

Hill Pond on Spring Creek (Wallenberg Drive) HOA Board of Directors Meeting Minutes
Tuesday, July 2, 2019 at 1836 Wallenberg Drive

Quorum Established and Meeting Called to Order

The meeting was called to order by President Dave Dornan.

Board members present: Diane Crews, Doug Hinerfeld, Tom Noel, and Dick Thomas.

Guest: Rick Hoffman.

Approval of Minutes

A motion was made by Tom Noel and seconded by Doug Hinerfeld to approve the minutes of the June 3, 2019, HOA Board meeting; the motion was approved unanimously.

PowerPoint Presentation

President Dornan gave a PowerPoint presentation on the development and adoption of the HOA's Responsible Governance Policies and By-Laws. The presentation also included discussion of the hierarchy of documents that govern Hill Pond on Spring Creek HOA. Also presented were the three major fiduciary responsibilities of the Board which include: The Duty of Care, The Duty of Loyalty, and the Duty to Act Within the Scope of Authority.

Old Business

Dick Thomas gave a report on the **concrete structure** that is currently being used as a skateboard ramp. He reported that Kendra Radford, Director of the City's Department of Safety, Security, and Risk Management, verified with Doug Groves from the Water Field operations that the City only owns the easement and the sanitary sewer lines, but not the surrounding property. They are willing to remove the ramps and she indicated that they could place some "No Trespassing" signs in the area which would allow police to ticket the skateboarders. In order to place the signs, they are waiting on flood plain permits (which will allow them to determine the location and amount of signs to place). The work is on the schedule currently and is expected to be completed before the end of summer. A concern was raised regarding the potential consequences for the HOA if the "no trespassing" signs are ignored. It was suggested that the HOA insurance agent and attorney and the City should be contacted to provide some input.

President Dornan reported that Marshall Frasier, a member of the **Covenants Advisory Committee**, would like to send a survey to the HOA membership regarding the areas that were identified at the annual meeting as needing additional input. Rick Hoffman indicated that the plan is to prepare a sample survey and send it to the Board for approval to disseminate it to the membership of the HOA. A motion was made by Tom Noel and seconded by Diane Crews to ask the Covenants Advisory Committee to send the red-line version of the covenants and a sample survey to the Board for their review. The motion was approved unanimously.

A motion was made by Dick Thomas and seconded by Doug Hinerfeld to add Rick Hoffman to the Covenants Advisory Committee. The motion was approved unanimously.

President Dornan gave a report regarding **maintenance of the common area** adjacent to the mail boxes (between 1917 and 1921 Wallenberg). He met on-site with Gordon and Candice of Lawn Ranger and asked for a bid to mow it bi-weekly “as needed.” They responded with a bid of \$40. This does not include aeration or fertilization. Secretary Crews reported that she had contacted her lawn service asking for a bid as well, but had not yet received a response.

President Dornan also reported that the original developer’s daughter lived at 1917 Wallenberg and the developer saved the cost of a **water tap** by hooking up the sprinkler system for this area by running the lines from 1917. He spoke with Jenny Christ of Fort Collins Utilities Rates and Fees Department, who told him that the cost to unhook from 1917 and have an independent 3/4” tap for this common area would be \$23,860. This would include the plant investment fee and the meter cost. There would be an additional cost of running the line from the city line to the lot. A discussion followed regarding the various implications of having a separate tap versus other potential options. Currently the Aulds, who live at 1917, bill the HOA for water usage which might continue to be an option or determining the feasibility of installing a meter to accurately measure water usage. The possibility of installing Xeriscape was discussed, but since that is labor intensive, it didn’t seem the best option. It was also pointed out that there would need to be an agreement to ensure that future owners of 1917 would continue to provide access to water.

It was agreed that hiring a company to mow the common area would require a vote of the Board prior to the next physical meeting of the Board. This vote will follow the guidelines in Article 3.14 of the Bylaws for actions taken outside of a Board meeting.

President Dornan suggested that Tom Seibert and Tom Trout be invited to a meeting of the Board to give an update on the **pond erosion** issue.

President Dornan pointed out that maintenance issues are related to whether the HOA needs to have a **reserve study** done and to have a **segregated reserve fund account**, specifically referencing the RGP Reserve Policies, Section 3 and Section 5.1. Given the statements in the RGP, it will be necessary to have a reserve study, but the amount to be deposited in a reserve fund will depend on the determination of that study.

President Dornan reported on specific requirements related to an **insurance review** as required in the Covenants, Article VII, Sections 1-9, which outline the types of insurance that the HOA should carry and the need for an annual review.

President Dornan indicated that the Board must recruit a **third member for the Finance Committee**, specifically to do an audit. This will be further addressed at the next Board meeting.

The Board discussed scheduling specific tasks and agreed on the **accounting audit** being done in January 2020; a **walk of the common areas** on July 3rd ; and Doug Hinerfeld agreed to call the HOA insurance agent to review **insurance coverage**. The **operations manual** is near completion and President Dornan and Secretary Crews will meet to finalize that document.

There was further discussion regarding the request by Carrie and Jeff Eagan **to build a trellis** in their backyard. Tom Noel made a motion, seconded by Doug Hinerfeld to deny the request with the following explanation: “We appreciate you coming to the Board with your proposal to build a trellis. Building a trellis is in violation with the covenants as a detached structure. This request has highlighted the importance of revising our covenants to meet the needs of all members of the community.” The motion was approved unanimously.

President Dornan reported that the **Neighborhood Link website** has been updated and that the HOA is currently using the free version; a premium version would cost \$190 per year. Another option to upgrade would be the use of Weebly for \$144 per year. He also reported on **house sales** in the neighborhood.

New Business

Dick Thomas made a suggestion that a **summer social** would be a good way to allow HOA neighbors to become better acquainted and made a motion to send an e-mail asking for volunteers for a social committee. Diane Crews seconded the motion and it was approved unanimously.

President Dornan reported that he had purchased a card to send to Shirley Ault to wish her well in her new home, as well as some **cards** to be sent to various neighbors thanking them for their endeavors on behalf of the neighborhood. The Board then signed these in full support of the sentiments expressed.

The **next meeting** was scheduled for August 6 at 5 p.m. with the main item of business to be the review of the covenants survey questions.

Adjournment

Diane Crews moved and Tom Noel seconded a motion to adjourn; the motion was approved unanimously.