

Fall River Estates Homeowners Association Annual Meeting July 27, 2013 – United Methodist Church

Board President, Jim Jonell called the meeting to order at 9:05 am. Also present were Bob Pollock, Vice-President and Mark Cooper, Treasurer and 13 property owners.

- **Treasurer's Report:** Mark Cooper stated that after collection of biannual dues there is now a balance of \$10,126. There are still 9 property owners who have not paid their dues. Discussion then followed on how to handle those who have not paid. No conclusion was reached.
- **Jim J.** then passed around an update on the Conservancy Estes Park Land Trust Report for those present to look over. As a reminder, the HOA did deed over the 6 outlets in the Subdivision to the Estes Valley Land Trust. The question was asked who is responsible to get rid of the evasive plants and flowers in those outlets. The HOA is responsible for the upkeep of the outlets. Discussion followed on looking into getting a company to do "weed abatement" as we now do the tree spraying for the pine beetle. General agreement the Board should look into the cost to also solve this problem. Discussion was also held about getting some conservation easement signs made for the outlets. The question was then on the liability as all the homeowners in the association are able to step on the outlets. There is also concern on the beetle and the blithe continuing due to those owners not taking care of spraying. It is not the responsibility of the HOA, but individual property owners can call the Town. They will send someone out to look at the trees to see if beetle infested or just stressed. They then notify the property owners of their need to do something about their trees. The HOA cannot force people to spray their trees. Thanks were given to Ken Czarnowski in his efforts on informing the property owners of spraying. It was noted that watering trees helps.
- There is a vacant position on the Board; Marcus Snyder stepped up to fill the position of Secretary. Also positions for the Architectural Committee needed to be reviewed. Phil Duchateau volunteered to fill the position left by Rab Kozlow. Bob Pollock will join as a committee member along with present members John Krueger and Terry Smith.
- Ken Larson agreed to continue as our Web Master. He asked direction from the property owners to e-mail him what info they would like to see on the website; however, he will only post what the Board approves to be posted.
- **New Business:**
Gary Beel noted that at the last meeting, it was approved to remove the Fall River Center sign which sat on the SW corner at Fish Hatchery and David Drive. The sign was removed but the stone base is still standing. Discussion followed and it was agreed that all of the Fall River Estates entrance signs need to be consistent and need repair. The Board agreed to call a couple of companies to

look into getting them redone. Consensus is to leave the stone walls and make better signs.

- Lot 3 is currently on the market and owned by FRP, LLC developer Del Lienemann. His realtor notes that he wants to let it go and has reduced the price of the vacant lot of 12 acres. Question was raised if there is HOA interest in purchasing the property. After much discussion it was noted that not only does our HOA not have the funds to purchase the acreage but also the HOA itself cannot own property. Question was then raised if the HOA needs to build up its reserves. It was noted that our reserves currently are 5 times our expenses and if more needed, an assessment would be done and dues increased.
- Next order of business was the results on the recent ballot that was mailed with the dues notice concerning amending the language of the Protective Covenants for Fall River Estates on Item 3, Lot Use. It has been discovered we need to get legal advice on the inconsistency between our present Bylaws and present Covenants on who is the voting membership and who pays dues. It has been suggested that the correct method as outlined in our Bylaws and Covenants allows each "lot" 1 vote and also 1 share of dues. It was noted that the 75% vote needed did favor amending the language to restrict "short term rentals on single family residential dwellings", but it is necessary to seek legal advice before we proceed. The Board will move forward on this and notify the members on what is to be done.

Meeting adjourned at 11:15 am