

Hill Pond on Spring Creek (Wallenberg Dr.) HOA Board of Directors

Meeting Minutes

Wednesday, January 3 – at 1825 Wallenberg Drive
Chaired by Mary Catherine Murphy – current HOA President

Call to Order

Meeting was called to order by President Mary Catherine Murphy

Board Members Present: Mary Catherine Murphy, Rick Hoffman, Carrie Eagan, Jeff Eagan, Sam Cooper, Lee Cooper, Tom Seibert

Other HOA Members Present: Dave Dornan.

Approval of Minutes

Minutes from the Nov. 30th HOA meeting had been reviewed & approved through electronic communication prior to posting on website.

Business completed during interim since last meeting

- 1) Carrie Eagan & Rick Hoffman met with Natalie McNeil from The Davey Tree Expert Company on Dec. 11 to perform a walk-through inspection of the trees in the open space to the south of Wallenberg bordering the Spring Creek & pond. Ms. McNeil said there are some dead branches & in some cases dead trees that should either be taken out at some point or trimmed & left as snags for wildlife. She is estimating approximately \$5000-\$10,000 worth of work needing to be done. However, she did recommend waiting until early spring when the trees are leafing out to re-inspect in order to make sure we get dead branches that aren't showing up right now, but will by that time. She also had good information about looking ahead to prepare for the Emerald Ash Bore as well. She is putting us on her calendar for a re-inspection in late April or early May.
- 2) Julie Savidge began looking into proper signage designating HOA common spaces as private property. She found that the company which made the sign in the easement behind the west end of Wallenberg is no longer in business. She found that it would be important to include the name of our HOA on the sign & will continue to pursue this issue.
- 3) Rick Hoffman asked Barrett landscape that mows and shovels Ann Hunt's property to give an estimate for mowing the Greenbelt and shoveling the sidewalk. They are licensed and insured. If anyone has the name of another company they wish him to contact, they are to send him the information.
- 4) The Board received a letter from Attorney Pete Dauster inquiring about water rights to a pond east of the Hill Pond Condominium Association. Carrie Eagan looked into the location of the pond in question & responded back to Mr. Dauster that we do not believe our HOA has anything to do with the pond to which he was referring. He was encouraged to inquire with the owner of that property on the south side of the Spring Creek.
- 5) Several Board members attended a CAI Roundtable event on Dec. 13 put on by Hindman Sanchez law firm for the purpose of educating HOA members & boards regarding current HOA issues & law. Those who attended reported back to the rest of the Board regarding what they had learned there. Specifically, it was stated that an HOA board has a fiduciary responsibility to follow Colorado law in adopting the Nine RGP's. An HOA Board assumes liability if the law is not followed. Also, it was advised that consultation with an attorney specializing in HOA issues to accomplish this task is recommended.
- 6) An email was sent out to all HOA members notifying them of the Board's plan to meet with an attorney regarding "Responsible Governance Policies" (RGP's) and the implications concerning these. Input & questions were invited from any members.
- 7) Dave Dornan delivered the questions directed by the Board to attorney Pete Dauster for written responses prior to meeting with him. These responses were received along with an example of RGP's written for an HOA in Estes Park. Board members reviewed these documents in preparation for the Jan. 3 meeting.

New Business

The Board discussed the written response of Pete Dauster to our questions. It is clear that our HOA is legally required to have the RGP's in place. The Board agreed that writing up these RGP's according to the legal specifications required by the state is far beyond the qualifications of the Board. It was agreed, therefore, that the next step is to have the previously authorized committee (Dave Dornan, Rick Hoffman, & either Tom Seibert or Julie Savidge) meet personally with Mr. Dauster. Mary Catherine Murphy asked to join the committee as well & was authorized to do so. After discussion and clarifying the process, timeline, and cost, the committee will proceed to have Mr. Dauster write up a draft of the RGP's for our HOA. The Board will review this draft before proceeding further. The committee will also ask Mr. Dauster what the logical order of things would be (in relation to writing up the RGP's) to review the changes we propose to our By-laws (listed in the Oct. 4, 2017 Board Meeting minutes).

Future Plans

The Board agreed to meet again as needed after more information has been gathered from the attorney. Further discussion will be held on our Covenants & By-Laws being brought in line with our HOA's current needs.

Adjournment

It was moved, seconded, & passed by vote to adjourn the meeting.