

Deer Creek Village Owners Association (DCVOA)

PO Box 1142, Cedaredge, CO 81415 - Meeting Location: 855 SE Stonebridge, Cedaredge

Regular Board of Directors Meeting

MINUTES

February 15, 2024 9:00AM

1. Call to Order (President)
 - a. The meeting was called to order by Mr. Tate Locke, President at 9:01 AM. Board members present were Mr. Tate Locke, Ms. Linda Scott, Mr. John Farrell, Ms. Marcia Martin, and Ms. Coy McTernan. Design Review Committee members present were Ms. Judy Farrell, Ms. Kristi Adams, and Ms. Jenny Larson. Community Association Manager Ms. Tracy Brown was present.
 - b. Owners in Attendance were Ms. Barb Klein, Mr. Aaron Henrie, Mr. Stan Adams, Mr. Doug Flemmer, Ms. Patti Hart, Mr. Greg Hart, Ms. Linda Johnstun, Mr. Steve Blackburn, and Mr. Cordell Chapman.
2. Agenda items additions/changes
 - a. No additions or changes were requested.
3. Approve minutes of January 17, 2024 meeting (Mr. Farrell)
 - a. Ms. Martin made a motion to accept the minutes with minor changes to be applied to today's draft. Ms. Scott seconded. Ms. McTernan abstained, remaining board approved. To note the changes suggested by Ms. Martin: a formatting change in section 7 paragraph a., where the last sentence should be a new paragraph letter of 7.b., and for consistency, names documented as last names throughout DRC report.
4. Financial Review for December 2023 (Ms. Scott)
 - a. At the January 17, 2024, BOD meeting, Mr. Locke asked to table approval of the December financial statement until a detailed end of year budget was provided. This budget review was conducted during the February 15, 2024, BOD meeting. To wit, Mr. Locke highlighted the financial statement showing income of approximately \$3K over budget and expenses approximately \$1.7K under budget for a net variance of around 2%. Refer to document "DCVOA Budget Year 2023" document for details.
5. Financial Statement Review for January (Ms. Scott)
 - a. Refer to document "January Balance Sheet". Mr. Locke characterized the bottom line as balanced, but reserve line-item debits or credits in the balance sheet may need clarification and asked to table approval until next meeting. Ms. McTernan moved to table approval of the January financials until the March board meeting. Ms. Martin seconded. Board unanimously approved.
6. CAM Report (Ms. Brown)
 - a. Property transfers in January = 0 Builder's plan submittals in January = 0

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- b. January was a busy month for assessments because both annual and quarterly payments are paid. Ms. Brown made more than 40 phone calls on January 31st to remind owners that payment was due, with all but a few getting paid before incurring a late fee. In making these calls Ms. Brown learned of one property (750 SE Pinyon) that had been Quit Claim Deeded to a new owner, and was able to obtain the new owner's information and send an invoice; it has been paid.
- c. There are two other vacant properties whose dues have not yet been received for the year.
 - i. One is 805 SE Pine. It is still a delinquent vacant property - delinquent since 2023 dues, and has been listed for sale since last summer.
 - 1. No correspondence has been replied to, and for the first time, Ms. Brown received an "address forwarding expired note" on the returned mail which was postmarked January 3rd, and received back to DCVOA in February. It did note the forwarding address, so Ms. Brown sent certified mail to that address on Feb. 15th, along with a letter stating that this property will be on the March agenda in Executive Session (owner and/or representative is invited). This gives the owner enough notice between the letter sent and the meeting to respond.
- d. Snow removal - There was concern from a couple of homeowners who live on the cul-de-sacs about the lack of snow removal during the January storm. Ms. Brown spoke with The Town of Cedaredge's Public Works Director, Jerry Young. He said that the previous administrator had made the decision to not plow those streets. They pose a challenge for the plows as they are short, don't give a lot of room to work, and they only have the center of the street to stage the snow. He agreed to add them to their route for the remainder of this season and to have further conversation with the TOC and DCVOA regarding it.
- e. Letter to TOC - draft for BOD input / approval
 - i. The BOD read and approved the draft letter with additional language stating that DCVOA would consider purchasing dog waste containers for the trail if the TOC would maintain them.
- f. State of Colorado Periodic Report was filed on 02/07/2024
- g. Property taxes have been received and have increased approx \$400 for the year. They can be paid online at no extra charge.
- h. DCVOA's tax information was given to Blair and Associates on Wed, Feb 14th, including the question of do we have to provide anything further for the Corporate Transparency Act, or will it be filed with our taxes? Ms. Brown has not heard that answer yet.
- i. Blair and Associates sent a letter stating that their bookkeeping services hourly rates have increased by 10%-15% as of February 1, 2024.

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- j. Community Yard Sale dates have been scheduled for May 31 - June 1. Ms. Brown will be out of town but Ms. Larson has volunteered to set out the signs. Advertising will take place in the Shopper, and on Social Media for 2 weeks leading up to the event.
7. Design Review Committee (DRC) Report (Ms. Farrell)

An inquiry had been made by email from a prospective buyer asking if Accessory Dwelling Units were allowed by the DCVOA guidelines. Ms. Brown received the email and responded with a copy of the DCVOA guidelines. Ms. Larson offered to do some research on what is allowed in Delta County to further clarify the guidelines for future inquiries. Mr. Locke stated that the Town of Cedaredge would govern that for this area, not Delta County. He suggested looking up their Title 16 Land and Use Development and inferred that they do not allow ADUs within the Town of Cedaredge.

- a. New requests – landscaping
 - i. 700 SE Stonebridge. Ms. Adams spoke to homeowner regarding fence change. Homeowner will update the plans and re-submit. Homeowner provided samples of blue mesa rock.
 - ii. 1470 SE Stonebridge. Plan accepted.
 - b. Requests still on hold
 - i. 300 SE Sandstone Ct. Homeowner indicated landscaping is complete except some mulch, trees and shrubs and irrigation. Those will be done in the spring. The DRC will inspect once complete.
 - ii. 545 SE Stonebridge – The current owners received an extension with the provisions as follows: the complete landscaping plans must be submitted by the new owners to the DRC by May 1, 2024 and the work must be completed by October 1, 2024.
 - c. Pending and expired projects
 - i. 700 SE Pine. Homeowner resubmitted their plans and paid the \$200 fee. Several measurements (percentage of windows) were off from the Eagle Eye analysis of the plans. After Ms. Brown requested a re-do, Eagle Eye indicated the left and right measurements were flipped. Ms. Brown is forwarding the plans to new contractor for verification. DRC will re-evaluate at our next meeting.
 - ii. A DRC working group meeting is scheduled for 2/21/2024 10 AM to 4 PM at the 855 SE Stonebridge Drive building.
8. Old Business
- a. Owner of the property at 325 SE Sandstone Ct. 2nd Violation - owner requested appearance before the BOD to occur today.
 - i. Mr. Aaron Henrie, home owner of 325 SE Sandstone addressed the Board. He acknowledged and apologized for the lack of response to the Association's communiques. Mr. Henie outlined ongoing work he is doing to complete his

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landscaping. Ms. Brown reviewed the history of this case out loud for the board. Mr. Locke thanked Mr. Henrie for attending and expressed understanding of seasonal weather delays reported by Mr. Henrie. Mr. Henrie requested an extension until the end of August as the deadline to complete the work. Ms. Larson asked how much work is left. Mr. Henrie said fence construction is partially complete and landscaping to the fence line is also incomplete. Mr. Henrie stated he is doing the work himself and has been limited by personal time constraints. Ms. McTernan questioned how rigorous Mr. Henrie is working on this, having observed the progress. Ms. Martin objected to the owner's past unresponsiveness to Association inquiries. Ms. McTernan reported that neighbors of this property are complaining to her about incomplete work. Mr. Farrell suggested that any extension be made toward the beginning of summer so as to not get to the end of the season and have no measurable movement in progress, with another extension then requested. After additional discussion on a more appropriate timeline took place, Mr. Locke asked if anyone on the board wanted to make a motion for an extension for work to be completed by June 1 to allow time for favorable weather, allowing the work to continue. Mr. Farrell made a motion to extend the completion deadline to June 1, 2024. Ms. McTernan seconded. The Board unanimously approved.

- b. Goal Review (Set minimum of one goal for discussion/plan of action for each regular BOD meeting)
 - i. (February meeting topic) Reserve fund allocation accounts.
 1. Ms. Martin provided research regarding what is customary in some HOAs for planning reserve accounts. She also noted that she and Ms. Brown had attended a DORA webinar specific to Reserve Funds.
 - a. Ms. Brown pointed out that a guidance document from the CO Division of Real Estate, Policy 7 "Investment of Reserve Policy" is absent from the Association bylaws.
 - b. Ms. Martin provided an informal outline of their work titled "Reserve Funds". These points of action were recommended:
 - i. Create a policy for organizing and investing reserve funds but segregating RV lot items, identify a legal fund account, and a prepare a capital improvement forecast.
 - ii. Do a reserve study, done by the Association and not hired out. Create an asset inventory. Schedule a periodic internal review.
 - iii. Have an outside audit review every five years.
 - ii. March topic to report at March BOD meeting) Better understand/define relationship between the Master Association and Sub Association, including role of DRC.

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1. Ms. Brown asked that between now and March a committee meet to discuss this matter to prepare for the March meeting. Ms. Martin, Ms. Scott, Ms. Larson, and possibly a Sub Association representative offered to participate.
- c. April work session for BOD will be scheduled
 - i. This will include working on the SOP for the BOD
 1. Mr. Locke, Ms. McTernan, and Ms. Brown offered to be on the committee specific to the SOP.
 - ii. Additional agenda items will be included in this work session. Date TBD
- d. Draft letter to town re: path maintenance and dog waste on trail
 - i. Ms. Brown drafted a letter to the City of Cedaredge and presented it to the Board which recommended it be sent with additional verbiage suggesting that DCVOA may consider purchase of pet waste containers if the Town will maintain the disposal of the waste.
- e. Discuss Design Guidelines Section 9. Signs and current State regulations (AN ACT -HOUSE BILL 21-1310) implemented 07/21/2021
 - i. Ms. Martin presented updated state regulations regarding signs. Mr. Locke summarized what was written in DRC guidelines about this and noted the state regulation supersedes our policy in most areas, but our community still needs to provide input on how the Association can or should stipulate size, placement, and number of signs. Timing and content stipulations in the guidelines need to be deleted because they are superseded by the state regulations.
 - ii. Ms. Klein reiterated her concern stated in the January meeting concerning signs that have blocked lawn sprinklers.
 - iii. Mr. Blackburn stated he intends to erect a 25' flagpole with American and Colorado Flags in his back yard but did not ask the Association to act on his plan now.
 - iv. There was concern from the attending owners about vulgarity in signs and the fact that we cannot control that.
 - v. Ms. McTernan volunteered to bring written verbiage of what the guidelines could be for size, location, etc. She will provide this to the DRC at their work session.
 - vi. Ms. Brown asked to strike the portions of the DRC guidelines that conflict with the state regulations, so that the Association could come into compliance with the State, and any verbiage change beyond that could be made at a later date. Mr. Locke agreed and suggested that the additional verbiage could come from the community, not just the Board. Ms. Martin moved that at a minimum we bring our Design Review Guidelines into conformance with the new State law regarding signage. Ms. McTernan seconded. Additional discussion included taking this further to the community through the newsletter asking for more

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input. Ms. Farrell suggested that the previous email sent out with the Act attached, inviting owners to this meeting for discussion was enough and the outcome of this could be posted in the newsletter rather than continuing on. Mr. Locke agreed that is an option if the board would like to go that direction. No further discussions so a vote on the motion was put into place. Board unanimously approved.

- vii. Ms. McTernan volunteered to create newsletter content promoting civility in signage.

9. New Business

a. Agreement with drafters for 2024

i. Eagle Eye Design & Drafting

- 1. -Ms. Brown read an email from Eagle Eye Drafting stating that they would not carry DCVOA as an additional insured. Ms. Brown said that the only request on the form was proof of insurance. Eagle Eye will be kept as a verification of plans contractor in addition to adding another contractor.

ii. Draftech Design and Drafting

- 1. Mr. Paul Lane offers the services needed for \$65/hr. and uses Bluebeam software. Ms. Brown has a signed agreement from DrafTech as long as the BOD sees no conflict since he also provides plans for some of the builders that build within the HOA. Using Bluebeam software will provide a double check on all plans no matter who originally drafted them. Mr. Locke felt there would be no conflict and suggested it was a good idea to have a second drafter option.

10. Open Comments and Discussion from the Floor

- a. Ms. Klein asked if the Association could provide the Sub Association a list of what capital improvements need to be planned for. She specifically wanted to know if replacing a driveway in the townhome development would be considered a capital improvement. The board did not know of such a list. Mr. Locke suggested this is a Sub Association issue not a Master Association issue.
- b. Mr. Hart said a reserve study was done in the past for the Master Association. This study was previously reviewed by the BOD and deemed moderately useful for the Association to date but not comprehensive enough for expected on-going needs.
- c. Ms. Johnstun said Delta County Tax Assessor's office overburdened neighborhood valuation for unimproved lots to make up for other State revenue shortcomings. She asked the neighbors to be advised to contact their State representative about this.

11. Agenda Items for Next Regular Meeting

- a. Mr. Locke recommended discussing the Association purchasing a couple of dog waste containers and donating them to the Town of Cedaredge for the trail, if the town agreed to manage and dispose of the waste.

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12. Time and Date for Next Regular Meeting

- a. Tuesday, March 19 2024 900 AM

13. Adjourn

- a. Ms. McTernan moved to adjourn, and Ms. Martin seconded, Board unanimously approved.

Respectfully submitted:

John Farrell, Secretary

APPROVED 04/17/24

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