

Buffalo Creek Homeowners Association

Board Meeting Minutes February 11, 2019

MEETING: The Board Meeting of the Buffalo Creek Homeowners Association was held at the Leeper Center on Monday, February 11, 2019, due to Thursday being Valentine's Day. Sally called the Meeting to order at 7:01 pm.

PRESENT: Board Members present: Sally Weisser, Karen Johnson, Jesse Riesterer, Bryan Lamoreaux, Kim Holbrook, Alden Gaw, and Natalie Ross. Leah Selvage was absent.

HOMEOWNERS FORUM: Maria Suarez 3325 Firewater and Clayton Graves. Maria had requested to address the Board with respect to her Swing Set which does not conform to HOA guidelines. Maria had installed the swing set without approval. It was identified too tall by 10 inches back on May 11, 2017 when she had been cited for painting her house without ARC approval and had received a fine of \$100.00 (There was an agreement and a reversal of the fine for house paint.) Maria received a summer variance on the swing set till September 2017. On September 23 she had not complied and was warned she would now be fined. She said her brother would fix the swing set but then when questioned in November Maria responded "I just wanted to inform you that my brother was not able to come and help me – I need more time – My brother works a lot and I need to work with his schedule". The Board then gave Maria an extension all winter till May 15, 2018. On June 2018 Maria had not resolved the issue and the Board reviewed the file and instructed Management to commence the escalating fine schedule. Maria questioned why there was only one signature on her letter. It was pointed out to her that letters and emails from the ARC may have one, two or three names – but it is a Committee decision when she gets notices. The ARC is an ancillary Committee of the Board of Directors. Decisions by the Board can be signed by one member and/or the Management Company who represents the Board. Tim asked Maria what her brother's solution was. She thought he would dig it into the ground but needed help. If he needed help he could call the Board and members could help. It was explained that the Board is gathering information from Maria, would deliberate on this and get the decision of the Board back to Maria. Maria said she had hail damage this year. Maria also said she had replaced her windows with energy efficient windows. Sally informed Maria that a decision would be sent to her and may have only one signature. Maria said she questioned signatures because she felt someone was picking on her. Sally pointed out it's a group decision and could have one signature.

Clayton Graves was not on the Agenda but requested to address the Board. Mr Graves said his trash service had been suspended for being 161 days past due but when he got that notice he immediately sent in a check, however his trash service was not picked up this past Thursday, February 7th and he wants it reinstated now. He has two weeks of trash and wants to know what happened. Tim asked when he sent the payment in. Mr Graves said immediately upon receiving the notice. Tim said delinquent notices go out around the 21st of the month. Mr Graves said yes – it (the payment) was mailed the end of January. Sally questioned when Mr Graves received the notice, and he said he checks his mail daily. Tim pointed out delinquent notices go out just after

the 20th – which is the date late fees are applied. The first trash suspension was January 31st. Mr Graves remembers he sent the check before that – probably the 30th. Mr Graves said he had told us several times to take the payment out of the ACH. Tim responded we cannot change ACH amounts as it is highly regulated and the signed agreement states specifically that it's for \$40.00. Mr Graves said you can't just suspend my trash service. Question came up to why over the past seven months of delinquency with delinquent notices being sent out monthly that include the defined collection process, why they did not resolve the issue. Discussion followed that when an account is 120 days delinquent, trash service is discontinued. All these notices had been sent and he had agreed he had received some of them. Mr Graves admitted that most notices he gets from the HOA he just throws in the trash. It was pointed out that there are costs to send out all of these notices. Mr Graves again said he had paid us in January but we kept his trash suspended.

Tim had heard of this issue from someone reading the Let's Talk Wellington site and had gone back to the old envelope file and pulled Mr. Graves envelope and showed it to the Board. It clearly showed a February 4th postmark. John (office worker) had received the payment in the mail on February 7th (2:00 pm delivery) and it was in the bank deposit of that same day - February 7th. February 7th was Thursday, trash day. Mr Graves then accused Tim of changing the postmark somehow. (On trash suspended accounts we need to receive payments no later than the Monday prior to allow Gallegos time to reprogram the truck routes.) Tim produced an email sent to the Graves dated February 9th, at 6:47 am (the day trash suspensions for that next Thursday are compiled for Gallegos), stating "We have received your payment and your account is now current. The trash suspension has been lifted. Thank you, signed Tim Singewald – Buffalo Creek Management" Today is the 11th – the email was sent the 9th. Clayton says his wife handles that stuff.

MANAGEMENT REPORTS: Karen made the motion to approve the minutes. Kim seconded and the Board voted unanimous to approve. Tim reported that since we did not do anything on delinquent accounts over the Christmas holidays, and after the required 30 day disclosure notice, 5 homes have been turned over to the attorney for collection representing approximately \$8,000.00. After a little discussion Jesse made the motion to approve the financial statements. Bryan seconded and the board approved by unanimous vote.

ARCHITECTURAL REVIEW COMMITTEE:

Satellite Dishes. Tim reported that there are 46 satellite dishes, and/or brackets, that are still mounted on the roof of homes after the summers replacement of hail damaged roofs. Tim reported that during the roofing it was found there was a lot of push back from satellite installers wanting to mount on the surface of the roof. In all cases they were able to find suitable locations since the HOA did not falter. It seems homeowners would like having their dishes accessible to where they can get to them easily to brush the wet snows out that eliminate signal. Bryan wants to know the costs of moving a dish vs the fines or if we should allow these to stay on the roof. Should we create a letter from the Board/ARC so the homeowner has something in hand to help them deal with installers? Do satellite dishes need to be screened behind the fence?

Solar Panels: Karen questioned the Boards thoughts about placing a solar array on the ground in the back yard. After discussion it was determined to research and have further discussions.

DISCUSSION ITEMS: Natalie was voted in as Treasurer at our last meeting. Tim wanted to affirm that as Treasurer she is required to be a signor on the bank accounts and ACH and just wanted to make sure this was the Boards intention or do we need a separate Resolution. The Board gave unanimous confirmation. Tim would work on signature cards.

CORRESPONDENCE: Tim shared some information received from a homeowner where they claimed the HOA suspended their trash service and did not turn it back on after they had paid their fines. Tim reported to them that the HOA did not turn it off and after the homeowner called Gallegos they found out they also had delinquencies at Gallegos which needed to be paid.

EXECUTIVE SESSION: At 8:09 Alden made the motion to go into Executive session to discuss positions on homeowner issues. Kim seconded and the Board voted unanimously to approve. At 8:25 Bryan made a motion to come out of Executive Session which was seconded by Karen followed by a unanimous vote to approve.

NEXT BOARD MEETING: **Thursday, March 14, 2019 at 7:00 pm in the Leeper Center.**

ADJOURN: Bryan would like to get one ARC email address. Karen asked why she could not use both emails. There was a concern about the email being listed in the HOA documents. More discussion needs to be had. Tim should take Dan off the permissions and add Sally. Bryan motioned at 8:34 to adjourn. Kim seconded and the Board was again unanimous in approval.