

Fox Creek Farm HOA

Board Meeting Minutes

Date: July 18, 2019, 7:00 PM

Location: 1000 Pace Street, Longmont CO, Fire Department Community Room

Present: Jim Armstrong, Mark Gardner, Matthias Lester, Carina Lindsay, Mike Monticello, David McCarty

Absent: Jill Topper

Others Present: One homeowner

Proceedings

I. Call to Order

Meeting called to order at 7:00 PM

II. Homeowners' Comments

Homeowner voiced concern about continually unused vehicles in a neighbor's driveway, and other problems (trash dumpsters not taken in, poor yard maintenance). David advised to contact Flagstaff Management any time there are such concerns.

Another homeowner noted the presence of a large RV (trailer) on Cedarwood, unmoved since July 5. Homeowner has called code enforcement, leaving a voicemail. David will follow up with code enforcement.

III. Approval of Minutes

For the minutes from the May 2019 meeting Carina moved to accept with no changes. Mike seconded and the motion passed.

IV. Acceptance of Agenda

Mike moved to accept the agenda as written; Matthias second and this was passed.

V. Manager's Report

David McCarty went over the June financials.

- The HOA has total assets of \$295,058.80.

- A leaking valve (now fixed) notwithstanding, the wet spring has reduced our watering needs, so we are ahead of budget in this area.
- There are currently 6 delinquencies on 2019 dues. Although a fairly low number for a neighborhood the size of Fox Creek Farm, these six have not responded to a second notice and will receive attorney letters.

VI. Items Decided by Email

- A. By email, board members approved getting a legal opinion on a dispute with the city of Longmont concerning who is responsible for maintaining the landscaping along Pace Street between Red Oak and the old Safeway.
- B. By email, board members approved getting a legal opinion on some concerns regarding the HOA's shed guidelines.

VII. Unfinished Business

- A. NGLA: Jim has been in touch with Wayne Tomac and attended NGLA meetings. In order to join the NGLA, Fox Creek Farm is supposed to be represented as a neighborhood, including renters, not just homeowners. Plans were discussed to hold a neighborhood meeting with all residents invited to discuss the NGLA.
- B. Social and National Night Out. Carina has done a lot of work pulling together Fox Creek Farm involvement in the NNA, August 4. The board discussed catering options for food at the event. The board selected a local Longmont carniceria.
- C. Newsletter. Mike had made some edits to the newsletter submitted by Dave. Matthias also had some input.

VIII. New Business

- A. Landscaping along Pace Street north of Red Oak. For about a year, the Longmont Parks department has been mentioning that HOA's are responsible for maintaining land along arterial roads such as Pace Street, even though the city has maintained it for many years. The HOA has disputed the contention based on precedent and the fact that the city owns the water taps. Recently the HOA obtained from our attorneys a legal opinion that contradicts the city. The issue is not resolved yet, but for now the city is still mowing the area. In case we have to take it over, we are obtaining a maintenance estimate from our landscaper.
- B. A shed in a non-compliant location was identified, which the homeowner may have to move.
- C. Design Guidelines. In the process of reviewing the shed just mentioned, our attorneys found that our shed-related design guidelines were not in agreement with the declarations. David has suggested that the HOA needs to revise our covenants, which have grown unwieldy over the years with amendments. However this requires approval of two-thirds of all homeowners - not merely $\frac{2}{3}$ of a quorum. Mike advocated keeping our current documents, having them legally reviewed so design guidelines will be in accordance with our covenants. The review will cost an estimated \$1000 to \$1500, compared to about ten times this much to rewrite the documents entirely. The board approved the legal review of the documents with an eye to revising and not rewriting them.
- D. Another shed currently being constructed is far out of compliance with guidelines. No DRR was filed and the homeowner has not responded to a letter from Flagstaff Management. David proposed taking the matter to our attorney. The board approved.

IX.

Adjournment

The meeting adjourned at 8:45 PM.