

Buffalo Creek Homeowners Association

Board Meeting Minutes - April 8, 2021

MEETING: The Board Meeting of the Buffalo Creek Homeowners Association was held at the Leeper Center on Thursday, April 8, 2021, directly after the Special Homeowners Meeting for the election of Board Members. Sally called the Meeting to order at 7:40 pm.

PRESENT: Board Members present: Sally Weiser, Bryan Lamoreaux, Natalie Ross, Clayton Graves, Ted Craig and Pat Cordova. Victoria Benjamin, Jeff Looney and Zachary Boyer were not in attendance. A quorum was established.

ELECTION OF OFFICERS: Bryan made the motion to re-elect Sally as President. Natalie seconded. Nominations were closed and the Board voted unanimous to elect Sally as President. Ted nominated Bryan as Vice President; Natalie seconded. Nominations were closed and Bryan was voted in as Vice President by unanimous consent. Bryan made the nomination to elect Clayton as Secretary and Natalie seconded. Nominations were closed and Clayton was voted in as Secretary by unanimous consent. Bryan nominated Natalie for Treasurer and Pat made a second. Nominations were closed and Natalie was voted in as Treasurer by unanimous consent. Ted Craig was appointed as Assistant Treasurer. Natalie said she would like to get off of the Architectural Review Committee (ARC), but she would stay in that position until the Board could find a replacement. Two points were discussed. First, our Bylaws claim that the office of Secretary and Treasurer could not be held by the same person. Also, there is no requirement that Architectural Review Committee Members be Board Members, just that they need be homeowners in the HOA. ARC has not worked on House Paint, Fence Stain, nor Satellite Dishes over the past year due to covid. We should put this on next month's Agenda. Further discussions on the ARC will be held off till next meeting to get input from the new Board Members not in attendance tonight.

MANAGEMENT REPORTS: Bryan made the motion to approve the March 11th Board Meeting Minutes. The motion was seconded by Clayton and the Minutes were approved by unanimous consent. Natalie had questions with respect to the Financials. She wanted to know why under the description line for the payment of the 2020 Tax Returns it had the notation of 2015. Tim was unaware of that and upon review the notation was an auto fill by QuickBooks. Tim pointed out the billing from the CPA is in the packet showing this was for the 2020 tax return and it was paid for by this check #4154 on 3/13/21. Natalie questioned check number 4140 in the amount of 246.88 that was paid to Tim Singewald from last month's Board Packet. Tim pointed out that the billing receipt from Jason Medina which was in the March Board Packet showed that he had received an amount paid from Tim Singewald as the down payment for the project of repairing 2 - 6 inch posts along Buffalo Creek Parkway. (This down payment was made to Jason Medina while Tim was away on vacation). Natalie was concerned that there was no information on what was being repaired. Tim pointed out that Jason's receipt states fence repairs on Buffalo Creek Parkway and Tim's note in the packet identifies the fence behind 9076 Smoke Signal. This section of fence was broken by the high winds a few weeks prior. Natalie did not like the form of receipt that was submitted by Jason Medina. Tim pointed out that this is

the standard form Jason uses and he sees no problem with it. Natalie was upset that this should have been presented in a different format from Tim for re-imbusement, an expense report was suggested. Tim had no problem with that and would do so in the future. Natalie was upset that we were fixing a homeowner's fence. Tim pointed out that this is a perimeter fence between the homeowner and the green space, and we have been fixing issues like this since the beginning of the HOA. A few years ago, we developed a repair process where if a homeowner causes the need for the repair due to their landscaping or other issues causing the damage, they would be required to do the repair. Some issues of wear and tear are shared and some issues, like this one where the wind snapped the fence posts, the HOA has handled the repairs. Bryan made the motion to approve the Financials, and this was seconded by Pat. Board Members approving: Sally, Bryan, Pat, and Ted. Opposed were Natalie and Clayton. The motion carried. Cedra and Altitude Fence were suggested as good fence companies. Natalie requested that the Board consider an Audit from a third-party CPA. Natalie is concerned that she sends emails out to the Board and does not get responses. Sally said that at the end of any meeting Board Members should state what they would like on the next Agenda. Tim pointed out that the reason he tries to get the Board packet out so early, is so Board Members have a chance to go through it and make sure issues requested are in the Packet. If there are issues a Board Member wants included, there is enough time that they can be corrected prior to the meeting by contacting Management and/or the Board President.

ARCHITECTURAL REVIEW COMMITTEE: Discussion covered the backyard project along Iron Horse for a patio which changes the grade. If the retainage wall is not over 4 foot high it does not need Town Approval, however the Town advised that the HOA should be careful to make sure any change in drainage does not affect a neighbor. Tim said that a homeowner on this street had claimed the new sidewalk, on the far side of the drainage swale, almost 100 yards away from their foundation, caused their basement to flood. The HOA had a court case over it. The Board should take care when making decisions in this area as it is a historical a high ground water area. After reviewing the submitted documentation and after discussion, the Board consensus was to allow the backyard improvement.

DISCUSSION ITEMS: Tim discussed the history of dealing with portable basketball hoops. Complaints have come in about these encroaching the walkway. Houston Hoffman, 3313 Thundering Herd, said we need to keep hoops back off sidewalks as some people roll (Wheelchairs) on sidewalks. Bryan and Sally want fence and house on the next Agenda. Tim is also having issues with unlicensed vehicles being stored in the HOA, some up on blocks. Tim wanted to give the Board some back story on this as he saw these issues building. On March 31, 2021, Tim had sent an email to the Board requesting that they drive by and review the Ambush Property. The homeowner/tenant at the property implied they had an approval from a Board Member to store those vehicles. Board Members had not seen the request and/or had not driven by, however none said they gave approval, and it was pointed out by Bryan it would require a Board vote to get an approval. There was discussion about having the Sheriff's Department tow away unlicensed vehicles. Tim would take that action if our efforts were unsuccessful. The violation process was discussed again. Natalie wanted to see all violation warnings that are sent out. Bryan thought that letters sent out could be sent to the Board. Tim had concerns that this process would add multiple hours of work every month and questioned what value this added paperwork would serve. Tim said it's like creating a mountain of work to protect against a nonproblem. We have not had any of the homeowners that came in for a Hearing Process claim they did not have a violation, they just wanted to get the fine money back. If a homeowner

contested the fact of a fine and we did not have a proof, we could always refund the fine, however the process would be recorded and in the file for any future reference. The refunded \$50.00 would be far less than the cost and time involved in copying everything to the Board every two weeks. Bryan agreed that out of 99% of the people who get the warning letters, things do get resolved and asked Natalie that if an issue came up from a homeowner, could an email be sent to management requesting a copy of the letter, along with a little history, be sent out to all Board Members? Sally brought up her discussions that Board Members should not interject themselves between the Management Company and a homeowner. Board Members should only be acting as a group. Bryan agreed and said that with the new Board email we can be a united front. Bryan also warned new Board Members of the need to be “very careful” of being worked by a homeowner saying things like, Tim’s been a jerk, Bryan’s been a jerk, but you’re a good guy and that’s why I’m coming to you to get this refunded. Communicating issues first to Tim and then amongst ourselves will allow us to have a united front. Bryan asked Tim if someone asks for information on a homeowner can he send that to all Board Members. Tim said yes, that would work. Sometimes things get blown out of proportion before the Board gets all the facts. Tim’s fine with the Board making any decision they would have available to them with respect to reversing fines, giving variances and the like. Tim just warns that the proper process be followed so that all of the pertinent information is available to the full Board prior to a decision being made so that facts are not being misrepresented. Sally says we need to follow the process so there is consistency in dealing with homeowners. Sally wanted to get a consensus of the Board. The Board does not need all the violation warning letters, just be able to get them upon request. Tim’s already taking pictures of fines. Sally encouraged the Board to direct homeowner complaints to Management. Board members cannot promise homeowners anything. Issues that get to the Hearing Process level will be determined by the full Board. Sally wants the Board to write down and send in their questions for the attorney this week.

NEXT BOARD MEETING: The next Board Meeting will be held Thursday, May 13, 2021, at the Leeper Center. There will be an Executive Session scheduled with the HOA Attorney beginning at 6:30 pm and the regular Board Meeting will begin at 7:30 pm.

ADJOURN: With no further business before the Board, at 9:57pm Bryan made the motion to adjourn which was seconded by Clayton. The vote was unanimous to adjourn.