

Hill Pond on Spring Creek HOA Annual Meeting
February 17, 2022, 7-9pm
Fort Collins Senior Center

Quorum established.

Meeting called to order by Board of Directors President Garry Auld.

Garry read the minutes of the 2021 HOA Annual Meeting. Minutes were approved as read.

Budget and Treasurer's Report

Larry Paroz, HOA board treasurer, was not able to attend the meeting, so Garry presented the income and expenses for 2021 and the budget for 2022. 2021 expenses were substantially less than budgeted because budgeted legal fees for Covenants preparation and voting will be billed in 2022. Income exceeded expenses by \$2550.33 and resulted in an increase in the Reserve Fund to \$14,033.62. Budgeted expenses in 2022 were increased to account for the carryover legal fees and Covenant voting expenses resulting in a 2022 budgeted deficit of \$225. HOA dues will not increase. Note that the budget presented at the meeting was slightly different from that sent to Members in January due to unanticipated carryover expenses in January.

HOA Board of Directors selection

The Board must maintain at least five Directors. Current directors Tom Trout and Dave Taylor will continue for their second year of the two-year term. Garry requested nominations from the floor to replace Garry Auld, Dan Ganster and Larry Paroz. He announced that of the three resident addresses scheduled to join the Board of Directors in 2022, two had refused nomination. Alan Lamborn accepted nomination to become Board member according to the scheduled rotation. Tom Trout nominated Larry Paroz who had indicated willingness to remain on the board for a second term, and Marshall Frasier who expressed willingness to begin his term on the Board a year earlier than scheduled. These three nominees were confirmed by acclamation. It was pointed out that additional nominees beyond the scheduled rotation will be required in 2023.

Outgoing Board members were thanked for their voluntary work for the HOA, especially Garry who had invested extensive effort to complete the Covenant update process.

Update on Land and Apartment Development west of Wallenberg

Colleen Hoffman gave an update on the housing developments west of Wallenberg and parking concerns. Landmark Apartments are planning to add a third bedroom to their two-bedroom apartments. This will add 72 bedrooms and at least that many residents, which may create parking shortages and result in apartment residents parking on the west side of the west end of Wallenberg, which is currently unrestricted parking.

Lance McCrory of the Fort Collins Neighborhood Traffic Mitigation Program indicated that there are

parking restrictions that can be instituted that would not allow long-term or overnight parking. He pointed out that the city recently eliminated parking along the sloping section of Wallenberg between Sheely and the NW corner by the bike path bridge due to safety concerns. He also indicated that, at the request of Wallenberg residents, the city had conducted a traffic study at Whitcomb's south end in 2014 that indicated that traffic numbers and speeds did not merit a speed bump at the corner of Whitcomb and Wallenberg. Wallenberg and Whitcomb residents can petition for another traffic study if they feel the corner is dangerous. A hand vote of attendees indicated an interest in such a study.

Colleen also gave an update on The Quarry development on Blue Ocean property between Wallenberg and Shields. Development plans are complete and include commercial (along Shields) and "upscale" multi-family residential housing. The housing will not be targeted to students and density and height will be reduced at the development's east portion by the bike path. Plans include improving the bike path bridge from Wallenberg to meet handicap accessibility guidelines.

Update on Hillpond bank erosion

Tom Siebert gave a PowerPoint presentation on the history of Hillpond, pond bank erosion problems, and possible solutions. Hillpond was created in the early 1980s by the developer of our subdivision. It involved an agreement between the developer, the city, and Arthur's ditch. Arthur's Ditch has flowed across Spring Creek near the downstream end of the current pond since the 1860s. Prior to Hillpond, Spring Creek meandered through the area as it currently does up and downstream of the pond. Tom showed before and after aerial photos of the area as well as drawings of the original landscape plans for the pond which show gently sloping banks with appropriate vegetation for wet and sometimes submerged soils. Tom pointed out that Arthur's Ditch seasonal operations create pond water level fluctuations that exceed the original pond plans which has resulted in loss of bank vegetation and sloughing of bank soils and ultimately, pond enlargement.

Tom S. has been monitoring bank erosion since about 2012 and has talked with the city and ditch company about the erosion problems. The city owns 48% of the water shares in Arthur's Ditch which it uses to irrigate parks and golf courses. In 2017, with the support of two engineering reports on the causes of the erosion, Tom S. and Tom Trout organized a meeting with city and ditch company personnel and two city council members to survey the damage and seek solutions. The city representative on the ditch company board (its president until 2019 when he retired) claimed the ditch company was not responsible for pond erosion. The new city representative in 2019 expressed concern and interest in the erosion problem. She made available a report on the background of the pond development that had been prepared in 2017 by city staff but never shared. In 2021, our city council member, Kelly Ohlsen was invited to observe the erosion issues, which resulting in him organizing another meeting at Hillpond with city staff and the Hillpond Erosion Committee (Tom S., Tom T, and Garry Auld) to discuss the erosion issues. Director of Parks, Mike Calhoon, organized a follow-up meeting with the Erosion Committee and the city representative on the ditch board. The outcome of these meetings is that the city will prepare a proposal for the 2023 budget to carry out a study to propose solutions for the erosion problem that could possibly be carried out in 2025 if funding can be secured.

In follow-up discussion, Colleen Hoffman questioned whether Hillpond HOA owns the "surface rights" to Hillpond. Tom Trout gave further explanation of how irrigation ditches are operated and managed. Although Arthur's Ditch was originally used to irrigate agricultural land within the current city limits, the

current major shareholders in Arthur's Ditch are the City, Poudre School District, Woodward Governor, and HOAs that surround Sherwood (aka Nelson) Reservoir, the ultimate destination of Arthur's Ditch.

Covenants Voting

Garry reminded the members to vote on the Covenants. Twenty ballots had been turned in so far; 28 Yes votes are required for passage. A non-vote is essentially a No vote. When/If the Covenants pass, mortgage holders will be balloted with 30 days to respond. Mortgage holders normally do not respond and no-response is assumed to be Yes votes.

Garry thanked the Covenants committee for all their hard work preparing the revisions (especially Dave Dornan and Rick Hoffman).

The Hillpond HOA Annual Meeting was adjourned at 9:00.

Submitted by Tom Trout, HOA secretary.