

THREE ELK RUN HOME OWNERS ASSOCIATION MEETING

Meeting Minutes

DEC 3, 2013

Attendees:

Liane Anderson, Amy Luetke, Thad Greene, Bill Gibson, Chris Manuel, Edgar Davidson, Kathy Kopf, Jim Hancock, Bruce Lyons, Tony May

The attendees updated a roster and we'll send that out soon.

Action: If you have additional changes to the new roster, please let us know.

Report on Financials: (Attached)

ASSETS

Current Assets	<u>12,723.63</u>
Alpine Bank account Balance	<u>12,723.63</u>
Total Assets	<u>12,723.63</u>

Liabilities and Equity

Equity	
Opening Balance Equity	25,305.48
Retained Earnings	-14,411.98
Net Income	<u>1,830.13</u>
Total Equity	12,723.63
Total Liabilities and Equity	<u>12,723.63</u>

Report on the Gonzales Property Status

TERHA received \$800 from the new owner of the Gonzales property. The property was foreclosed in May 2013 and TERHA was notified by First American Mortgage Services payment the HOA dues until the property is sold to a new owner that will assume the payments. TERHA did not receive the full amount that the Gonzales's owed because Colorado is a "Super Lien" state. That means that THERHA can only recover only monies owed six months prior to foreclosure, only because TERHA had a lien on the property. About \$2600 is additionally owed. Further discussion about how to recover the past due monies. The first action is to send the Covenants and Articles of Incorporation to First American Mortgage Services to assess if TERHA is entitled to the \$2,600. The second action will be to ask TERHA members to approve moving this matter to small claims court.

Report on Road Maintenance

This year's road maintenance cost was \$8,241 that included road grading, watering, and MgCl. Jim Hancock talked about the overall condition of the road and that the road was in the best condition that it's ever been. Overall satisfaction with the current contractor is very good. The next maintenance will be in the March/April time frame. The road maintenance committee, Jim and Ritchie, will discuss with

the road contractor's technique of leaving a ridge on the outside edges of the road which diverts water flow back to the road instead of to the ditch. The road committee will address this issue with the road contractor. Jim also mentioned that pulling the ditches by the road contractor may create more issues because of the organic debris that is not desirable for a stable road base.

Clogged ditches: There are some ditch sections that are not draining correctly and causing water to overflow and cross the road. Specifically at the water tank and the stretch between the Gonzales and Luetke properties.

Action: TERHA road committee will address ditch maintenance options with the road contractor. Possibly rent a back hoe for a day and dig out the troubled spots.

Action: Tony to contact the Town of New Castle to repair the road to the water tank and see if they will also dig out the culvert area.

Future road work: No base was applied this year, some spots will need to have additional road base applied with an economical solution.

Action: TERHA road committee will address road maintenance options with the road contractor. The objective to keep the road maintenance budget capped at \$8,500.

Report on Fire Hydrant Testing

This summer on a hot day, the Burning Mountain Fire District conducted testing on all fire hydrants in the subdivision. Orin Moon will be providing a report on the fire hydrants noting if any need maintenance.

Action: Tony to follow up with Orin for a hydrant report.

Action: If any hydrants need service, Tony to contact the Town of New Castle to request the Town take responsibility to service their water system.

Action: Tony to contact the Town of New Castle and request markers for each of the hydrants.

Report on Fire Mitigation

Orin Moon mentioned that there may be a grant to conduct a project to cut a fire line on the hogback above the northern points of TERHA owner's property lines. There may be an opportunity to attach additional fire mitigation in the subdivision. This is an unknown until Burning Mountain Fire District 2014 budgets are approved for this grant.

Discussion about the high fire risk in the dense areas which include the upper ditch and the gully at the bottom of the subdivision. These would be primary targets for a mitigation gang.

Action: Tony to follow up with Orin Moon on fire mitigation assessment for the subdivision and inquire about the grant.

As for fire mitigation in general, the consensus is that the burden of cost to clean up an owner's property will be the responsibility of the individual TERHA property owners.

Report on Covenants Review and Issues

During the TERHA annual meeting it was decided start enforcing the covenants. TERHA owners moved to the subdivision for peace and do not want to be policed on every move that they make. The covenants are more lenient than strict but if property owners continue to break the rules, it deteriorates the integrity of the subdivision without enforcement.

These are the obvious infractions of TERHA property owners not following the covenants and bypassing ACC approval. In general, the issues were listed as the following:

- Building without seeking ACC approval, section 3, 21
- Having temporary structures, section 3.2, 8
- Having unscreened equipment on their property that is within view of the road, section 13
- Having domestic livestock, section 11.1, 11.3, 11.4, 12.2
- Having fencing that is not approved, section 10
- Having renters cohabitating with owner (commercial use), section 9
- Having a commercial business running from the property, section 3.2, 9
- Having more than 1 dog, section 11.2
- Having rubbish, trash, woodpiles visible from the road, section 12
- Having unlicensed vehicles that are not fully enclosed, section 13
- Having an RV pad, section 5, 13
- Having unpaid dues, section 15.4

Supporting Opportunity for Change: The TERHA is up for renewal in 2015. Practical to introduce any amendments. If no amendments are made, the existing covenants will automatically extended for successive periods of ten (10) years. Section 23

Approach: Form a HOA Renewal Steering Committee to examine an amendment prospective and seek input from TERHA members with a final vote of 67%. Section 25

Enforcement: TERHA Board and ACC to address infractions and give notice by letter in accordance with the covenants.

Penalties: Fines to be imposed in accordance with the covenants.

Timing: Look for Board and ACC to meet within the next few weeks to draft letters.

Action: Home owners responsible to read the TERHA covenants which is a legal binding document.

Report on Elections

Officers:

Tony May, President

Amy Luetke, Vice president

Liane Anderson, Secretary/Treasurer

ACC: MANDATORY TO SEEK ACC APPROVAL PRIOR TO NEW CONSTRUCTION

Jim Hancock

Landon Anderson

Thad Greene

Bill Gibson

HOA Renewal Steering Committee:

Liane Anderson Amy Luetke

Kathy Koff Tony May

Chris Manuel