

Northmoor Acres Homeowners Association
Board of Directors Meeting
October 8, 2014

Meeting held at Director Coulson's home.

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

Board Members Absent: Martin, Schnitzler and Stroud

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 as amended.

Reports:

Treasurer's Report for period ending September 30, 2014:

The Treasurer's report for September needs to be revised. We will review the revised report when it is available.

Bills:

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| • Royal Disposal (previously approved) | \$3,540.00 |
| • Deb Coulson (office \$17.25- copies of recorded documents) | \$ 17.25 |
| • Shawn Rieke (Dirt to fill holes left by removing dead trees) | \$ 10.53 |
| • Attorney Bruce Fickel – payment on account | <u>\$ 500.00</u> |
| • Total | \$4,067.78 |

Attorney Fees: According to the budget, the Special Assessment payment = \$160 per month (\$1,900/12). We also discussed paying any amounts received from lawsuit recovery.

USPS Box Rental (to be paid when bill comes). Approved up to \$50.00.

Lawsuit recovery: We have received \$386.10 and \$477.75 from Homeowner A in August and September and \$30.38 from Renter A in August for a total of \$863.85

President Ruof and Treasurer Skeldum will make an appointment to have our taxes prepared when the final year-end report has been prepared/approved.

Assessments Report: Six people have made no payment. They are Homeowners C. A total of \$280.00 is now due, including the \$5 per month late fee or \$220 if they pay half of the trash assessment now. Two have made partial payments (Homeowner D and Homeowner E).

Director Eldenburg will send out invoices including the accrued late fees.

Technology Report. Director Eldenburg reported that the computer and software were delivered to our bookkeeper. It is up and running.

Secretary's Report. The final secretary's reports for June, July and August were circulated via email. The June report was approved and will be posted. The July minutes were approved with the 2 spelling changes. They will be corrected and posted. August minutes will be revised and recirculated for approval. The September minutes will be revised and recirculated for approval.

Compilation Summary. Tabled.

Neighborhood Committee: The Neighborhood Committee submitted a fundraising and spending report as of August 5, 2014. The events for 4th quarter were discussed with the Board deciding to not sanction a Halloween event after dark in the picnic area.

Architectural Control Committee: July, August and September reports have been completed. Hard copies will be delivered to all Board members for their review.

Property Maintenance Report: Director Rieke reported on the hay being baled but not yet picked up. Dead trees have been removed from the west side of the main greenbelt. No stumps remain as the roots were removed and the holes filled. There is a question about whether there are more dead trees on the east.

Dirt Ditch. Tabled.

New Members Report. Tabled.

Old Business:

Enforcement Policy. Director Eldenburg and Director Coulson have drafted an enforcement policy. President Ruof is working on a revised draft.

Animal Equivalency. Director Stroud is working on a second draft of the animal equivalency policy. She will bring it to the next meeting.

Horse Policy. President Ruof is working on a draft horse policy. She will send out a draft to the Board.

Safe Deposit Box. President Ruof and Director Hersch did an audit of the safe deposit box. Secretary Hersch will update the inventory list.

Lawsuit Review. The Board received an objection filed by Homeowner A to the calculation of her garnishment. The court denied the motion.

Oil and Gas Lease. The Board delayed this discussion until after the rest of New Business was discussed.

New Business:

A motion was made, seconded and approved to pass the following resolution: NORTHMOOR ACRES HOA BOARD RESOLUTION regarding Architectural Control Committee (ACC) Procedure:

It is hereby recommended that the 2002 ACC Procedure be revised and updated to reflect the current practice described below. The current practice is a better implementation of the intent of the 2002 procedure, rather than the procedure outlined. The current practice is to have an ACC representative, usually the ACC Secretary, contact the neighbors personally about proposed construction by a property owner, instead of asking the property owner to obtain neighbors' written input. This procedure has been the established practice in Northmoor for approximately 12 years.

The ACC secretary, Joanne Stroud, confirmed that the ACC has not been requiring homeowners submitting plans for review to get written input on prints/plot plans from their neighbors since she has been Secretary – for approximately 12 years. It has been the experience of the ACC members that property owners are reluctant themselves to personally contact their neighbors about proposed building projects because of the potential for conflicts with their close neighbors and friends. Over the years, the ACC found it best to not try to get the neighbors to “agree” on the modifications to their neighbors' properties, but rather determined that it was best to have a representative from the ACC (or other designated person) go around and interview/educate the neighbors and get their opinions personally. The ACC representative has met with property owners constructing improvements - and their neighbors - to listen to concerns and to try to find a compromise if there were issues regarding the project.

Any procedure that requires having a property owner contact neighbors about proposed construction projects in order to get their written input/implicit permission not only likely creates a possibility of conflict among the neighbors but also is likely to be less objective. Having a neutral third party (like a representative from the ACC) make the contact is more likely to ensure both an impartial presentation and an honest response. In addition, having oral, rather than written, feedback to an ACC representative would likely make the feedback more detailed and thorough and help compensate for any bias.

Requiring a property owner to get “input” directly from his neighbors about a proposed construction project could imply that the neighbors have the right to “approve” a project before it could be approved by the ACC. It also gives the appearance that neighbors have undue influence and control over the process, and gives the neighbors the incorrect idea that they might have “veto power” over a proposed project. Homeowners don't, and shouldn't have, “veto power” over construction projects designed by their neighbors. The ACC should be making the final decisions, as specified in our governing documents. Further, even the ACC has limited authority when considering building plans submitted for approval, and as long as plans meet required standards, the ACC cannot force property owners to revise plans simply because of the

Committee's or another person's preference.

There was discussion regarding the draft ACC Policy and Procedure document. There needs to be a protocol form. Items can be posted on the website and/or in our common areas – needs more discussion.

Homeowner F. There are 3 horses being kept on Homeowner F's property. President Ruof circulated a draft letter to Homeowner F. It was moved, seconded and approved to send the letter.

Homeowner E. It was moved, seconded and approved to send a letter to Homeowner E regarding the metal storage shipping container on their property.

Homeowner G Fence. There was a question regarding a fence on the back of the property. After discussion, the Board decided to not take action at this time.

Oil and Gas Committee Report.

Deb Coulson presented a report from the Oil and Gas Committee. The Board discussed the report.

It was moved, seconded and approved to reserve the small meeting room in the Johnstown Community Center for the Board and the Oil and Gas Committee to meet with a representative from the Astrella Law Firm. Kim Gardner will call the attorney and find out how much it will cost, and what documents to bring.

NEXT REGULAR MEETING: The next meeting will be held November 12, 2014 at a location to be determined.

NORTHMOOR ACRES BOARD OF DIRECTORS
Ginny Hersch, Secretary