

# Fox Creek Farm HOA

Board Meeting Minutes: March 9<sup>th</sup> 2017

7 PM 1000 Pace Street, Longmont CO, Fire Department Community Room

Present: Mike Monticello, Matthias Lester, Mark Gardner, David McCarty

Absent: n/a

Others Present: six homeowners

Proceedings

## I. Meeting called to order at 7:00 PM

## II. Homeowner comments

- a. A home owner from 1520 Willowbrook Drive, had written to the board contending that the master declaration could be interpreted to state that is it the responsibility of the Fox Creek Home Owners Association to maintain/ replace the fences along the detention ponds. His letter quoted a section of the Master Declaration of Fox Creek Farm which states in part “the Association shall maintain, repair and replace all fencing which has been installed by the Declarant on or adjacent to arterial and/or collector roads...” He indicated that the City of Longmont planning department had a map showing that Deerwood Drive was a collector road. His letter also provide a definition of the word “adjacent”.
- b. Several homeowners were in attendance to discuss the history of this fence along the detention ponds.
- c. Two homeowners stated that Melody Homes installed the fences around the detention ponds.
- d. One homeowner on Deerwood Drive said that the city moved his fence away from the street twice to provide better visibility along a collector road.

## III. Approval of Minutes

- a. The board meeting minutes from January 19<sup>th</sup> 2017 were approved as written.

## IV. Acceptance of Agenda

- a. The agenda was approved as written.

## V. Manager’s report

- a. Financial Statements: Fifty two homes have delinquencies. \$1089 in late fees has been assessed. Many reminders are being sent out.
- b. Check Signature Card: All the board members have signed the signature card, so David can start signing checks.

## VI. Emailed Approved Items

None

## VII. Unfinished Business

- a. 2017 house painting list / directed letters: The board and the design review committee members toured the neighborhood and noted which houses were in need of new paint. The board will review the sample directed letters, mark up their favorite, and send it to David. David will then send out the letter to the houses that the

majority identified as needing new paint.

## VIII. New Business

- a. Detention Pond Fences:
  - As noted above in the home owners comment section, several homeowners attended the board meeting to discuss the history, current conditions, and maintenance responsibility of the fences around the two retention ponds along Deerwood Drive.
  - The board discussed that the HOA has never maintained the fences along these two detention ponds. It is unclear if the fences are on the property line between the retention pond and the homeowner property or if they are on either side of this property line. The definition of the word “adjacent” was discussed and the board decided to obtain an opinion from legal counsel on the definition of “adjacent” and the possible need for a survey.
- b. Pace and Red Oak entrance fence: The plastic fence in the entrance area is cracked and needs repairs. David will have a contractor look at the damage.
- c. Covenant Expired: A board member noted that the Covenant expired 20 years after the date of recording. It then automatically extended for 10 years.

## IX. Adjournment

The meeting ended at 8:12 PM