Buffalo Creek Homeowners Association

**Annual Homeowners Meeting Minutes January 11, 2018**

**MEETING:** The Annual Meeting of the Buffalo Creek Homeowners Association was held at the Leeper Center on Thursday, January 11, 2018. Dan Sattler called the Meeting to order at 6:30 pm.

**PRESENT:** Board Members present: Dan Sattler, Karen Johnson, Bryan Lamoreaux, Josh Story, Jesse Riesterer, Mike Nothnagel and Kim Holbrook. Leah Selvage was absent. A Quorum of the Board was established. Also, present was Tim Singewald of Buffalo Creek Management and Pete Dauster, attorney for Buffalo Creek HOA.

**HOMEOWNERS PRESENT:**  Twenty five (25) homeowners were registered on the sign in sheets, one non homeowner signed in and thirty seven (37) homeowners were represented by proxy, for a total homeowner representation of 62. A quorum of Homeowners was established.

**CALL TO ORDER:** President Dan Sattler called the meeting to order at 6:30 pm. He addressed the assembly verifying that notice was given and mailed to homeowners of record as required under the Bylaws Article 3 section 4, a minimum of 10 days prior and not more than 50. Dan also pointed out that the notice included: location, time, list of current Board Members, minutes from last year, financials for 2017 and budget for 2018. Signs were properly posted in the neighborhood and a reminder email was sent.

**HOMEOWNERS FORUM:** The following are statements made by Homeowners to Non Agenda Items.

* Ralph Trenary Candidate for Colorado State Senate addressed the assembly about his candidacy for our District. He asked for support of the community and asked that people view his website.
* Mike Massey spoke to the sidewalk replacement issues in Buffalo Creek and the public records from the Town of Wellington. He spoke to Town Code Article 2 Section 11. 2. 10. The Owner shall maintain the sidewalks in good repair. He believes the owner to be the Town. He also read a sentence that the repair should be completed at the expense of the Town. He obtained copies of the Development Agreement of Buffalo Creek and the dedication of public improvements, streets and sidewalks to the Town. He read pertinent statements there in and went to the documents he also found for the Dedications as accepted by the Town of the improvements. He read, “Improvements had been completed, warranty periods had expired for all the Buffalo Creek’s phases A B C & D, and these were accepted by the Town of Wellington”. Dan commented that he hoped Mike was right however this has been vetted with the Town over several years they’ve held steady to their interpretation.. Mike agreed to make copies of his research available to the Board. Mike suggested he make a further presentation at a future meeting of the Board in hopes of getting a group presentation to the Town of Wellington. This will be scheduled for one of the next meetings.
* Sally Weisser also asked questions about whether or not something was agreed to by the city that supersedes what was presented by Mike. It was pointed out that opinions have been made by the Town Attorney, Town Administrator and the Town Planner that sidewalk repair was the responsibility of the homeowner. There were questions about homeowner’s plates. Sidewalk markers are in the sidewalk and should we get a survey to confirm. Mike stated he was a licensed surveyor and pointed out markers on the sidewalk are actually offsets not property markers.
* Kass Kohrmann commented on violations. She would like the neighborhood to have more culture. She believes we fall in the middle of regional HOA’s for our processes. She suggested the Board look into group purchasing of things like Round Up and Clove Oil for combating weeds. Maybe we can get group discounts. She would like to see the neighborhood parties again. Dan pointed out that in past years we did not get community support. She would like positive things. It was pointed out several homeowners received letters thanking them for well-maintained yards this summer.
* Shirley Eckes presented a letter to the Board objecting to wording that she felt was in the minutes incorrectly with respect to her flooding issue. She read the letter to the assembly.
* Reesa Conroy questioned about Landscaping and Irrigation in the common areas and the reporting of issues. It was affirmed that any issues be reported to the Management Company. She questioned rain sensors for irrigation. The Board had looked into the rain sensor and with three wells, three different clocks and over 90 different zones the cost has been determined to be prohibitive. Dan pointed out that the Management Company has turned the system off and/or on in the past manually. Ressa also questioned about Ash borer tree beetle. It was pointed out to contact Tree Top LLC if any homeowner wanted to get spraying when the common areas are treated. It would be at their cost but they could have a savings as they would be in the neighborhood. Several Homeowners are already doing this.
* Joel Rigby questioned about changes to the Procedures for Conducting a Meeting. The website was down and he could not access it. Dan stated it mostly covered; registering to address the Board on non-agenda items, signing in at the Podium, developing system to keep from multiple homeowners saying the same thing over and over again, allowing people to speak without being interrupted and restricting time to 3 minutes. Tim pointed out that when people call out from the audience it’s almost impossible to record names in the minutes and get the information. A more orderly system allows for better minutes. Some of these procedures were not changes and were already in the Procedures but reiterated in the newsletter for guidance at this years Annual Meeting.

**MANAGEMENT REPORTS:** Dan asked for consideration of the minutes and mentioned Shirley’s comments earlier. A motion was made by Buz Johnson to approve the minutes as written and this was seconded by Joel Rigby. The motion passed 58 for and 1 apposed.

Dan asked for any questions with respect to the financial statements. Joel questioned the sidewalk numbers. Tim pointed out that there was a designation to the side of the column 50/50 Sidewalk which designated the shared sidewalk project costs. There were no sidewalk costs in the total relating to the north sidewalk. Mark Van der Woerd questioned why the Budget was not balanced. He pointed out it showed an $8,000.00 profit. Tim pointed out that the Board tries not to spend more than budgeted and the numbers reflect that if all incomes come in and expenses do not exceed expectations that the Board is trying to Budget for a small income over the expense. Mark felt Budgets should be zero.

**ELECTION OF BOARD MEMBERS:** Dan discussed the fact that two Board Members were reaching the completion of their terms and should probably be reaffirmed. Dan had the current Board identify themselves. Joel questioned the process of the Board appointing Board Members during the year. It was pointed out that the Board can appoint a homeowner to fill the term of a Board Member vacating their position and that they serve to the end of that term. Board Members are elected to serve for three years. When their term is up they should be reaffirmed by the homeowners if they are agreeable to the nomination. Kass Kohrmann made the motion to reappoint Karen for three years. Kim seconded and the vote of Homeowners was unanimous. Lewis Johnson made the motion to reappoint Mike for three years. Karen seconded and the vote of the Homeowners was unanimous. Sally Weisser, a homeowner of 8 years, addressed the assembly and offered to serve on the Board. There were no other nominations and/or volunteers. Karen made the motion for Sally to serve on the Board for three years, Mike seconded the motion and Sally was voted to the Board by a unanimous vote of the Homeowners.

**NEXT ANNUAL MEETING OF THE HOMEOWNERS:** The next Annual Meeting of the Homeowners will be January 10, 2019, 6:30pm at the Leeper Center.

**ADJOURN:** At 7:18 pm Lewis made the motion to adjourn, seconded by Jesse. The vote to adjourn was unanimous.