

# Buffalo Creek Homeowners Association Annual Meeting

January 12, 2017  
Call to order: 6:30pm  
Leeper Center

**Board Members Present:** Dan Sattler - President, Karen Johnson – Vice President, Jennifer Andrews – Secretary, Gary Jorgensen – Treasurer, and members at large; Lonnie Brockman, Mike Nothnagel, and Josh Story. Leah Selvage was absent.

**Homeowners Present;** 27 homeowners were registered on the sign in sheets, one non homeowner signed in and 38 homeowners were represented by proxy, for a total homeowner representation of 65. A quorum 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 2016 and budget for 2017. Roger Marshall objected to proper notice as signs were not placed in the HOA. It was pointed out that signs were in fact posted, however Article 3 section 4 only requires mailing notice to address of record which was also done.

**Approval of January 14, 2016 Minutes:** Mark Van Der Woerd, Joel Rigby and Roger Marshall questioned Self-Management statement. Dan responded that yes we vetted a self-management system through our attorneys and did in fact self-manage through an LLC that was set up as Buffalo Creek Management LLC. Lonnie Brockman explained reasons that caused the HOA to take this course for those Homeowners present that were not present at the last Homeowners meeting where this was discussed at length. There was question if we use an Auditor and Tim affirmed that we utilized Dale Krueger as the CPA for HOA tax purposes. A homeowner then questioned the financials about fine collections and attorney involvement. Tim explained the accounts and how they now reflect actual numbers and balance. Mark Van Der Woerd made a motion to approve the minutes, Buz Johnson made the second and the vote passed with a unanimous vote.

**Past President Address;** Tim Singewald gave a brief history of his time on the Buffalo Creek HOA Board and the accomplishments over that period of time, along with how proud he was of the help and energy from everyone within the HOA to make all the accomplishments come to fruition. He spoke of how we got a Park through the Park initiative and how that led to him getting onto the Town Board. A few years later he was asked to become Wellington Mayor when the Town Mayor resigned and how he spoke with Buffalo Creek Board getting their permission to resign as a Board Member to be able to give the time and attention needed to accept the position of Town Mayor. Tim stated that he was very proud of the Buffalo Creek Board of Directors and that the HOA was being left in very good hands.

A homeowner stated he wanted to let Tim and the Board know that under Tim's direction he felt that the Board had a wonderful track record.

Roger requested the Board Members introduce themselves. Josh Story said he was a homeowner for 8 ½ years, a manager of an HVAC company out of Cheyenne and he wants issues resolved quickly and efficiently. Gary Jorgensen, a resident for 13 years, is retired now but his background was banking and finance. Lonnie Brockman has been on the Board since 2009. Dan Sattler, President, a homeowner for 10 years has been on the Board for 4 years and was voted in as President when Tim resigned. Mike Nothnagel, resident since about 2014 has been on the Board for a couple of Years. Jen Andrews stated, I've lived here for about 2 ½ years. I'm a global food safety quality and regulatory leader and was voted in as the Secretary. Karen Johnson is Vice President and also the Architectural Review Committee Chairman, a homeowner since 2005.

**Discussion of Financial Position and 2017 Budget:** Dan starts going over the Financials by discussing bank accounts and CD's. Joel wants to know why last year's financials show a large increase in Sprinkler repairs. Dan points out we have an old system which required replacement of a lot of spray heads that were failing. Dan pointed out that we also had rampant vandalism where someone was kicking 6 to 7 heads off in a row - multiple times throughout the summer. To try and resolve this, the timers were changed to try and water those zones at different times, hopefully when these vandals would not be present. Tim also pointed out that the Town had taken over the algae mitigation in the pond and this was not going well and a lot of junk was passing through the pumps and plugging the spray head filter screens requiring multiple cleanings this

summer. We also had a couple large mainline breaks. One homeowner, Carlos, who is a landscaper, says the Town is also over treating at times as the chemicals had burned their garden a couple times. Joel questioned about the scrapping of Co Rd 9 expense. Dan pointed out that it was not an expense but a proposed budget item which was not completed due to the winter snow fall and would carry over into 2017. This project is correcting the problem of the blow in dirt from the North West corn fields where the dirt has built up 11 inches in some places and the sprinklers are buried in the sod cover. The plan is to scrape this area back down to the original level.

It was discussed that for 2017 the Landscape Contract was increased to include the native grass areas which will be mowed every other mow. (Initially these were two mows a year and rose to four times last year.) Roger asked for clarification on legal expenses. Dan pointed out the two different accounts and that the "Legal Other" covered Board issues. Discussion turned to the lights for the north side sidewalk. A homeowner was concerned about lights shining into his windows. It was pointed out that the Board was looking to match the Park lights which are a low impact- down shining light. Chuck Mayhugh made a motion to adopt the Financials and the proposed 2017 Budget. Mark Van Der Woerd made the second and the motion passed unanimously.

Joel motioned to "Have the Board look into clarifying and strengthen language in the governing documents to prevent someone in ownership interest in HOA suppliers to be a Board Member." Roger made the second. The vote passed with Joel 's 27 proxies at 35 for and 30 against. The question came up about if it was appropriate to vote proxies on an issue which was not presented on the Agenda. Dan asked for any different homeowners concerns.

A homeowner asked if we could put a basketball court in the park. It was pointed out that it's a Town issue and that they should go to the Parks advisory Board. Shirley Eckes who lives on Iron Horse discussed the issue with the flooding of her basement which she experienced last summer, saying that she had to call Serv Pro to pump out her basement. She pointed out that last year with the sidewalk put in she has flooded for the first time. A water expert had told her water has gone into the ground and raised the ground water level which has caused her basement to flood. There is a portion of drainage pan which is missing in the ditch. (This was most likely removed when the Town put in the sewer drain in the area when the neighborhood was being developed and never replaced it) Lonnie asked about water problems and several people on Iron Horse and some on Raging Bull experienced water problems this summer. Tim described the efforts from the Town that next morning of the flooding. He also gave information of a conversation he had with the River Commissioner, Mark Simpson, where there was discussion about the high snow levels last year and the heat of July which raised groundwater table levels. There were ponds north of us that had water this year that would normally go dry and wells that would go dry during normal years, had very high water levels this past summer. A Homeowner claimed that the sidewalk built a dam and held back drainage water. Tim pointed out that about 1,400 cubic yards of dirt was removed from the area and stacked behind the Towns pump station. The dam effect was actually considerably reduced this year. Carlos, homeowner and a landscaper gave testimony that he planted trees this year where he would dig a hole for a tree, then he would go and get a tree and by the time he returned there was standing water in the holes so he was aware of the high water table this year. A homeowner requested that the Board look into the cost of putting a drain under the sidewalk on the east side. The Board agreed. The missing pan section will be replaced during this summer's sidewalk project. Tim pointed out that all homeowners need to make sure their sump pumps are in and operational. So far this January we are on the road to having a new record snow fall. A homeowner, who is a civil engineer, asked that the Board make sure that the drainage is looked at so it is not in conflict with runoff guidelines. It was pointed out that the field is not HOA property and the farmer who has the irrigation authority has the runoff responsibility. Tim would work with him on this.

A homeowner requested weekly pick up of recyclables. It was suggested he contact Gallegos direct. Another homeowner had concern about people not picking up after their dogs. It was suggested that he contact our management company and a confidential note would be sent. Homeowner Daniel Anderson asked if it was possible to have pictures of violations. Discussion covered the issues around the additional amount of work required. The Board will discuss it further. A homeowner asked that the Board light the north sidewalk for safety concerns. Dan said we were waiting for additional bids before proceeding. A lady homeowner asked that the Board address overhanging trees to make sure the neighborhood walkways are clear. Homeowners would be contacted by letter to address their trees and shrubs that encroach the sidewalks this spring. The Board pointed out that the first phase of common area trimming had been accomplished on Stampede and Washington. Next year would be Buffalo Creek Parkway and Co Rd 9. Dan requested volunteers for Board Members. None volunteered and no motions were made.

A motion was made at 8:55 pm to adjourn and seconded. The vote was unanimous to adjourn.