



Fountain Greens
Homeowners Association

**Fountain Greens Homeowners Association
Board of Directors Meeting**

December 18, 2019 at 6:30 PM – Country Club Greens HOA Clubhouse

Board Members Present:

J.Kopf, J.Mutschler, D.Scott, N.Sellitto, K.Soukup, A. Teunissen, C.VanMatre

Board Members Absent:

M.Greenwood, F.Strife,

Foster Management Representative: Kevin Lucas

I. Call to order:

- a. The meeting was called to order at 6:33 PM.
- b. Members were present, as listed above, which constitutes a quorum of board members.

II. Homeowner Open Forum:

- a. No homeowners were present, therefore no open forum items were discussed.

III. Previous Minutes:

- a. The Minutes of the Board Meeting held 11/11/19 were approved as presented. *[Motion by Kopf; seconded by Scott; approved unanimously with Soukup and Teunissen abstaining]*

IV. Committee Reports:

- a. The Landscape Committee had no updated information to discuss. The cottonwood trees between Block 1 and Block 2 were briefly discussed.
- b. The Encroachment Committee stated that 2 agreements are in process, and that the agreement with Block 1 is believed to be signed.
- c. The BLOCK 3 ARC Committee had no topics to discuss. It was conveyed that certain members of the Block 3 ARC Committee were not informed about the BCC work being completed. It was suggested that communication amongst the Block 3 ARC be improved, if possible.
- d. The BLOCK 4-8 ARC Committee had no topics to discuss.
- e. The BLOCK 9 Advisory Committee had no topics to discuss.
- f. The Property Mapping Committee had no topics to discuss.

V. Unfinished Business:

- a. The West Park & East Park irrigation system renovation projects have been approved, and based upon the contractor's schedule, will be completed as weather allows.
- b. The previously approved list of deferred maintenance pruning is in process and will be completed over the coming months.
- c. The 2020-2021 operating budget process was presented and discussed, to include a \$1 increase to General Operation Expense and a \$1 increase to General Reserve Funding. Following discussion, a document to include Six Resolutions was presented by VanMatre (attached for reference). The individual resolutions were clarified to include dates & locations. The 6 Resolutions were approved as presented/clarified. *[Motion by VanMatre; seconded by Scott; approved unanimously including Proxy submitted by Strife]*
- d. Policy #4 – Covenant Enforcement – has been distributed and was presented for final approval. Having no homeowners present to discuss the Policy #4, the policy was approved as presented. *[Motion by Mutschler; seconded by VanMatre; approved unanimously]*
- e. The BCC tree removal and staircase replacement is in process. The stairway replacement project was discussed at length. Following discussion, it was approved to accent the proposal to replace the stairways, with double handrails, at a shared cost of \$10,000 with the BCC, and that funds are to be used from the Common Funds of the HOA. *[Motion by VanMatre; seconded by Mutschler; approved unanimously with Soukup abstaining]*
- f. BLOCK 7 has used \$1300 of their reserve funds for tree trimming/removal. The work has been completed per the homeowner coordinating the project. The work was contracted with Bees & Trees, and the invoiced named the HOA as the customer, as requested by the Board.

- g. An additional trash bin has been installed at the EAST end of the common area, in an effort to resolve overflowing use of the trash between collection dates.
- h. A question regarding pond light electricity on the East side of Clubhouse Dr has been raised by Block 1. The electricity bills/meters will be investigated to determine where the electricity is coming from, and who is paying for that meter.

VI. New Business:

- a. Water levels on the West Pond are reported to be continually decreasing. Sun & Shade will be requested to investigate possible solutions to the outlet in the Spring, to ensure the outflow has not been undermined.
- b. The water line break in Block 6 was briefly discussed. The City has completed the repairs, at no cost to the HOA. It has been discussed amongst some Block 6 homeowners that additional work may be needed, to replace the asphalt with concrete, once the expected ownership changes have completed on a couple Block 6 properties. The cost of the repairs will be a Block 6 reserve expense.
- c. Snow removal services were discussed. Ad-Hoc removal for large accumulations for Block 9 properties is not available. If regular services for snow removal is needed, it could be contracted for 2020-2021 season, but the contractor does not have resources to contract for Ad-Hoc services. Snow removal on county/city roads was briefly discussed. The 16+ inch snowfall made for a difficult removal, but the contractors did as good as they could, given the circumstances. Snowfall is inevitable in Colorado, and major storms like the one experienced are to be expected occasionally. Homeowners should be prepared accordingly.
- d. Board Members Mutschler, Soukup, and VanMatre are up for re-election at the upcoming Annual Meeting. All Board Members stated that they would run for re-election, but that additional candidates would be encouraged. The Board Positions were briefly discussed, but a final determination of positions would be made at the meeting following the Annual Meeting.

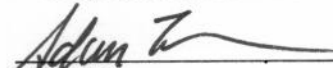
VII. Manager's Report: (homeowners requested to excuse themselves for the remainder of the meeting)

- a. November Financials were briefly discussed.
- b. Delinquent accounts were briefly discussed. No accounts are currently past due in November. Outstanding balance due the HOA is currently \$5,598.00, all of which is considered current.
- c. Covenant Violations were briefly discussed.
- d. ARC Applications were not discussed.
- e. J.Kopf discussed the operation of the HOA, and extended her appreciation to the entire HOA Board for a job well done. The Fountain Greens HOA Board is a very functional group of individuals, and a number of projects are being completed. The Board thanked Kevin with Foster Management for his role in assisting the Board, and each Board Member was thanked for their continued efforts.

VIII. Meeting Dates:

- a. The Next Meeting is scheduled to be held WEDNESDAY January 15th, at the Country Club Greens clubhouse at 6:30pm.

IX. Adjournment: The meeting adjourned at 8:12 PM.

 1-15-20
SIGNED DATE

Resolutions Approved at Dec. 18, 2019, Board Meeting

1. Resolved, that the Board's meeting agenda for December 18, 2019, be amended to include a discussion and vote each of the following issues:
 - Establishing a place for the annual meeting of the Members (Homeowners);
 - Establishing dates and places for Board meetings for the months of January through June 2020;
 - Final approval of annual budget for Association's fiscal year beginning March 1, 2020, and ending February 28, 2021;
 - Final approval of and establishment of annual assessments due on March 1, 2020, from each Homeowner/Member of the Association (subject to their right to elect to pay that annual installment in monthly installments as authorized by Paragraph 11 of Part B of Policy Number 1);
 - Specifying the date when U.S. mail transmittal of the Budget adopted for the fiscal year March 1, 2020, through February 28, 2021, will be made; and
 - Specifying the date when the U.S. mail transmittal of the notice of annual meeting, proxy solicitation, election of directors, and other matters to come before the annual meeting of the Members will be made.
2. Resolved, that the Annual Meeting of the Members of the Association be scheduled for Wednesday, February 19, 2020, at 6:30 p.m. at Boulder Rural Fire Protection District Offices Boulder, Colorado.
3. Resolved, that meetings of the Board of Directors be scheduled for January 15, 2020, February 19, 2020, March 18, 2020, April 15, 2020, May 20, 2020, and June 17, 2020, each to be held commencing at 6:30 p.m. at the Country Club Greens Condos Clubhouse, Boulder, Colorado, and that appropriate advance notice of each said meeting be given to the Directors and Members as required by the laws of the state of Colorado and the Association's Bylaws.
4. Resolved, that the proposed annual Budget and Schedule of Annual Assessments based upon said Budget as prepared and recommended by the Finance Committee for the period March 1, 2020, through February 28, 2021, be approved, that copies thereof be appended to and incorporated in these minutes by reference, and that said proposed Budget and Schedule of Annual Assessments be the basis upon which each Member's annual assessment for the same period is determined; that notice of the adoption of said Budget for the period March 1, 2020, through February 28, 2021, be mailed to each Member in the manner required by the Covenants (as Amended) of the Association; that e-mail notice of the adoption of said Budget be sent to those members who have furnished the Association with their e-mail addresses as soon as possible informing the membership of the Association as to the adoption of said Budget, and that a copy of said Budget be posted on the Association's website under the "Financials" tab as soon as reasonably possible following this meeting.

Resolutions Approved at Dec. 18, 2019, Board Meeting

5. Resolved, that, effective as of March 1, 2020, the annual assessment due from the Members of the Association be the respective amounts reflected on the Schedule of Annual Assessments as prepared by the Finance Committee; that a copy of said Schedule of Annual Assessments be appended to these minutes and incorporated herein by reference, that each Member be allowed to pay that Member's annual assessment in monthly installments commencing March 1, 2020, and on the 1st day of each calendar month thereafter in accordance with Paragraph 11 of Part B of Policy Number 1; that a copy of said Schedule of Annual Assessments together with a schedule reflecting the monthly installment payment amount due from each Member be posted on the Association's website as soon as possible following this meeting; that said schedules are hereby approved, that written notice of said annual assessments and monthly installment payment option be sent to each Member by U.S. Mail in the manner required by the Covenants (as Amended), that said notices be mailed to the membership in the manner required by Section 38-33.3-303 (4)(a) C.R.S. and the Association's Bylaws no earlier than January 2, 2020, and no later than January 16, 2020, and that the Association's officers be authorized to take all necessary steps, provide such notices, and execute any documents required to give effect to the intents and purposes of this resolution.
6. Resolved, that written notice of the Annual Meeting of the Membership of the Association be sent to each Member by U.S. Mail in the manner required by the Covenants (as Amended), that said notice be mailed to the membership in the manner required by Section 38-33.3-308 C.R.S. and the Association's Bylaws no later than January 25, 2020, and coincident with the mailing of the notices of Annual Assessments due March 1, 2019; that the Association's officers be authorized to take all necessary steps, provide such notices, and execute any documents required to give effect to the intents and purposes of this resolution.

DIRECTOR'S PROXY

[For Meeting of Fountain Greens Homeowners Association, Inc., Board of Directors]

Date Proxy was Executed: **December 18, 2019**

Date and Time of Meeting for which Proxy is Effective: **December 18, 2019, at 6:30 p.m.**

Resolutions with respect to which Proxy is Effective: **Attached six pertaining to annual meeting of members, budget for fiscal year March 1, 2020, through February 28, 2021, annual assessments for said fiscal year, and notices to Association Members**

Person to whom Proxy has been Granted: Craig A. VanMatre

E Frederic Strife (the "Director"), who is a member of the Board of Directors (the "Board") of Fountain Greens Homeowners Association, Inc. (the "Association"), and in accordance with Section 6.7 of the Amended and Restated Bylaws of the Association dated May 20, 2017, and Section 7-128-205 (4) of the Colorado Revised Statutes, does hereby designate Craig A VanMatre (the "Proxy") as his/her duly appointed Proxy pursuant to the following:

1. This designation by the Director of the above-named person as the Director's Proxy shall be with respect to the above specified meeting of the Board scheduled for December 18, 2019, at 6:30 p.m. MDT, including any continuance and reconvening of same.
2. This Proxy shall be effective for the purpose of casting the Director's vote in favor of the Resolutions which are attached to this designation (thus empowering the Proxy to vote "yes" with respect to each of the attached proposed Resolutions of the Board of Directors of the Association). The Proxy shall be empowered to cast the Director's vote as specified in this paragraph in the same manner and with the same effect as if the Director were personally present and voted at said meeting with respect to the Resolution.
3. This Proxy also shall be effective to determine whether a quorum of the Board was present at said meeting at the time the Resolution was discussed and voted upon.

IN WITNESS WHEREOF, the undersigned Director has signed this Proxy and has caused a copy thereof to be delivered to the Proxy on the date specified above. The Proxy shall file a copy of this Proxy with the official records of the above specified meeting.

E Frederic Strife