

THREE ELK RUN HOME OWNERS ASSOCIATION MEETING
 Meeting Minutes
 Oct 29, 2014

Special Thank You! to the Luetke's for sponsoring the TERHA Annual meeting in their home.

Attendees: 13 Lots in represented

Amanda Godsinger, Liane Anderson, Landon Anderson, Amy Luetke, Richie Luetke, Shonna Ross, Dean Cross, Justin Wareham, Thad Greene plus proxy Judy Haptonstall, Bill Gibson, Chris Manuel, Edgar Davidson proxy for Kathy Kopf, Barbara Cebula-McCune, Chandelle May, Tony May, Kyle Whitaker, Sherry Whitaker

The attendees updated a roster.

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

Report on Financials: (Attached)

ASSETS	Oct 28, 2014
Current Assets	<u>13,945.01</u>
Alpine Bank account Balance	<u>13,945.01</u>
Total Assets	<u>13,945.01</u>
Liabilities and Equity	
Equity	
Opening Balance Equity	25,305.48
Retained Earnings	-12,221.64
Net Income	<u>861.17</u>
Total Equity	13,945.01
Total Liabilities and Equity	<u>13,945.01</u>

Expenses	Jan 1 – Oct 28, 14
Community Association Underwriters	970.00
GMCO LLC of Colorado	1,996.96
John A. Virgili, CPA	150.00
Mountain West Contracting Inc.	6,500.00
Thad W. Greene	1,110.00
USPS	12.95
Total	\$10,739.91

Report on Road Maintenance

This year's road maintenance cost was \$8,496.96 that included road grading, watering, and GMCO MgCl. Richie Luetke reported that the road maintenance was completed June 12, and the water line broke on June 12. The road looked really good for about 6 hours. The waterline repair area had deteriorated and Richie and Tony met with the town on further repair. These repairs finally happened in November. The S-curve damage was from Waste Management although we could not get any compensation. Dean Cross talked about delivering road base for a quick repair. Ritchie talked about the road contractor advised not to take action until the next road maintenance. Overall satisfaction with the current contractor is still acceptable. The next maintenance will be in the June time frame. The road maintenance committee, Ritchie and Jim, will discuss with the road contractor crowning the road and also to get rid of the ridge on the outside edges of the road which diverts water flow back to the road instead of to the ditch. Richie also talked about cleaning the clogged ditches where some ditch sections 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.

18:59 **Vote:** Ritchie moved to increase the Road budget for 2015 by \$2,500 for a total of \$11,000 for ditch clean up, crowning, berm removal, s-curve repair. Edgar seconded. All votes were in favor and the motion passed.

Reminder: Please watch your speed going past Richard and Jana's house and throughout the subdivision. Keep it safe and neighborly. Thanks!

Action: Dean Cross mentioned getting another speed limit or slow down sign for Elk Creek drivers on Apache. Barb asked to get the Elk Creek Subdivision to share the cost. Need to ask the Sorenson's if we can post a sign, shows that we are aware and neighborly.

Point of record: Report on Fire Hydrant Testing

The four hydrants in our subdivision are the responsibility of the Town of New Castle and they have been servicing their hydrants with plans to get to ours soon.

Report on Covenants Review and Issues

Prompted by TERHA covenant Section 23, the HOA Renewal Steering Committee examined each covenant this summer and submitted the changes to TERHA for review and a vote at this annual meeting. Each covenant received discussion and a separate vote. There was a quorum of at least 67% as required by covenant 25. The new covenant and voting record are noted below. Please refer to the change proposal from 9/7/2014 for further reference.

1. **Covenant 3.8** - *Describes the approved building materials for structures on the lot.*

Passed Addendum, Yes-12, No-1: to accommodate new technology, alternate building materials are subject to approval by the ACC.

2. **Covenant 5.0**– *Fire Mitigation.*

Passed Addendum, Yes-11, No-2: it is each lot owner's responsibility to remove dead wood from their property to diminish fire hazard.

3. **Covenant 9.0 – Renters.**

Passed Addendum, Yes-13, No-0: Renting of space within the home shall be permitted, allowing a family or a single person plus 2 renters to occupy a single home.

4. **Covenant 11.1 – Animals.**

Passed Addendum, Yes-13, No-0: chickens and ducks shall be allowed according to the following regulations.

All chickens and ducks must be kept in an enclosed area, or escorted by the owner.

Total number combined fowl shall not be more than ten.

Only female fowl are permitted.

Enclosures and shelter must be kept clear of manure and kept in a sanitary manner.

Shelter or coop is not closer than 10 feet from the property line.

Shelter shall not be in view of street or adjacent neighbors.

Coop design must be approved by the ACC.

5. **Covenant 11.2 – Animals.**

Passed Addendum, Yes-13, No-0: each lot may keep up to 2 dogs.

6. **Covenant 11.2.5 – Animals.**

Passed Addendum, Yes-13, No-0: A warning shall be given for a first violation of an Owners dog. Fines are as follows second violation \$40, third violation \$ 75 and fourth violation \$100. Subsequent violations will be fined at \$100. Add section stating the HOA may not dispose of another homeowner's dog.

7. **Covenant 11.3 – Animals.**

Mentioned Addendum for reminder: This covenant remains unchanged Please note no animals may be kept which result in any annoyance or are obnoxious to residents.

8. **Covenant 12.4. Maintenance of Property - Adds guidelines for fire safety.**

Passed Addendum, Yes-13, No-0: The outside burning of trash, rubbish, or other materials shall not be permitted. Standard and approved outdoor BBQ's shall be allowed. All outdoor fireplaces burning wood must be screened.

9. **New Covenant: * 15.2.4 Lien for Nonpayment** - adds new covenant:

Passed Addendum, Yes-13, No-0: In the event of a foreclosure the lien shall be enforced and due in full upon the acquisition of the property.

10. **Covenant 15.4 - To improve punctual payment of HOA dues the following payment schedule is proposed.**

Passed Addendum, Yes-13, No-0: A statement will be mailed for HOA dues, due date on statement will be net 30 days, a late fee of 10% per month will be added to the bill. Unpaid dues of 1 year will result in a lien placement on the property.

11. **Covenant 16.2** – Unchanged covenant. Inserted as a reminder noting enforcement *upon the approval of the changes made during the 2015 TERHA Annual Meeting.*

12. **Covenant 21.1** - *Adding a sentence at the bottom of the paragraph:*

Passed Addendum, Yes-13, No-0: No plans are required for fire mitigation or noxious weed removal.

13. **Covenant 22.3** - *Has an error to correct, Lot number 2 and 7 do not have a ditch.*

Tabled Addendum for further research (Kyle): The following lots with a ditch must have hazard and liability insurance. Kyle mentioned that flooding may be a variable and to see legal advice prior to a change in covenant.

14. **Covenant 23** - *Change the next Binding date to 2030.*

Passed Addendum, Yes-13, No-0: These Covenants are to run with the land and shall be binding upon all parties and all persons claiming under them until the year **2030**, at which time said Covenants shall be automatically extended for successive periods of ten (10) years unless by vote reflected by signed documents duly recorded by the majority of the Owners it has agreed to change said Covenants in whole or in part.

15. **Covenant 26** – *Communication.*

Passed Addendum, Yes-13, No-0: Email is an acceptable way of communication.

Action: Justin Wareham and Dean cross to provide Commercial Use addendum verbiage to the HOA Renewal Steering Committee.

Motion (Amy, Tony 2nd): Legal to review amendment and then to draw up legal document and initial limit to \$500 and an email vote for additional cost approval.

Passed Addendum, Yes-12, No-0:

Barbara point of suggestion to owners: Driveway marker boulder with metal work.

Tony point of suggestion to owners: TERHA Trash and Recycle removal quote from MRI is \$25 per lot. Tony to provide additional details for email distribution and vote. Objective is to consolidate to one vendor to cut down on heavy road traffic.

Meeting adjourned.

San Francisco Giants win the 2014 World Series defeating the Kansas City Royals, 4 games to 3, to clinch their third World Series championship in a five-season span and their third overall since their move to San Francisco from New York. This was also the Giants' eighth World Series championship in franchise history overall.

Report on Elections (in effect from 2013 TERHA Annual Meeting)

We didn't get to the Elections of offices due to time constraints. We will explore a vote over email.

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