



# Thinking Out Loud

Our quarterly community newsletter

4th Quarter, 2016

**President's Report**

1

**Articles of Interest**

2-3

**Board Minutes**

4

**Contact Information**

5

*River West is a community organization (HOA) within the town limits of Windsor, Co. and part of Larimer County. Our River West Community was established to appeal to homeowners wanting a blend of open spaces with town amenities such as paved streets and sidewalks, town water, and sewer as well as the protection of town law enforcement. We have 212 homeowners and more than 152 acres of open space owned and controlled by our association, complete with all the wildlife indigenous to northeast Colorado.*

## PRESIDENT'S COLUMN Steve Everett



There are always challenges!

Please see the end for a special message regarding the dumpsters!

I have been involved in the HOA for most of the 15 years we have lived here. In the early years, we dealt with some major issues. The entry ponds became a mess when the Corps forced the HOA to lock the pond gate feeding the entry

ponds. Mac McDowell was instrumental in working with the developers & the corps to redevelop the ponds & get the water source reopened.

After that the board had to tackle huge weed problems and bare patches in the open spaces. It took 2 years of reseeded efforts to get things improved. The board then redesigned the "5 corners" to be short, draught tolerant grasses. Several homeowners assisted by allowing the HOA to tap into their sprinkler systems to get the seeded areas off to a good start.

The floods in 2013 caused major issues with the channel coming from the farmer's pond between our HOA and Ridge West. There was major damage to the concrete buffers and erosion that potentially threatened a couple homes. Rick Smith & I (especially Rick) spent many hours meeting with a Corps representative and the company that did the remediation.

This summer, I noticed that "cheat grass" (or arrow grass) had nearly taken over the 5 corners. This nasty non-native grass was mowed down by PPS and bagged. It will remain a problem however because it produces prolific amounts of seeds & the seed can remain viable for years. The area will need to be retreated with a chemical called "Plateau" this next fall to keep the seed level down.

Now- the dumpsters. Several years ago, when the board negotiated the disposal contract with Gallegos, they offered to bring out dumpsters each year to help homeowners with spring and fall cleanup. This has been used a lot by homeowners including me! There have been a couple problems. First, there is only one safe spot to put them. This is the west end of River West Dr. Because of the traffic, trash that spills out, etc. it has caused a headache for the homes at the end of the cul de sac.

However, an even bigger problem occurred this fall because people, including contractors, outside our HOA were coming in and dumping trash. (I saw one come in Monday morning from CR 13 & followed the pickup. When he saw the dumpsters full, he turned around.) Even though Gallegos emptied it once, they were overflowing Monday morning to the point that the Gallegos drivers could not tow them away! .

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PPS responded to the challenge and had a crew out within a couple hours to remove the excess & clean up. The board discussed this problem and believe that we may need signs stating “private property” at the entrance to the area & volunteers to monitor use. This will be discussed more prior to the spring delivery of the dumpsters.

Remember the annual meeting in January. There will be at least one board vacancy. I encourage all to consider volunteering. No experience needed! Have a wonderful & blessed Christmas

## **BUT NOBODY WANTS TO SERVE...**

By: David A. Firmin, Esq.

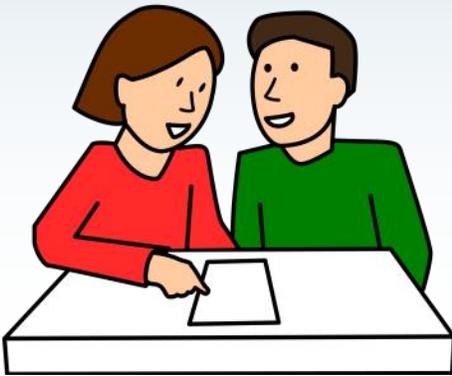
Nobody has ever said that serving on the board of directors of a homeowners association was easy. Board members volunteer their time to give back to the community in which they live. In many cases, the board members are required to make difficult decisions to raise assessments, prioritize or postpone repairs, and enforce the covenants. Additionally, although members of a community may come to meetings, express their concerns, comment on what is and what is not getting done in the community, and even thank the board for its efforts, they rarely come out in droves to actually run for the board.

So, what is a board to do when nobody is willing to serve as a board member? Below are some tips for finding, recruiting, and conducting elections to encourage members in the community to serve on the board of directors.

1. **Educate.** In many cases, associations have a hard time finding people to serve on the board because nobody really knows or understands what it takes to be a board member. When seats are up for election or a director is stepping down, the board should prepare with a job description that includes the essential functions of the job such as (i) job duties; (ii) expected time commitment; and (iii) details of high and low seasons and budgeting. This way, a prospective board member will be equipped with accurate information to make a decision. You may also be able to dispel a misconception that it takes all of a board member’s free time to be on the board. This can be done at a number of different points leading up to an annual meeting or a known upcoming vacancy.
2. **Recruit.** Over the course of a year, existing board members should attempt to develop relationships with different members within the community. They should speak with members who attend board meetings on a regular or semi-regular basis, explain the duties of a board member, and make them comfortable with being at the meetings. Existing Board members and managers should also be able to explain upcoming projects for the community, including timing and how they will be handled. Then, when the time comes for an election, the board should be able to identify a number of people that are capable and willing to serve on the board. These recruits will also be able to hit the proverbial ground running.
3. **Plan, Plan, and Plan.** If the board knows it has a potential vacancy, it should get ahead of the situation by starting the recruitment process and distributing the job descriptions early. If the board does this sooner rather than later, the board will be able to identify potential candidates early on. Additionally, the board should reach out to new owners in the community and get them interested in the board by personally inviting them to board meetings to get to know the community.
4. **The “Nuclear Option.”** When boards are not able to obtain sufficient members to constitute a quorum of the board, both the individual board members and the association as a whole are exposed to liability. As a result, all board actions can be over turned, reversed, or halted. This means that the board may not legally pay for insurance, water, maintenance of the common elements, or other essential services. When a community gets to this point, the board must take drastic steps to educate owners to the potential downfalls of not having a full board of directors, including having the existing board request that the association be placed in receivership. A receivership is when the court takes over the operation of an association and makes all decisions for the community through a court-appointed receiver. During a receivership, the individual members lose all say in the operation of the community until a duly elected board is empaneled. This process can be costly and is never in the best interest of the community. By explaining this to the community, the board should be able to avoid placing the association in receivership.

Ultimately, when trying to recruit or encourage members of a community to serve on the board, it is best to educate them as much as possible. Let the members know in advance what they are in for, how much time it takes, and what the expectations are. Additionally, and potentially most important, let potential board members know that they are not in it alone. Let them know that they will be supported by management, other board members, and the association's contractors at all times. Contractors are always willing to lend a hand, attend a meeting, and explain the status of any project to the owners. Serving on a board of directors can be a wonderful experience. The board just needs to share the positives and encourage people to get involved at the most local level of governance.

## It's Been a GREAT RIDE!



Sharon and I have published over 100 newsletters. Fourteen years ago, we began by publishing monthly newsletters because there was so much happening in our HOA. As our community matured and organized, less subjects of interest to our membership surfaced and we proceeded to publish quarterly issues. Over time, problems and issues of interest have greatly reduced and along with it, the relevance of "Talking Out Loud".

Effective this issue Sharon and I are going to retire from our positions of Editor and Helper of our community HOA newsletter, Thinking Out Loud.

We would like to take this opportunity to thank the many Board Members and Members at Large for their countless article contributions over the years. A big THANK YOU to our active community members for their contributions and the many expressions of gratitude. A special THANKS to our many Presidents as well as Steve Bullard, Carl Sorrento, Amy Groden and Mary Adams for their newsletter contributions over the years.

*A final Note to our readers, in the beginning Sharon and I promised to keep your e-mails addresses secure and private....and we have done so. After a short period of time, we will permanently delete this newsletter database file. If the occasion arises where the Board or property manager requests our newsletter database, we will communicate instructions for becoming part of their database to you, but we will not directly share your e-mails address to anyone.*

Sharon and I will miss our quarterly task of putting out a community newsletter.

THANKS FOR THE GREAT RIDE



Mac and Sharon McDowell

**River West PUD Community Association**  
**Board Meeting Minutes**  
August 24, 2016

The River West HOA Board of Directors Meeting was called to order at 6:05 pm. A quorum was present.

**Homeowner Forum:** Mr. and Mrs. Hivner attended the meeting to discuss the cottonwood behind their home. They addressed their concerns with the Board, and the open space is narrow. Cottonwoods have shallow root system. They are concerned about the state of the tree with wind storms. The roots have made their way to the foundation and have destroyed the lawn. Steve asked if they had a picture of the tree. There are voles at the base of the tree as well. Steve reported that in the tree by his yard was also a problem. He cut the roots, the Hivners stated that if they cut the roots then the tree potentially could fall towards their house. The Board stated that they would consider their request.

**Approval of Minutes:** The Board reviewed the June 2016 minutes. Upon review, a motion was made and seconded to approve the minutes as written.

**Financials Reports:** The Board reviewed the July 2016 Financials, there were a couple of questions. A motion was made and second. Motion passed 100%. The Board reviewed the current delinquency report. The Board would like a letter sent to the owner with fines on their account about the violation issue.

#### **Old Business**

Irrigation Concerns – Watering Lakeside, The watering times need to be turned back to every other day. Jim will talk to Mac about the game plan moving forward

Front Entrance Valve – The Board discussed the Cottonwood issue growing around and damaging the valve box, and after detailed discussion they have decided to just remove the tree root and replace the valve as soon as possible. Steve wanted to discuss the Cottonwood near his home. There are some dead branches on the tree that need to be trimmed. Steve E. would like get an arborist to look at the tree to remove the dead. Area of the front, partially has been drowned. The area needs to be aerated, re-seeded and fertilized. The Board would like the Town to pay for the repairs to the damage to the front entrance. This would include the damage to the irrigation system.

#### **New Business**

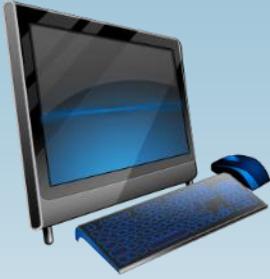
Plateau Spraying – Steve requested that PPS get a bid for plateau to be sprayed in the 5 corners. About 11 years ago, the Board decided to kill the 5 corners and plant short grasses. Plateau is the only way to kill cheatgrass and seeds. The Board also needs to consider for the future what the HOA wants to do if the grass dies completely. PPS will email the costs to the Board and the Board can have an email discussion.

Backup Water Sidewalk – PPS contacted the Town of Windsor to inform them of the buildup of water. River West has never maintained that area. The town needs to clean out the area and make sure the water flows out of the area.

ACC Questions - Mary had a couple of questions that she needed clarification on the ACC. A homeowner wants to build a patio extension in an area that is slopped. The main concern is that they maintain the drainage of the home. The homeowner has an unapproved shed for a long time. The patio could be encroaching on the town setbacks. Corner of Lakeside/River West Drive.

The River West HOA Board Meeting was adjourned at 7:45 pm. The next meeting will be held on November 17<sup>th</sup> at Jim McIntyre's located at 545 Lakeside Place.

Respectfully submitted,  
Sandra Oldenburg, Vice President Poudre Property Services



PROPERTY MANAGEMENT PROVIDED BY POUFRE PROPERTY SERVICES  
 706 SOUTH COLLEGE AVE. FORT COLLINS, Co 80524 PH# 970.224.9204  
 SANDRA OLDENBURG, COMMUNITY MGR. [SOLDENBURG@POUDREPROPERTY.COM](mailto:SOLDENBURG@POUDREPROPERTY.COM)  
 LEE OLDENBURG, LANDSCAPE MGR. [LOLDENBURG@POUDREPROPERTY.COM](mailto:LOLDENBURG@POUDREPROPERTY.COM)

## RIVER WEST HOA CONTACT INFORMATION

(KEEP THIS PAGE FOR HANDY REFERENCE)

We're on the web at <http://www.poudreproperty.com/hoa/river-west-homeowners-association/>

BOARD MEMBERS	STREET ADDRESS	PHONE #	E-MAIL ADDRESS
Steve Everett, President	1901 Reflection Place	686-5388	<a href="mailto:sheverett3132@aol.com">mailto:sheverett3132@aol.com</a>
Jim McIntire, Vice President	570 Lakeside Place	(303)880-3290	<a href="mailto:jmcint9079@aol.com">mailto:jmcint9079@aol.com</a>
Amy Goeden, Secretary	1935 River's Edge Road	686-0594	<a href="mailto:greeneyedamy@comcast.net">mailto:greeneyedamy@comcast.net</a>
Bob Jonckowski, Treasurer	540 Lakeside Place	686-2200	<a href="mailto:b.jonckowski@live.com">mailto:b.jonckowski@live.com</a>
Mary Adams, Member at Large & ACC Liaison	2102 Meander Road	686-7315	<a href="mailto:marygln@yahoo.com">mailto:marygln@yahoo.com</a>
Steve Fischer, Member at large	2104 River West Drive	690.-5409	<a href="mailto:steve.fischer@t-mobile.com">mailto:steve.fischer@t-mobile.com</a>
<b>SOCIAL COMMITTEE</b>			
Amy Schmidt, Chairperson	830 Panorama Place	686-7410	<a href="mailto:ashemon@msn.com">mailto:ashemon@msn.com</a>
Amy Goeden	1935 River's Edge Road	686-0594	<a href="mailto:greeneyedamy@comcast.net">mailto:greeneyedamy@comcast.net</a>
<b>ARCHITECTURAL CONTROL</b>			
Mary Adams	2102 Meander Road	686-7315	<a href="mailto:marygln@yahoo.com">mailto:marygln@yahoo.com</a>
Terri Jonckowski	540 Lakeside Place	686-2200	<a href="mailto:t.jonckowski@live.com">mailto:t.jonckowski@live.com</a>
Carol Smotherman	1904 Reflection Pl	674-1844	<a href="mailto:cbsandcas@comcast.net">mailto:cbsandcas@comcast.net</a>
<b>AMENITY PONDS LIAISON</b>			
Mac McDowell, Ponds Liaison	515 Lakeside Place	231-1221	<a href="mailto:mac.sharon.mcdowell@Gmail.com">mailto:mac.sharon.mcdowell@Gmail.com</a>
<b>OPEN SPACE LIAISON</b>			
Steve Everett, OS Liaison	1901 Reflection Place	686-5388	<a href="mailto:sheverett3132@aol.com">mailto:sheverett3132@aol.com</a>
<b>Lakeside Patio Homes Lead</b>			
Mac McDowell, LPH Lead	515 Lakeside Place	231-1221	<a href="mailto:mac.sharon.mcdowell@Gmail.com">mailto:mac.sharon.mcdowell@Gmail.com</a>
<b>NEWSLETTER STAFF</b>			
Mac McDowell, Editor	515 Lakeside Place	231-1220	<a href="mailto:mac.sharon.mcdowell@Gmail.com">mailto:mac.sharon.mcdowell@Gmail.com</a>
Sharon McDowell, Helper Person	515 Lakeside Place	231-1221	<a href="mailto:mac.sharon.mcdowell@Gmail.com">mailto:mac.sharon.mcdowell@Gmail.com</a>