

Northmoor Acres Homeowners Association
Meeting of Board of Directors December 10 & 16, 2014

December 10, 2014

Meeting on December 10, 2014 held at Director Coulson's home.

Board Members Present: Directors Coulson, Eldenburg, Hersch, Martin, Ruof, Skeldum and Stroud.

Board Members Absent: Rieke and Schnitzler.

Special Guest: Kim Gardner, Oil and Gas Committee

Meeting chaired by Board President Ruof

Meeting came to order at 7:15 p.m.

Approval of agenda: It was moved, seconded and motion carried to approve the agenda.

Director Coulson presented a report of the status of the Oil and Gas Committee.

Oil and Gas Committee: The Oil and Gas Committee chairperson, Director Coulson, reported that, as part of investigations by the oil and gas committee, there was a need to have professional help. There had been a vote by email to employ the law firm of Astrella to advise us, with the caveat that we would not be billed until a lease was signed. The Board discussed the email vote and a motion was made, seconded and passed confirming the email vote to hire the Astrella Law Firm. Director Stroud abstained. The committee is also looking for a tax attorney who is expert in HOA ownership of minerals for ideas on how to handle the tax implications and corporate structure. The Board discussed the matter. The Board had been told that, if they do not get in a position to sign a lease, the HOA will be forced-pooled.

Director Coulson and Ben MacFarlane attended two oil & gas meetings in Denver with Lance Astrella and Steven Louis- Prescott of the Astrella Law firm on two separate days. The first day's meeting was with Extraction Oil, Inc. They were told that the offer was being pulled off the table. The second day's meeting was with Anadarko, who has leased property all around Northmoor Acres.

Anadarko told us that they would file the papers to force-pool us December 22 for the Whisper Rock well. Anadarko extended an offer of \$1,500 per mineral acre for a signing bonus and 18% royalty. This offer expires December 31st.

There was a discussion about whether or not to hire a CPA before the special homeowner meeting. The Board discussed how soon they needed to have the financial information regarding our tax situation. There was a motion and second to hire the CPA firm of Richard Bartels immediately to get the information before the special meeting. The motion carried.

Bills:	
Joanne Stroud – copies of the blue book	\$ 45.10
Tree Guys - cut down tree in greenbelt	<u>\$250.00</u>
Total	\$295.10

Moved to pay the bills, seconded and approved.

The meeting was suspended at 9:00 pm and will be continued Tuesday, December 16, 2014 at Director Eldenburg's house.

DECEMBER 16, 2014
Continuation of December Meeting

Meeting on December 16, 2014 held at Director Eldenburg's home.

Board Members Present: Directors Coulson, Eldenburg, Hersch, Ruof, Skeldum and Stroud.

Board Members Absent: Martin, Rieke and Schnitzler.

Special Guest: Homeowner A will attend the meeting at 7:30 p.m.

Meeting called to order at 7:10 p.m.

The Board continued with the Agenda as approved at the December 10, 2014 meeting.

Reports:

ACC Report. ACC Secretary Stroud reported that Homeowner A, who will be attending this meeting later, submitted a proposal to construct an internet tower on his property. This request was submitted to the ACC by Homeowner A in December and the request was denied. The ACC referred the matter to the Board because the ACC felt that the tower was not an ACC matter, but rather a community matter, which should be approved by the Board.

Special Guest. Homeowner A addressed the Board regarding the tower that he is wanting to erect on his property for internet service. Homeowner A asked why the ACC denied the approval. He said he has talked to his neighbors on either side and they don't care. He told the Board that an internet provider in Berthoud, Hilltop Broadband, was agreeable to placing a tower on his lot so that it could broadcast internet service to Johnstown and also serve Northmoor. There was discussion concerning the current service providers available to homeowners. The proposed antenna is roughly 40 to 60 feet high and the company would operate under a lease with Homeowner A. President Ruof explained that this violates the non-commercial enterprise covenant. There was discussion regarding the Board's objections and also possible solutions to the internet issues experienced by some homeowners. Homeowner A said he is allowed to build

a 40-foot tower without ACC approval because he is permitted to do so by the FCC. The Board discussed the matter and agreed that it cannot sanction any business use of Homeowner A's property and therefore the Board did not approve allowing the broadband company to build a 40 to 60 foot tower on his property. Director Eldenburg discussed placing the tower on her property since her personal property is not within Northmoor Acres HOA. The Board discussed the need to send a letter to Homeowner A declining to approve his request. ACC Secretary Stroud will draft a letter.

Conflict of Interest. President Ruof addressed conflict of interest and reported on her discussion with Attorney Fickel regarding same.

Secretary's Report. President Ruof briefly discussed revisions to the Board minutes for October and November.

Records Policy. President Ruof will revise the Records Policy to address changes in the law and circulate a draft.

Trash Notice. In January, Royal Disposal will start charging for trash in excess of the standard amount. The Board voted to send a notice in December to the homeowners regarding this change. It was moved, seconded and approved for the Board to provide the homeowners' names and addresses to the trash company as they are a subcontractor for the HOA. Director Coulson will prepare the trash notice concerning the fees for excess trash that will be sent out to homeowners.

New Policies. There are 2 new policies that will be sent out also in another email (Enforcement Policy for Covenant 2 and the Animal Equivalency Policy). President Ruof will draft the cover letter.

Oil & Gas Committee Report (updated). There was an apparent misunderstanding between the Oil and Gas Committee and an attorney they were interviewing, which now appears to be resolved. An attorney was contacted by the Oil and Gas Committee when they were interviewing attorneys to do corporate work. He was not hired and the committee told him that no money was approved to be spent on consultation. The attorney later called a committee member to tell him that he would be sending a bill for \$1,000. Director Coulson, who is the Committee Chair, has been in communication with the attorney regarding billing, the misunderstanding now appears to be resolved. No action is required by the Board at this point.

Bookkeeping Software Request. The Board received a request from Bookkeeper Russo regarding new software. Bookkeeper Russo has asked us to authorize the expense of \$59.00 for the new program. It was moved, seconded and approved to authorize the expense.

Treasurer's Board Report for November. The Board reviewed the November report. It was moved, seconded and approved to direct the webmaster to post the November web report.

Bills:

Bill Skeldum (envelopes and postage for dues notices) \$ 21.77

Deb Coulson (postage)	\$ 39.20
Ginny Hersch (stamps to mail meeting notices)	\$ 58.80
Bruce Fickel (on Account)	\$205.00
Jim Russo (webmaster)	\$ 90.00
Jim Russo (bookkeeper)	\$ 90.00
Joanne Stroud (ACC Secretary)	<u>\$ 90.00</u>
Total	\$594.77
Previously approved on 12/10/14	<u>\$295.10</u>
Total for December	\$889.87

Moved to pay the bills, seconded and approved.

Assessment Report: Three homeowners have made no payment (Homeowner B, Homeowner C and Homeowner D; they now owe \$290). One has made partial payment (Homeowner E, who has credit for \$47.00 from overpayment last year).

Updated invoices were sent out this week. Treasurer Skeldum will deliver a refund check for overpayment and a copy of the Release of Assessment Lien to Homeowner F.

Secretary's Reports for August, September and October. The reports will be posted.

Neighborhood Committee: Director Schnitzler resigned from the Neighborhood Committee. The committee had previously voted to cancel the fireside gathering in December. Director Coulson requested approval to use the reverse 911 system to notify homeowners of the fireside gathering cancellation, which was approved.

Architectural Control Committee (continued):

- The Board discussed the request for an internet tower by Homeowner A as reported above.
- Homeowner E Shipping Container. ACC Secretary Stroud reported to the Board that Homeowner E responded to the letter, which was sent by the Board requesting a formal approval for the shipping container they recently placed in their yard. Homeowner E told the Board that the shipping container was temporary and to be used to store furniture during an upcoming remodel project as well as some horse feed. The Board discussed and agreed that the ACC Secretary Stroud will send an approval to Homeowner E for a temporary structure for storage to be removed in June as agreed by the homeowner in the application.
- ACC Policy and Procedure. The ACC worked to revise the ACC Policy and Procedure. Board discussed the draft policy and procedure. The Board was provided a draft to review and discussed changes. President Ruof and ACC Secretary Stroud are working on some changes in response to the resolution passed last month. ACC Secretary is charged with reviewing some other associations' policies.

Property Maintenance Report: Director Rieke is not at the meeting to report.

- President Ruof reported that Dale Alps has picked up the bales from the greenbelt.

- Director Coulson reported that there is a pile of limbs behind Homeowner A's property. Director Coulson will call Homeowner A to see if the limbs are his. They should be moved as they are on County property.
- Dirt Ditch: the Board discussed that the Director Rieke had previously reported that the County was going to dig out the dirt ditch near the Homeowner G's property but this process was delayed due to the flooding. Director Rieke was to call the County again this summer/fall. Director Stroud pointed out that the ditch needed to be pulled on Homeowner G's property. President Ruof will add that back to the agenda. The Board approved the expense to have this done. Director Rieke will be asked to call the county regarding digging out the entrance to the dirt ditch. He will also be asked to investigate hiring a contractor to pull the dirt ditch on Homeowner G's property, Homeowner H's property and Eldenburg property.

Technology Report (Director Eldenburg)

- The HOA internet is working again so files can be attached to emails going to homeowners.
- Director Eldenburg has found another company to do the reverse 911 calls, it is a "pay as you go" company. We will be testing out the new service over the next couple of months.

New Members' Report. There are no new members. Director Stroud reported that she needs to send Blue Books to some new members. She is waiting for the updated policies.

Old Business:

- Homeowner D Property. A letter was sent regarding the condition of the property.
- Enforcement Policy. President Ruof is working on a revised draft.
- Animal Equivalency. President Ruof reported that this was ready to go. She will send out a corrected version. President Ruof will draft the cover letter.
- Enforcement Policy For Covenant #2 (Horse Policy). President Ruof reported that this was ready to go. She will send a final version to the Board. President Ruof will draft the cover letter.
- Boxes of Records. The Board discussed the files that various members were keeping and the possibility that the files could be scanned and put on the cloud so that the files would be more accessible. Director Eldenburg will get bids. Number of boxes were approximately 25.

New Business:

- Question from a Homeowner regarding who could plow out driveways in a snow storm – President Ruof found that Homeowner I's grandson has a plow attached to a truck and is

willing. Any plowing done would be a private arrangement between the parties and the Board would not be involved.

- There was an email received from Group Cast requesting whether Northmoor HOA would be extending our contract with them. The Board had previously voted to not extend the contract. President Ruof was authorized to send Group Cast an email to cancel our contract with them.

NEXT REGULAR MEETING: The next meeting will be held January 14, 2014 at Director Coulson's home.

NORTHMOOR ACRES BOARD OF DIRECTORS
Ginny Hersch, Secretary