Executive Board Meeting

October 1st, 2014

Location: The Residence of Carolyn Dahlgren – 0034 Kings Row Avenue

Board Members in Attendance: Peter May, Carolyn Dahlgren, Tom Hazard and Krystle Ortell (recording secretary)

Homeowners in Attendance: Molly and Toby Bartholow, Kathy Sydoryk, and Carol Nieuwenhuizen

1. Call to order at 7:10pm
2. Approval of August 27, 2014 meeting minutes with discussed changes. Peter May made a motion to approve, seconded by Carolyn Dahlgren. All in favor. Minutes approved.
3. Old Business
   1. Attorney Follow Up
      1. Peter May explained that Krystle and Peter met with Olszewski, Massih & Maurer and Karp, Neu, Hanlon. They asked the interview questions that were decided upon during the August 27th meeting. Peter May felt that both sets of attorneys answered the questions the way that the board would like to hear.
      2. Jim Neu did mention to Krystle and Peter that there have been recent changes in state law that may affect the HOA’s covenants and bylaws.
         1. Specifically Jim Neu mentioned CIOA
            1. Carolyn Dahlgren informed the board that Kings Row Homeowners Association isn’t required to follow COIA because of the age of the HOA.
            2. Tom Hazard asked Carolyn Dahlgren if there is a reason the HOA does or doesn’t want to be part of COIA?
      3. Peter May wants the lawyer to determine if the HOA is in compliance with laws.
      4. Jim Nue also stated that if the HOA is considering making changes to the covenants that the HOA present the changes to the members before taking the changes to the lawyers to save money.
      5. Peter May and Krystle Ortell both recommend Karp, Neu, Hanlon as the attorneys to hire
      6. Carolyn Dahlgren made a motion to hire Karp, Neu, Hanlon; seconded by Tom Hazard. All in favor.
      7. Peter May will call Melody Massih with Olszewski, Massih & Maurer to let her know that they have gone with a different attorney.
      8. Krystle Ortell will contact Jim Neu to let him know the HOA’s decision to hire Karp, Neu, Hanlon and drop a binder to them which contains the bylaws, resolutions and covenants.
      9. Carolyn Dahlgren will draft a letter to the other attorneys letting them know that the HOA has reached a decision.
   2. Reserve Study Follow Up
      1. Tom Hazard and Peter May met with Brian Farley from Reserve Association on Sunday, September 28th. They showed Brian the pump house and irrigation system.
      2. Tom Hazard is concerned that Brian needs to know more information about Garfield County potentially asking the HOA to relocate the irrigation lines. This will be a large factor in the reserve study.
      3. Carolyn Dahlgren asked if Lee Leavenworth may have information regarding any easement that the HOA may have received when installing the irrigation system.
         1. Peter May has spoken to Lee Leavenworth regarding the irrigation system in the past and Lee didn’t know of any easement in existence.
         2. David Bell and/or Susan Cuseo may have been on the board at the time of the irrigation installation. Peter May will contact David Bell and Carolyn Dahlgren will contact Susan Cuseo.
      4. Tom Hazard found lots of documents, including the irradiation system blueprints, in the pump house. He will send the blue prints to Brian Farley and Krystle Ortell.
      5. Peter May believes that Dick Wells, JD Sturgill and George Gunter did a lot of work on the irrigation system and may have been the individuals that mapped out the irrigation system.
      6. Tom Hazard states that if the board determines what month and year the irrigation system was installed they may be able to determine if an easement was obtained.
      7. It will take Brian Farley approximately two months to get the reserve study to the board.
      8. Carolyn Dahlgren suggests that at the annual meeting the board asks how homeowners would like to receive the Reserve Study.
   3. Website Follow Up
      1. Krystle Ortell and Tom Hazard have been working on finding somebody to develop the website.
      2. Krystle Ortell contacted the developer of the Cerise Ranch website but didn’t hear back from him.
      3. Tom Hazard recently hired an individual to build a website for his business but wants to see how the person does on upkeep before recommending them to the HOA.
   4. Leavenworth Letter
      1. Carolyn Dahlgren will finalize the letter to The Leavenworth’s and get it to Peter May for a signature and then send to Lee and Joan for a signature.
   5. Payment Plan Resolution
      1. Carolyn Dahlgren drafted a new version. This needs to be tabled until an attorney can advise.
   6. Misunas
      1. Krystle Ortell informed the board that the Misunas’ have not been making monthly payments.
      2. Carolyn Dahlgren motioned to file a lien on the Misuans’. Peter May second. All in favor.
      3. Krystle Ortell will complete Lien form and get to Peter May for a signature. Krystle Ortell will record the lien with the county.
4. Preparation for Annual Meeting and Social Event
   1. Carolyn Dahlgren will purchase the wine and give her receipt to Krystle Ortell for reimbursement from the HOA.
   2. Tom Hazard will purchase the beer and give his receipt to Krystle Ortell for reimbursement from the HOA.
5. President’s Report
   1. Possible changes to the Bylaws and Covenants
      1. Tom Hazard believes there is a weakness in having the covenants keep pace with the lifestyle of the HOA and the law. The HOA is constantly evolving and the covenants need to evolve with it.
      2. Peter May states that the HOA needs realistic covenants that can be implemented and followed.
      3. Carolyn Dahlgren wonders how to change the covenants? How can the board determine how the entire community feels?
      4. Peter May read a list of covenant amendment/addition topics created in 2009 by prior President, Dick Wells.
      5. Carolyn Dahlgren noted that the view plan regulation is very soft – should the board make this regulation stricter?
      6. Carolyn Dahlgren believes another covenant that needs to be revised is “Variances.”
         1. Property owner, Kathy Sydoryk, brought to the BOD’s attention her neighbors’ request to her to have horses on lot 9. The Board briefly discussed the Covenant sections regarding 3 acres for horses and the variance process. The BOD noted that no request for variance from the acreage requirement has been received by the BOD or Architectural Committee.
         2. The board has asked that Kathy Sydoryk determine which homeowners have horses.
            1. The resolution states that 3+ acres are needed for horses to be permitted.
         3. Tom Hazard wonders if there are any other variances
            1. Peter May will contact Dick Wells to see if he knows of any additional variances in existence.
         4. Carol Nieuwenhuizen has been told from realtors that property values would increase if the resolution allowed for more horses. People are looking for affordable housing that allows horses.
      7. The board agrees that another covenant that needs to be revised is the landscaping covenant.
      8. The board also agrees that a covenant needs to be added regarding noxious weeds.
      9. Tom Hazard suggests that the board forms a questionnaire to be distributed to homeowners to see what covenants the homeowners would like to see revised.
         1. Tom Hazard suggested that the attorneys review the covenants and make recommendations on revisions based on inconsistencies with laws.
            1. Peter May made a motion to have the attorneys review the covenants and see if he covenants comply with state law, Carolyn Dahlgren seconded. All were in favor.
         2. Tom Hazard would also like to have another work session to review the covenants one by one to determine which covenants need revisions.
            1. The following were determined to need review:

Variances

Noxious Weeds

Trailers, Boats & Vehicles

Paint Color

Horses

Fences

Payment Plan

Landscaping

Principle Views for Each Site

* + - * 1. The work session will be held at Carolyn Dahlgren’s Residence – 0034 Kings Row Avenue on October 15th at 7:00pm. The board members will be the only individuals in attendance.

1. New Business
   1. Kevin from Electrical Controls is coming this week (September 29-October 3) to look at the counters – this is considered routine maintenance of the irrigation system.
   2. Past Due Homeowners
      1. Kuen – Krystle Ortell will send a notice of non- payment
      2. Peter May – will contact Gunter’s for payment
2. The next meeting will be held on Saturday, November 1st at 6:00pm at The Missouri Heights Schoolhouse.
3. There being no further matters to come before the HOA, the meeting adjourned at 8:53pm.