 7:15 pm.

Fox Creek Farms HOA Meeting, May 19, 2005

Meeting was called to order by Theresa O'Neill. Francie Orvis, Susan Zwiebel and Miranda Simpson were also in attendance

There were no comments from homeowners other than some questions from Miranda.

Theresa O'Neill was going to an NGLA Meeting following the HOA Meeting to see if the city would allow us to use their prices and resources for trees rather than seek two or three more bids.

Minutes from the March meeting were approved as read.

Francie reviewed the financials, delinquencies and covenant violations. Jerry Cross was unable to locate the owners at 1657 Deerwood; however, Francie contacted the neighbors and through them, she was able to track down the owners. With the help of Alert Realty, they agreed to pay part of the back fees totaling \$443. The board voted to accept that offer.

The board authorized Francie to hire Jerry Cross to visit 1122 Red Oak to find the owner and work on their late dues.

With the construction of the Eastgate subdivision, the city had to connect to a main waterline on our property. In the process, they broke some of the irrigation lines, but they will repair them. Our city water bill was unusually high so Francie is going to check with the Ward's to see what can be done.

The fence painting has been completed. It was an adequate job and about what we expected for the price we paid.

Francie will check with Ward's to see if they are edging the cement drain in the detention ponds. If not, they will start to edge it to maintain proper water flow.

Jon Van Benthem resigned his board position effective April 11, 2005. In his absence, Miranda Simpson has volunteered to fill his position until someone steps up to fill the board position. She was appointed to the board by Susan and Theresa.

Mike Monticello is trying to sell his home in FCF. In his expected absence, DRR's will be sent to Theresa and then to Susan for approval.

Next meeting is July 21, 2005. Having no further business to discuss, the meeting was adjourned at 7:25 pm.

Fox Creek Farms HOA Meeting, July 21, 2005

Meeting was called to order by Theresa O'Neill. Francie Orvis, Susan Zwiebel, and Joe and Bev Richards were also in attendance

There were some complaints about 1432 Deerwood regarding junk cars in their yard, welding and painting activities in their garage, and collapsing pillars at the entrance to their sidewalk. Francie will look into the situation.

Regarding traffic mitigation, Mountain View and Deerwood are included in the city's study of traffic calming devices. They are still reviewing the best options for our particular situation.

Theresa O'Neill reported that the NGLA is looking for volunteers to participate in the Focus on Longmont which is a committee designed to assist with long-term planning. We also have approval for \$400 in grant money for our Fall Festival. Way to go, Theresa!

Minutes from the May meeting were approved as read.

Francie reviewed the financials, delinquencies and covenant violations. We are getting the license plates of the vehicles in front of 1122 Red Oak to try to locate the owners. Financials looked good. Covenant violations are running about 10/week. We are relying on code enforcement to assist in some matters.

Theresa is in the process of reformatting our newsletter to make it easier to write and edit. The next issue will include school safety issues, review of DRR's, rules for campers, RV's, etc.

We received a bid from Ward's Landscaping to upgrade the sprinkler system and to run all the necessary lines for the city to take over the watering of the gulch which totaled \$15,047. We are in the process of negotiating with the city, Golden Bear and Ward's to try to lessen the bill for FCF HOA.

The board discussed the impact of Senate Bill 100 and decided it was minimal and that we are already exercising those rights. Pet waste stations were discussed and the board thought they were too expensive to install right now, but opted for additional garbage cans at our existing bag stations.

Francie brought a DRR for approval, which the board approved with minimal changes.

Meeting adjourned at 7:40 pm. Next meeting is September 15, 2005, at the fire station on Pace Avenue.

Fox Creek Farms HOA Meeting, September 15, 2005

Meeting was called to order by Theresa O'Neill. Francie Orvis, Susan Zwiebel, Joe and Bev Richards were also in attendance. Tammy Rogge was in attendance for homeowner comments.

The Architectural Design Review Committee had previously denied Tammy Rogge the colors she had chosen to paint her house due to the dark colors. She came to the meeting with new colors and the board reluctantly approved the new choices. They are still pretty dark.

Myranda Simpson had previously agreed to serve on the board temporarily. Unfortunately, her husband was transferred so she had to move. Bev Richardson has agreed to step into her place until new board members can be elected as long as meetings are held the third Thursday of the month. Theresa and Susan unanimously appointed her to the board.

Minutes from the July Meeting were approved as read.

Financials, delinquencies and covenant violations were reviewed. We are still trying to find the owners of 1122 Red Oak. Francie will check with Jerry Cross for status. We had an outstanding water bill of \$1860 from the city. Board approved paying the bill following a meeting with city representatives.

Francie, Theresa and Susan met with Don Bessler, John Clark, Steve B., Rob Chapman, and Doug Brown to discuss our displeasure with the handling of the new city park and Eastgate Subdivision and their impact on FCF HOA. Specifically, the city tampered with our water controls and watered the south end extensively, resulting in a water bill of over \$3,000. We were told that we (FCFHOA) would not incur any expenses as a result of the construction from the park. Don Bessler agreed to waive \$2000 of our future water bills.

We are also required (by the city) to upgrade our sprinkler system and flower beds prior to the city taking over maintenance and liability of Outlot B (greenway). The cost is estimated to be about \$15,000. While the board finds this completely unfair to FCFHOA, we also realize that we cannot fight city hall and have agreed to the stipulations, following an 80% vote approval from the residents of FCFHOA.

The city has allowed us to make the improvements at their expense with a payback schedule to be agreed upon later. A motion was made to adopt the resolution to transfer Outlot B to the city.

Following Eastgate Subdivision tying into the water main on our property located on the greenway, we had serious backflow problems and continual wetness on the area where they tied into our line. Rob Chapman agreed to have that fixed to his satisfaction at their (Eastgate's) expense, including tapping our PCV outlet. They also broke a tree which he will ask them to replace.

It was suggested and agreed upon by the board, to draft a letter to the Parks and Rec Dept regarding the Stephen Day Park. There have already been several altercations at the park between mostly teenagers and younger children, but a few have also involved adults. We are going to suggest a fence to separate the school grounds from the park, and also request shorter hours. The park is currently open until 11 pm, but there are no lights in the park. We will suggest closing at 9 pm or earlier.

Theresa O'Neill will work on the newsletter addressing such items as the gulch transfer, late assessments, painting and school safety issues.

Bev Richards reviewed the street mitigation progress and reported that the city is considering many options at the corner of Willowbrook and Deerwood, but stop signs and speed bumps are not an option. They are considering making more curves in the current street and possibly narrowing the lanes.

Annual meeting is scheduled for November 17, 2005, at the fire station on Pace. At that time, we will seek the vote and proxies for transferring outlot B to the city and we will be soliciting for new board members.

Meeting was adjourned at 8 pm.

## **FOX CREEK FARMS HOA ANNUAL MEETING, NOVEMBER 17, 2005**

Meeting was called to order at 7:03 pm, by Theresa O'Neill. Other board members included Bev Richards and Susan Zwiebel. Jerry Cross was in attendance for explanation of the Outlot B and Proxy situation. 20 homeowners were present.

A motion was made and seconded to rearrange the agenda so that Jerry Cross (legal counsel for FCF HOA) could speak first. We also moved homeowner comments to the second agenda item. Jerry outlined the process of transferring Outlot B to the city. He explained that the requirements of our declarations exceed state law. The declarations/covenants were written by the developer prior to any construction in the subdivision. They state that 80% of all owners are required to approve the transfer in the same manner as a deed, which requires notarization. The HOA was 25 votes short of the 80%, so Jerry advised/suggested that we amend the declarations to reflect state laws which are less restrictive. The state laws change 1/1/06, which will reduce the numbers required to 67%, which the board has already acquired. Jerry gave a brief description of the SB 100 law. He advised that we could continue the meeting to amend the declarations, which entails a great deal of effort, including, but not limited to, informing all of the first mortgage holders for property in the FCF HOA of the proposed declaration changes. He also added that the 80% requirement currently written in our declarations applies only to the transfer of property.

The board was not aware of these requirements until we approached the transfer process with the city. The city informed Jerry Cross that a clear title was needed and that no title company would write the coverage without 80% signatures approving the transfer with those signatures notarized. Homeowners asked for a letter of intent from the city so that we didn't go through this long process for nothing. A motion was made to make that request and it was seconded. The motion was followed by a lengthy discussion of the above decisions.

It was also brought to the board's attention that the proxies were too ambiguous for a lot of homeowners to feel comfortable signing. Jerry explained why they were written as they were, but the board will take the comments into consideration for the next vote.

Susan Zwiebel reviewed our financial status and accepted questions and comments regarding the 2006 budget. Our CD's are renewing at the rate of 4.23%. We are on track for the 20-year plan, and in fact, hope to exceed that goal in the next year or two. A discussion was made regarding a decrease in dues, but it was suggested by Mike Monticello that we research the cost of a new fence prior to any changes in assessments. The board will take that into consideration. Budget approval is pending with the continuation of the annual meeting.

Theresa O'Neill reviewed last year's projects, including the fence painting, partial landscaping of the detention pond on the north end of Deerwood, the additional trees on the greenway, new signs around detention ponds, dog-bag dispensers, among other improvements. Theresa was the NGLA Representative for the past year, and this year, Stephanie Nieuwlandt volunteered for the position. Matt Maxfield volunteered to be the alternate. Thank you for stepping up!

There was a discussion regarding color choices for homes in the neighborhood. The current

board (Theresa O'Neill and Susan Zwiebel) have been acting as the Design Review Committee. Camille Accountius and Mike Monticello offered their services for that committee. Matt Maxfield suggested that they devise better guidelines for colors so that people knew what they could and could not use. Camille and Mike will get back to the board with their recommendations.

While on the subject, we also asked for volunteers for the Annual Egg Hunt and the Fall Festival. Jo Charlton volunteered for the egg hunt. The opportunity is still available for the Fall Festival. It was also suggested by Jim Armstrong that we combine the annual meeting with the fall festival. While we think financially it is a good idea, the meeting would not be as productive with children participating in their activities.

Bev Richards gave an update on the progress of the traffic mitigation committee. The city is considering raised crosswalks at the intersections of Willowbrook and Deerwood, Cedarwood and Deerwood, Mountain View and Deerwood, and at Terrace and Deerwood. They are also considering narrowing Deerwood on the park side to even the width of the street. They may also add neighborhood entrance signs. They plan to add a flashing radar speed sign closer to Safeway on Deerwood. Work is being considered for East Mountain View also, and is slated for spring 2006. Raised crosswalks may not happen until 2007.

A few people mentioned the visibility problems that the trees and shrubs are causing at Laurel and Mountain View, and Monarch and Mountain View, to name a couple. Theresa is going to contact Kurt Wickland (our tree guy) from the city to see if they are able to move some of those trees.

The board currently has three board members so additional members were sought at the meeting. Some people were reluctant since they didn't know what it entailed, so Jim Armstrong suggested appointing two more members and then if they liked it, they could run for the next election. The board and homeowners appointed Julie and Mike Tomlinson as one member, and Jo Charlton as the other. Welcome to the board and thanks for serving your community.

There were a lot of positive comments from the homeowners present for the current board. They thanked the board for their service and congratulated the board for their accomplishments. Renate Eads suggested some form of reward for the long-standing board members, and suggested waiving their annual dues. A motion was made and seconded pending research on the legality of such a move. Regardless of the outcome, the board was quite moved by the gesture.

The board would like to extend their thanks to the homeowners for supporting the proxy, attending the annual meeting, and for the volunteers who stepped up to help in the continued efforts to make this the best HOA in Longmont. Thanks for the support.

A motion was made to continue the annual meeting on January 19, 2006, at the fire station located at north of Mountain View on Pace at 6:30 pm.