

The Farm at Creekside HOA Annual Neighborhood Meeting for 2014 & 2015

Date of Meeting: Wednesday, April 29, 2015
Place of meeting: Longmont Public Library
Time: 6:30 p.m. - meeting scheduled
Called to Order: 6:34 p.m.
Closed: 8:02 p.m.
Minutes Prepared by: Rosalyn Weller, HOA Secretary

Special Note: This April 29th meeting was a rescheduling of the 2014 HOA annual meeting. The original 2014 meeting on December 10 was postponed because a quorum (50% of the number of FAC homes, or 92) was not achieved. Rescheduling of the 2014 meeting was delayed on purpose in order for a revision of the Bylaws to be completed so that members could vote on them at the April 29 meeting. The April 29 meeting also served as the annual meeting for 2015. A quorum was achieved by a combination of number of households attending (27) and number of submitted proxies (68), 95, exceeding the quorum required for an official meeting (92). (Quorum was incorrectly reported as 107 at the meeting due to a double-counting of some proxies.) The issue of quorum was actually the first topic raised by a homeowner at the meeting.

Board members in Attendance:

David Weinberg	President (acting) and Treasurer
Alan Olson	Vice President
Rosalyn Weller	Secretary
Bilge Birsoy	Director at Large
Robert Taylor	Director at Large
Heather Staples	Director at Large
Sharon Steele	Director at Large

Board members absent: none

Agenda:

1. Review and approval of the 2015 budget
2. Vote to approve the new bylaws
3. Highlights from the 9 state-required policies the HOA now follows
4. Lawn/landscaping care update
5. Any HOA role in aging interior (side) fences?
6. Additions/changes to the Property Guidelines
7. News: yard of the month competition, July 4 parade
8. Homeowner input

Reports:

1. Budget

The Treasurer passed out three documents for review, the 2014 Income Statement vs. Budget, the Comparative Balance Sheet (as of Dec. 31, 2014), and the Proposed 2015 Budget. These documents are also posted on our website. The treasurer noted that one particularly large delinquent account had been paid. A homeowner asked for clarification of an item listed in the Proposed 2015 Budget, under Expenses - the \$7000 for Island/Monument. The Treasurer explained that he was just noting that \$7000 was available for improvements at the HOA entrances (the “monuments”) and/or to the Eagleview Circle island. The HOA board currently has no plans for improvements. A director suggested that an improvement could be the addition of playground equipment at the island. However, it was pointed out that many children already use the open space of the island for games involving chasing balls and running, and playground equipment would be in the way of such games. The open space of the island is also the only space available for social events such as the Easter egg hunt, July 4 gathering, and Oktoberfest. Another suggestion was to increase the visibility of the “Farm at Creekside” letters at the entrances. Interested homeowners with improvement ideas were encouraged to email them to the board. A committee could then be formed to pursue such suggestions, which would have to be voted on by the members at a future meeting. It was moved and seconded that the \$7000 in the Proposed 2015 Budget “for Island/Monument” be moved at the present time into a surplus category. With that modification, homeowners then unanimously approved the 2015 budget. Note added: as of one week+ after the meeting, May 7, no homeowner had submitted any suggestions for the surplus \$7000.

2. Vote on revised Bylaws

The board had previously paid a law firm, Hindman Sanchez, specializing in HOA matters, to revise our Bylaws to bring them into compliance with current Colorado law and better reflect the needs of our community. The Bylaws had not been updated since 1999. A homeowner asked why homeowners had not been allowed prior input about changes in the Bylaws. However, a director noted that homeowners had been invited to a board meeting held March 9, 2015, at which discussion of the revised bylaws was part of the agenda. The board meeting had been publicized by being announced under the News section of the FACHOA’s website, as well as in the Steve Noel March newsletter. To vote on the new Bylaws under the 1999 Bylaws required that 50% or 92 of the HOA's 184 homeowners be represented. As noted above, this requirement was satisfied: a quorum of 95 was reached. The change in the revised Bylaws most discussed was reducing the quorum required for the initial attempt at a meeting from 50% to 15% (28 members). That initial quorum of 50%, or 92 members, has been difficult to achieve, commonly requiring a second meeting at which the required quorum is only 25%, or 46 members. Even reaching that reduced number, 46, has often required heroic measures, and occasionally a third meeting, with only a 12.5% quorum, has been needed. This 'step-down' requirement was inefficient and unfair to those members who made the effort to attend or proxy the first meeting.

Of 66 voting households (27 at the meeting and 39 by proxy), the revised bylaws were approved by a majority of votes – 58 (23 at the meeting and 35 by proxy; or 88%), with 8 votes (7 at the meeting and 1 by proxy; or 12%) disapproving. Abstaining by proxy were 27 members. Passage of the new Bylaws will help ensure that we are able to conduct business at the first meeting. The new bylaws are posted on the FACHOA website.

To address the concern a couple of homeowners had that the reduced quorum could result in a small but vocal number of homeowners attending a meeting and voting on an important matter, the board will look into whether we need to add a statement to the Conduct of Meetings Policy that the agenda for meetings should include all items to be voted on at the meeting.

3. Highlights from the 9 state-required policies that the HOA now follows

Nine state-mandated HOA policies on topics such as rule enforcement, involving fines; collection of dues; and conduct of meetings were approved at the March 9, 2015 board meeting. The nine policies are available for homeowners to review on our website, www.fachoa.org/documents.html. A director briefly highlighted some of the new policies the HOA is now following.

4. Lawn/landscaping care update

A director summarized the board's choice of a new lawn/landscaping company for this year and the increased amount (\$5000) budgeted for such care. Last year's care was provided by a neighborhood college student who had his own lawn care business, but weed control was not included in the contract. Thus, a board member voluntarily weeded the common areas. We hope that this year's contract, which includes weed control, will provide better care.

5. Aging interior fences

A director noted that side or interior fences between adjacent homeowners' properties were aged enough such that replacement was starting to be necessary. He raised the question of whether the HOA should be involved in situations in which homeowners disagreed about whether it was time to replace a fence. Another director pointed out that the city of Longmont had no provisions for such situations. However, Longmont did have a mediation expert, and it was suggested that this individual's contact information be provided, perhaps in the Property Guidelines. It was decided that the HOA had no role in such interior fence discussions.

The mediator is Susan Spaulding of Longmont's Community and Neighborhood Resources; her phone number is 303-651-8444.

6. Additions or changes to the Property Guidelines

A director asked for suggestions for revising and/or updating the Property Guidelines, last updated 5/22/2015. Specific items mentioned were guidelines for sun shades, high-

quality standing seam metal roofs for decks, copper trim, faux or veneer finishes, replacement of deceased trees to achieve the numbers currently required in front and rear yards, and responsibilities of homeowners related to tree overgrowth into a neighbor's yard. Homeowners are asked to send input about possible changes to the board.

7. Announcement of new Yard of the Month competition and reminder of July 4 parade

A director mentioned the new Yard of the Month competition for June, July and August of this year. Selection will be based on the appearance of the yard visible from the street or sidewalk, so include front and side yards in front of any interior fencing. One monthly winner will get to have a 'FAC Yard of the Month' sign in their yard for the remainder of the month and receive a \$25 gift certificate to the Flower Bin.

The only member of the Social Committee at the meeting, also a Director, asked for help with the July 4 children's parade, and one homeowner volunteered.

8. Homeowner input

A homeowner asked whether new topics could be voted on at a meeting such as the annual meeting if they were not previously mentioned in the agenda for the meeting. The board said 'no' unless they were rather trivial.

A homeowner commented that the big topic at the annual HOA meeting used to be the election of new directors, and asked what happened to that this year? A director responded that as all current seven board members were remaining on the board, there were no positions to be filled. However, vacancies will occur next year, and notice of such elections will be included in the agenda for the next annual meeting.