

Colony Ridge Owners Association, Inc.

Annual Meeting December 10, 2019

Randy Anderson (president) open this evening's meeting at 7:05 PM with 17 homes being represented on 12.10.2020 at Carrie Martin elementary school.

Tonia Webb (secretary) read the shortened version of the minutes from the October 8, 2018 annual meeting. The longer version will be available on the website for all to read at their leisure. Questions and discussion: unpaid dues - notices go out for late payment with the 2% added on to the total amount dues (2% added monthly); 90 day warning before lien being placed on home; home on Crestridge didn't pay back dues upon selling. Steve D. suggested I contact the mortgage company for payment; and 2019 & 2020 fees are due at the same time. James Bunker made a motion to accept the minutes as presented; Steve Driscoll seconded and the motion passed 17-0.

Treasurer's Report (Tonia Webb) *Actual Budget:*

Balance ending September 2018	\$6265.81
<i>Income</i>	
2019 Dues (7 homes)	\$1025.16
REA (Retirement Credit)	\$ 92.50
<i>Total</i>	\$1117.66
<i>Expenses</i>	
Insurance American Family	(\$ 472.00)
Community Activity (Garage Sale)	(\$ 71.19)
Office supplies/Printing Cost	(\$ 32.34)
Postmaster (Postage/PO Box)	(\$ 56.00)
Secretary of State	(\$ 10.00)
Utilities (PVREA)	(\$ 261.89)
Legal Fee (Lawyer)	(\$ 375.00)
<i>Total Expenses</i>	(\$1278.42)
<i>Ending Balance December 2019</i>	\$6105.05
<i>Key Certificate as of September 2018</i>	\$10040.73
<i>as of September 2019</i>	\$10049.98

We now have 8 homes paid for 2019. Insurance is down below the \$500.00 mark. We got 3 bids from 3 different insurance companies with American Family being the lowest price for all of the same amenities. REA changes their price by a few cents every few months it seems, however, they are still under \$20.00/month.

The proposed budget was presented:

<i>Income</i>	Annual Dues (\$30 x 101)	\$3030
<i>Expenses</i>		
	Insurance (Liability Policy)	(\$ 500.00) ¹
	Miscellaneous: Accounting Fees – Tax Preparer	(\$ 125.00) ²
	Secretary of State – Corporate Report Fee	(\$ 10.00)
	Legal Fee	(\$1000.00) ³
	Office Supplies/Printing cost	(\$ 250.00)
	Postmaster (Postage/PO Box)	(\$ 325.00)
	Utilities (Poudre Valley REA – Entryway light)	(\$ 225.00)
	Community Activity Fund (includes Garage Sale)	(\$ 200.00)
	Meeting (Rental)	(\$ 100.00) ⁴
<i>Total Expenses</i>		(\$2735.00)

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1. Insurance was dropped back to \$500 from the \$1000.
2. The accounting fee: I need to find someone to do our taxes for a non-profit organization. At this time I'm not sure how much it will cost us.
3. Approved to increase later in meeting. To cover cost of getting all covenants in order.
4. Berthoud Community Center - \$100 for up to 4-5 meetings/year; Carrie Martin Elementary School is \$37/use. We don't often use the Community Center but once a year...so not sure if that is cost efficient.

No discussion followed; see Petition update for amount increase on legal fee. James Bunker made a motion to accept the proposed and actual budget with the following changes: State Farm to American Family and correct amount for Key Certificate of Deposit. Steve Distel seconded and the motion passed with 17-0.

Officer Election for 2020-2022: President: Randy Anderson; Secretary: Tonia Webb no other nominations were given. James Bunker made a motion to accept the nominations for Randy Anderson as President and Tonia Webb as Secretary. Phil Isis and Steve Distel seconded. The motion passed 17-0. The nominations for At-Large Members were Steve Distel and Brian Loper. James Bunker made the motion to accept the nomination of Steve Distel and Brian Loper as At-Larger Members. Phil Isis seconded with the motion passing 17-0.

Community Activities:

Garage Sale-Nina Sherrer was not present. What she told me during the summer was about the same amount of people participating. Kimberley Sjoström assisted her with setting out signs. Thank you Kimberley!

Front Easement/Road Work CR17 (Berthoud Parkway)-Southside of Crestridge Drive is owned by Galleria Homes (Mr. Fisher). The County has been trying to contact him for several weeks, to no avail. They asked if CROA, Inc. did maintenance on those front 2 lots; as there are sprinkler lines running through them. We don't do maintenance on those lots and never have. They will start construction in March 2020 with replacing sewer line and storm line. They will not be working on the drainage issue at this time as it is a Town of Berthoud issue now. According to Town of Berthoud's engineer, "The draining is slow but it is draining so we don't see an issue at this time." Barbara Dempsey called them about the cattails and other weeds growing in the ditch-they sent a crew out to clean them up (i.e. mow & weed-whack). Thank you Barbara for calling, it looked a lot better after the clean-up.

Green Belt on Northside between Heron Pointe and Colony Ridge-erosion control netting has been removed & mowing has occurred once this year (responsibility of HOA of Heron Pointe). Randy Anderson went to a Town of Berthoud Board Meeting to ask about the following issues: drainage of CR17 (Berthoud Parkway), maintenance of the retention pond & green belt in Heron Pointe* and the drainage into their retention to the front ditch to other side of Crestridge Drive and further down the line. *Brian Wood took pictures of the retention-the overgrowth & standing water, expressed concern with standing water in relations to the West Nile virus (pond being a mosquito breeding ground) and the green belt not being maintained by the HOA. We are not sure of the results as it was closer to the fall. Randy A will again go to a Town of Berthoud Board meeting to express our concerns over the lack of enforcement in regards to the maintenance of the various parts of Heron Pointe. We are not confident anything will happen!

Announcement Boxes (similar to the ones in Heron Pointe)-I'd like to get a bid for construction of these boxes so we can place announcement inside them rather than tape things to the side of the mail boxes. I was thinking of wood boxes, it was suggested we go with metal as they would withstand the elements better than the wood. Other suggestion/comments: we'll need the Postal Service ok to locate them next to the mailboxes-we own our

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mailboxes so we can add the boxes to that area. Postal Service maintains them much like the County does our roads. When I get the website up and running, we will not need the boxes, this item was tabled.

Unfinished Business:

Fees- The number of unpaid fees is not high but we need to get them taken care of, as a result, Bill Walters made a motion that all outstanding fee/due owners get a bill stating that they own XX amount for past fees/dues and they are payable by XX date. If not paid, according to the Covenant a lien will be placed upon their home. Steve Distel and James Bunker seconded, this motion passed 17-0.

Streets-Barbara Dempsey contacted the County about why our roads haven't been chip sealed. She expressed concern that they are in horrible shape: they were replaced in 1995 at a cost of \$300,000; 2002 & 2008 they were chip sealed-that is approximately every 6 years. We are now on year 12 with all of the developments around us being sealed. Are we getting pushed to the bottom of the list each year? It truly feels that way! According to McAfee (no sure on spelling) with the County (he didn't get back to her) then Johnson, "New policy is they don't chip seal as often." When asked if we were being placed at the bottom of list every year, we got a "No" answer. We should be soon but our roads don't look bad, they are actually in pretty good condition. This is what we are being told by a variety of County road workers. What the 'soon' looks like is anyone's guess.

Other road concerns: When the dirt road was being reconstructed they left a pile of pea gravel on Thom Reiher's property. There is now a ½ moon shape hole. Is that county's responsibility to fix? It was suggested to call county first as we are not sure who is responsible for repairs.

Questions/Discussion on Sewer/Storm drainage under Rancho Way- It is storm drainage not sewer. They were placed there when the road was replaced as the ditches could not be altered. It was one way to connect one side of the street to the other.

Action Items:

Petition Update –Randy Anderson was serve papers on January 1, 2019 at 2:55 pm with 58 signatures asking for the removal of the "Covenants". This petition/amendment was filed with Larimer County Clerk & Recorder on December 13, 2018 at 12:27 pm. The reason for this petition/amendment – don't want to abide by the 19 rules/assessment within the Covenant, therefore, they wanted to delete them. We gave a brief explanation of the 19 assessment. **This petition/amendment is not valid!** According to the lawyer, the petition/amendment was not done correctly. Filing it with the County doesn't nullify them (Building Restriction and Protective Covenants) but it does create a larger mess for all parties concerned. The County Clerk offices are not lawyers. They take most everything they're given and file it away, regardless of its legality, they will record it. There are 2 sets of covenants within Colony Ridge: one set covers most of Crestridge Drive and Rancho Way (21 homes). The other set covers everything else (80 homes). The first set is older and could not be dissolved by this petition/amendment. According to Dawn Cooley at the 2018 Annual meeting, she did not was to dissolve the Owners Association but get rid of the 19 assessments. Craig Ogawa stated at this meeting, they had several issues when combining all of the covenants; one issue was with the assessment rights. Woodworth (developer of Colony Ridge) has assessment rights (he doesn't own any property nor does Buckner in Colony Ridge) and they couldn't reach him to remove him from the covenants. They (Woodworth or Buckner) have no legal right to set assessment fines within Colony Ridge. According to CCIOA, the Owners Association does have that right. It was then explained that there have been 3 sets of covenants: 1981-Lone Tree Subdivision; 1983-name change to Colony Ridge Subdivision (Woodworth majority property owner); 1986-construction starts again with the rest of the land being developed. 1995-prior to road work we had to activate the Owners Association (HOA) for the Public Improvement District. New By-

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Laws were created and filed with this PID; here is where they try to mesh of the 2 sets of covenants into one. The Secretary of State has our incorporation papers on file: 1. Building Restrictions and Protective Covenants; 2. Articles of Incorporation & 3. By-Laws. You can't defunct the HOA with this type of petition/amendment as it is not a legally binding document. There was discussion on trying to change a couple of assessments before (poultry and vehicle parking) which failed. It was stated we would wait 2 years before evaluating them again. Things changed when the board decided to send out notices about violations of the assessments, i.e. parking. It was stated we (the board) were arbitrarily picking on homeowners-27 notices went out, 11 were not delivered and returned to the PO Box. They all went certified mail. The front page of that document stated what we were trying to do; the second page was the notice of violation. (This document can be found on the website.) There was no mention of fines, just that we notice your home was not in compliance with the Covenants. Owners in the first set were signing for nullifying the covenants in the other set or vice versa. According to this document (petition/amendment), all of Colony Ridge II is part of Colony Ridge Owners Association, Inc. **End result: the petition/amendment is not valid due to several factors – not set up right, signatures, and other items.** The decision of this group (homeowners at Annual Meeting on December 10, 2019): wait to take other action, continue research on all of covenants and then take all questions to the lawyer. Brian Loper made a motion to increase the amount of money for legal fee from \$500 to \$1000. Deak Shearer seconded and the motion was approved (17-0).

New Business:

Community Service-post helps and/or services, neighbors helping neighbors. Other avenues for posting things within our community is through the Clipboard (community referral), NextDoor, and Facebook (private for just Colony Ridge, not set up yet)

Snow Plowing-does the county still plow our streets? They plow the front part since that is where the school bus drops off/picks up students. We (the rest of Colony Ridge) are at the bottom of the plow schedule as all other major roads need clearing first.