

McClelland's Creek Executive Board

Meeting Minutes

January 12, 2016

Present: Chip Beake, Brian Lee, Leslie Ross, Angela Hauser

Next meeting: February 3, 2016

I. Announcements

- After thorough review of the bye-laws, the four members of the homeowners board who are present at this meeting agree that the bye-laws outline the creation of a board of at least 3 members after the homeowners association executive board is taken over from the declarant (builder/Cal-Atlantic Homes). Therefore, a 5-member executive board as previously elected is appropriate

II. Discussion

- Minutes approved from January 5, 2016 meeting—Chip Beake motioned, Brian Lee Approved, Angie Hauser-Sampson 2nded
- Board approves to commission Pete Dauster as legal counsel to do the following—Chip Beake motioned, Brian Lee Approved, Leslie Ross 2nded
 - Overall review of the covenants/bye-laws
 - Confirm the legality of a 5 member board
 - Legal right of the executive board to change the covenants/bye-laws
 - If executive board has the legal right to change the covenants/bye-laws, what is the official process to make those changes
 - Review the right of the executive board to reverse the decisions made by the executive board previously
 - Specific example: a fence approved by the executive board that is clearly outside the covenants of the homeowners association
 - Review whether the homeowner's association currently has a legal responsibility for "Lot J".
 - Mike Newman of Cal-Atlantic Homes (previous executive board member) has verbally claimed that "Lot J" has not been turned over to the HOA, but there is some question amongst the homeowners whether this is true
- Lot J
 - Discussion about whether Lot J has been turned over to the HOA
 - The lot and immediately adjacent lots and common spaces have been marked to note the location of utilities
 - A recent e-mail from Mike Newman (Cal-Atlantic Homes) implied that there is a plan for "Lot J" and he would like to meet with the executive board/homeowners to discuss the plan
 - Board suggests that Derek Wideman invite Mike Newman to the next executive board meeting
- Landscape/Snow update
 - Cal-Atlantic Homes has committed to replace the trees that were never replaced by Mills brothers at the end of the initial warranty for the neighborhood common spaces

- Complaint from a homeowner that their grass strip was plowed by the landscaper when they plowed the common space adjacent to the homeowner's lot
 - Suggestion from the board for Derek Wideman to discuss the issue with the Oster Landscaping to remedy the issue
- Motion from Chip Beak to approve the contract with Poudre Property Services
 - One homeowner wants to confirm that Poudre Property Services holds an assurity bond—Chip Beake to consult with Becky at Poudre Property Services about the assurity bond
- Tentative Future Executive Board Meeting Dates—
 - 2/3
 - 3/9
 - 4/13
 - 5/11
 - 8/24
 - 10/12
 - 12/6
- Architectural review committee
 - Discussion about the need for the entire board to respond to submissions. The board agreed that we could all attempt to reply to a review within one week, and if a board member cannot respond, the remainder of the executive board will move forward with the approval/denial.
- Waste Management
 - Discussion about the recent rise in price for additional trash services beyond what is covered by the HOA. Homeowners have had different experiences regarding the explanation for the rise in the fee. Some have heard that there was a reduced priced during the first two years of the neighborhood. Others have heard that the cost is now being billed quarterly. The board agreed to review the contract with Waste Management so that we can better understand their service agreement—Brian Lee to contact Vicki Peppers to review the Waste Management contract.
- Social committee
 - Several neighbors have suggested attempting to get an agreement with Fossil Lake Ranch to join their pool. The executive board agreed to further address this possibility at the next meeting.

III. Roundtable

None

The meeting was called to close by Chip Beake at 7:52PM.