

## 2023 Woodland Ponds Homeowners Meeting Notes

The meeting was called to order at 7:10 PM on April 10, 2023 by President, Lee Nelson. Other Board Members present were Bill Welfelt – V.P. and Rob Miller – Treasurer. There were approximately 20 residents in attendance. Lee thanked the residents for attending and the Board members for their service. He also thanked the City of Montrose and the Montrose Police Department for providing the meeting room free of charge.

First order of business was the Budget report presented by Rob. Attendees were all given copies of the 2022 Expenses and the 2023 Budget estimate. Beginning balance was \$8,844.85 in the checking account and \$15,005.06 in the Reserve Fund. Income from the HOA Dues was \$9,500. This results in an Operating Fund for 2023 of \$18,344.85. Budget Estimate for 2023 is: Insurance - \$700, Utilities - \$1,000, Repairs and Maintenance - \$8,000 (\$6000 already spent for riverbank erosion control and cleaning of the ditch between the ponds and the river), Park & Pond Maintenance - \$2,000, Miscellaneous - \$1,800 for a total 2023 Operations Estimate of \$14,000. Bill, Lee, and Rob all agreed that the \$6,000 that we spent for the erosion control and ditch cleaning was very reasonable for the amount of work performed. More work may be needed on the riverbank if heavy Spring runoff causes more damage. Lee and Rob discussed what is included in the maintenance costs. Lee also explained that the common areas include the walking path along the river, areas along the path between homeowners' property and the river (including the riverbank), the ponds and areas surrounding them, the park, and the wooded area east of the ponds. There seemed to be general consensus that the Budget presented was reasonable as there were no dissenting comments from the attendees.

Lee reported on work that he was able to get done by the County. Crack sealing was done on the neighborhood roads last fall. Nobody could remember this ever having been done before. The County also replaced the raised manhole covers for the storm sewer with low profile manhole covers. The raised covers posed a hazard for motorists and pedestrians as vehicles would occasionally strike them and knock them off of the pipe. West Montrose Sanitation also replaced the cover for the sanitary sewer. The County is also supposed to cover the dirt section of Lavender Circle with gravel this spring. We were unable to convince them to pave it.

Lee and Bill lead off a discussion on the incorporation of the Sunrise Ditch Company. The Board has yet to decide whether or not to join. There are advantages and disadvantages to joining. A water attorney reviewed the agreement and pointed out some of the flaws. None of them were major. The advantage to joining would be that we would have a say and a vote. The disadvantage is that we would be bound by any decisions that they make. With one shareholder holding the majority of the shares, that person could effectively out vote all of the other shareholders and basically control the ditch company. Bill received an invitation to attend the last ditch company meeting. Bill, Lee, and Tim Barrientos attended the meeting. Bill and Lee agreed that the meeting was very cordial. We were allowed to speak but not allowed to vote. Even if we choose not to join, the ditch company still has the power to assess the HOA for maintenance costs. As non-members we could refuse to pay if we felt the charges were unfair or unreasonable. The ditch company could potentially file a lien against us if we did not pay. If we were members we would have no choice but to pay. Bill thought that this year's assessment was fair and in line with what we have spent on maintenance so the Board approved payment. Some attendees voiced

concerns of how this situation affects our water rights. Bill assured everyone that our water rights are legally protected. Whether we join or not we still have our water rights. Lee cautioned that there could potentially be unforeseen legal challenges in the future and that we need to be prepared for them, including having a sufficient Reserve Fund to pay for any legal fees. There is also the potential that water could be restricted to all users if the drought continues. The decision on whether or not to join will be discussed at the next Board meeting.

Lee brought up the potential of HOA dues being raised next year. The dues have never been increased since the HOA's inception in 2006. The maximum increase is 10% per year. Lee reminded everyone that the cost of everything has gone up in recent years including the cost of running the HOA. Bill also cautioned that the irrigation system infrastructure is now 17 years and we need to be prepared in case there is a failure. Replacing underground piping could get real expensive real fast. There did not seem to be any strong disagreement or objections from the attendees.

Lee brought up the need for volunteers to fill open positions on the Board. We currently need a Secretary. The Secretary's main duty is to compile meeting notes. They do also get a vote on the Board. There are also three openings on Architectural Review Board (ARB). The main function of the ARB volunteers is to review applications from homeowners who want to make changes to their property and to insure that the proposed changes are in conformance with ARB guidelines. The changes could be painting, landscaping, fencing, etc. ARB members do not patrol the neighborhood looking for violations or enforcement action. None of these positions require more than a couple of hours per month. In fact, you could go months without doing anything. These volunteer positions are important for the smooth operation of the HOA. There have also been previous discussions about hiring a management company to run the HOA and eliminate the need for the Board and volunteers. Lee looked into it and got an estimate of \$6,300 per year from one management company. The general feeling seemed like this was too much money and we would likely exceed our budget. It was also mentioned that the money is better spent on maintenance, improvements, etc. Lee explained that we could be forced to hire a management company if we are unable to get enough volunteers to maintain a viable Board.

Lee started a discussion on reviving the proposed Amendment 4 which was voted on back in 2021 but didn't pass because not enough residents returned their ballots before the deadline. Bill and Lee gave a brief history on the proposed amendment. The amendment was created with the hope of clarifying some vague language in the original covenants. Attendees were given copies of the proposed amendment and copies of the original ballot. Lee explained that we were not voting on the amendment tonight but merely trying to get some input in order to revise the language (if necessary) before sending it out the members for a vote. According to the covenants, the ballots must be mailed out to the residents. Lee also mentioned that the drafting of the amendment was done before he was a Board member and that he had had no input on the language of the amendment. There seemed to be a general consensus that there was a need to clarify some of the language in the covenants and the amendment would be a good idea. There was some heated discussion on Proposal #2 regarding parking of personal vehicles. There were valid arguments on both ends of the spectrum. Some argued that the proposed limit of four personal vehicles parked in the driveway was reasonable while others argued that four vehicles was too many and the limit should be no more than two. Proposal #3 concerning

recreational vehicles also generated a lengthy discussion. Some people were happy that Woodland Ponds was RV friendly. Others not so much. A couple of people stated that they bought their home in Woodland Ponds specifically because it was more RV friendly. It was pointed out that RVs were allowed by the original covenants but the language was very vague about size, type, quantity, and where they may be parked. Lee mentioned that he did not know of a valid reason why Class A motorhomes would be discriminated against and a more reasonable regulation would be to have a limit on the maximum length of an RV – maybe 33'? There seemed to be general agreement on that type of regulation versus an outright ban on Class As. There did not seem to be too much discussion the number of RVs allowed as long as they were properly parked. Someone also suggested that there should be a limit on the number certain types of RVs in order to prevent someone from having three motorhomes or three 5<sup>th</sup> wheel camping trailers, etc. After a lengthy period of discussion, Lee suggested we table the discussion for now and send the proposal back to the Board for revisions before sending a ballot out to the residents.

There was a brief discussion about the need for a Spring clean up. Lee reported that a lot of the work has already been done by volunteers. Lee said that he would send out an email if more work was needed. One resident stated the need to spray the weeds along the fence on Marine Road before they get too big. Lee will look into getting that done quickly by the lawncare company or possibly a resident volunteer.

Lee briefly talked about having some fun activities for our little community. Maybe a summer picnic? A community ATV ride? There did not seem to be much enthusiasm for either. Lee also mentioned that one of the neighbors suggested that we should have a website where residents could search for and download HOA documents. We could also have a bulletin board and maybe a for sale section. Lee has contacted a web designer to see how much it would cost. In lieu of that, maybe a quarterly newsletter.

Rob made a motion to adjourn. It was seconded by Bill and passed unanimously. Meeting was adjourned at 8:30 PM.

Submitted by Lee Nelson