

THREE ELK RUN HOMEOWNER'S ASSOCIATION

Tiffany Gonzales
PRESIDENT
0826 Elk Run
New Castle, CO 81647

970-984-0336

January 13, 2005

Annual Homeowner's Association Meeting
New Castle Community Center

The meeting was called to order at 7:38 pm by the association President, Tiffany Gonzales.

Members in attendance:

Kerrie Melby, Quentin & Tiffany Gonzalez, Denise Greene, Chandelle and Tony May, Barbara Cebula-McCune, Kyle Whitaker, Stephanie Templon, Bill Gibson, Liane and Landon Anderson.

Minutes from the previous meeting were read by secretary/treasurer Kerrie Melby.

The annual treasurer report was presented by Kerrie Melby.

- The expenses for the year were discussed and it was agreed that the annual dues for 2005 would remain the same as the previous two years. The \$600.00 per lot would be divided into \$4,500.00 for the general account to cover the annual expenses of insurance, road-maintenance and professional fees. The other \$4,500.00 would be put into a new CD or added with the current CD's for the future paving of the main road.
- The two CD accounts were discussed. It was explained by Tiffany Gonzales that the \$3,940.00 deduction from one of the CD accounts was for road maintenance that was done by the city. Please look at last years minutes to see the agreement that TERHOA had with the city in regards to the road.

Old Business:

Voting and Proxy Voting per the Declarations.

Tiffany wanted to remind everyone that according to section 2.5 of the Declaration that each lot is entitled to (1) vote for each lot owned. And that a proxy vote may occur by a representative of a lot whose owner he represents.

Paving of Main Road

- Stephanie Templon spoke on behalf of Tim Templon in regards to the progress being made in finding out how we can about getting a bond issue to help finance the paving of the main road. He was going to attend a plan and zoning meeting the upcoming week. He was under the impression that a 30 year bond would not be too big of a deal to get. It would probably be similar to what is being paid towards dues now, possibly less.
- A discussion about the condition of the road was held. It was motioned, seconded and passed that the road should be mag-chlorided again this year and possibly adding in road base too. Depending on what GMCO determines is necessary. It was agreed that the maintenance should occur after Anderson's house is almost finished because of heavy equipment usage on road.

Dog Leash Sign:

There was a discussion in last years meeting as what to do with the Dog Leash sign that resides on a pole at the base of the pond on Gibson's lot. It was motioned, seconded and passed that the sign be removed. Bill Gibson volunteered to take it down.

New Business:

Landon Anderson thanked everyone for being here and also thanked the ACC members for their time. He wanted to bring the idea of a discussion and a vote to see if the declaration could be amended to allow engineered compressed wood product for siding. It was noted that the Anderson's were declined this siding by the ACC because of the covenants. It was also stated that they have the right to bring this item to a meeting for a discussion and a vote per Item 25. Amendments of the Declaration. The discussion was opened by Landon in his desire as to why he would like to see this type of product allowed as an acceptable siding. He had contacted neighbors in Three Elk Run to see what their views on the siding were. Due to Barbara Cebul-McCune's disagreement that they could not do try to get this changed Kerrie Melby read section 25. Amendments of the Declaration and section 3.8 Limit on Structures: Single Family Residential Use Only. Section 3.8 of the covenants states "All structures shall be constructed so as the exterior is of either brick, stone, lumber or a combination thereof." He noted that one quality of the product is that it is superior to that of natural wood siding because of the maintenance that it takes to keep it up. The engineered wood siding doesn't need to be treated as often therefore the appearance of it maintains an up kept appearance longer. In the long run it is a less expensive exterior siding to maintain. He also compared it to

Cedar siding in its superiority in regards to fire safety and maintenance. He also stated that many upper end homes in the valley are using this product. He also noted that Garfield County building codes do not have an issue with the siding. It is an issue that is only with the ACC of Three Elk Run. Items of concern were that the siding would devalue other properties in the area, that the product was not "lumber" as per section 3.8 and that it was the ACC's legal duty to see that the covenants were followed. It was once again noted that the Anderson's had the right to bring this issue to a meeting for discussion and a vote. Landon said that he has spoke with an appraiser and he said that this type of siding will not cause another property to be devalued. Other members stated that they thought it was a lumber product and that the covenants is up to interpretation and/or amending if so done by the process stated in the Declaration. Landon made the point that when the Three Elk Run Declarations were being drawn up this product may not have been available at the time and that as time progress other materials are developed and can be superior to what was in the original Declaration. Other members expressed that times do change and so do styles of housing products used. Members also mentioned in a couple of different examples that the appearance of this siding cannot easily be distinguished from other lumber sidings from the roadside and from other residences in the Subdivision. After a lengthy heated discussion it was motioned and seconded to end the discussion and vote. Tiffany handed out a voting ballot with lot numbers and a place to vote yes or no and include your signature. The ballot was passed around. A quorum vote of 67% would mean that 10 members would have to vote yes for this item to be amended to the Declaration. Since there were only 9 members in attendance a mail in ballot will be sent to the 6 members that were not present. When the results are in a notice will be sent to inform all members of the results.

The annual officer election was held. The offices of President and Secretaty/Treasure were opened for election. Since no one wanted to run for wither position tje President, Tiffany Gonzales and the Secretary/Treasurer, Kerrie Melby will both remain in their current positions. Jim Hancock will remain as Vice President.

The Directors for 2005 remain the same. Stephanie Templon, Jim Hancock and Quentin Gonzales.

Appointment of the ACC:

Barabra Cebula-McCune expressedher desire to remain as an ACC Board Member. On behalf of Thad Greene, Denise Greene offered his position up for someone else. It was discussed that Thad should remain on the board. It was noted that because Kris Melby, a current ACC member will be building his own house in the upcoming year that an alternate per appointed for the ACC due a

conflict of interest in a member being the builder of his own home. Landon Anderson expressed his desire to be an alternate. It was motioned and seconded by the Directors that Landon be accepted as the alternate. The 2005 ACC Board consists of Barbara Cebula-McCune, Thad Greene and Kris Melby and Landon Anderson is the alternate.

Other:

- It was noted that the pond was deeded to the Town of New Castle by Eric Williams. In the future the pond may be piped off.
- It was mentioned by a homeowner that he was appreciative; in particular to the fact that there were not campers and trailers parked everywhere, of the subdivision covenants that neighbors seemed to follow.
- The question of "has the fire hydrants been ran recently"? came up. Tiffany will look into getting this done.
- There was a discussion on what trash services were used in the subdivision. It was noted that at least 3 different companies are up there weekly. Stephanie Templon said she would look into trash services to see if one company would offer a discount/good rate for pickup for the subdivision.
- The idea of a common playground had been discussed at one time. The conclusion that it was a good idea in theory but not in reality was reached. It was not feasible to find land to be donated and the insurance and liability issues were too much to contend with.
- There was a discussion on whether to have Alpha Natural Spray again this year. It was a general consensus that it didn't need to be done at this time.
- Another discussion was held regarding spraying for weeds. It was noted that we could register the subdivision with Steve Anthony, of the Garfield County Weed Control, in order to be eligible for reimbursement on half of our weed control expenses. It was motioned, seconded and passed that we register the subdivision. Tiffany will take care of the registration. Tiffany will send out a letter in the Spring if the weeds seem to be a problem and the issue to addressed.

The meeting was adjourned by President Tiffany Gonzales at 9:00 pm.

