

**INDIAN CREEK HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
MINUTES
OCTOBER 4, 2011
HOME OF DIANE LEVENE
1590 S. SYRACUSE STREET**

The Indian Creek Board of Directors meeting on Tuesday, October 4, 2011 at 7:00 p.m. at the home of Diane Levene. Board members present were Nancy Calkins, Diane Levene, Penny Sue Hollon, Carol Vaughan and Ben Gochman. Danielle Loquercio represented Management & Maintenance, Inc. Several homeowners and tenants were also present including Laura Gravina, Peggy Rogers, and Garrett Singer. Tenant names were not given. Association attorney Richard Johnston was also present.

Call to Order: Nancy called the meeting to order at 7:00 p.m.

Homeowner Forum: Laura Gravina attended the meeting to discuss the actions of her neighbor in 7660 E. Gunnison Place. Laura explained there is traffic going in and out of the home continually, many people living at the home, and excessive noise.

Laura said she attended mediation with the Trust beneficiary at 7660 E. Gunnison Place, Jill Clinton, arrived drunk, and there was no improvement.

Laura said that a death took place in the unit in January 2011 from the use of methadone. Rich Johnston requested copies of the police report and asked for the status of the hearings on the disturbance of the peace. Laura indicated that she dropped one case on disturbing the peace, all other cases had only been filed recently.

Rich also inquired if the Association's Notice of Complaint form was filled out. The tenant in 7650 E. Gunnison Place said that she would be willing to fill out a form. The tenant in 7595 E. Gunnison Place said she too would be willing to fill out a form and said she contacted the police on 7660 E. Gunnison Place. Rich reminded everyone that they could only file complaints based on firsthand knowledge, and not hearsay.

Laura said the Association could pursue the Single Family use portion of the Covenants, and indicated she had filled out the Notice of Complaint. Rich said that the definition of "single family" has changed and no longer means just blood relations, or marriage. Rich said with having Laura filed the disturbing the peace report, the Association may be able to pursue noise. Rich again requested copies of the police report.

Laura went on to say that one of the people residing at Ms. Clinton's home is a sex offender. Rich also advised Laura that she did not need the Association to pursue the Covenants, as she had the right per Article 8 of the Covenants to pursue them on her own.

Laura reported that she also contact the Community Resource Officer, Tony Burkhardt with the police department. Laura said that Ms. Clinton was removed from a previous complex and uses both drugs and alcohol. Rich again said the Association can only pursue what is in the Covenants. Rich said that Laura and her neighbors should provide copies of police reports and file the Notice of Complaint for the Association so the Association could pursue it. Laura and her neighbors left the meeting.

Peggy Rogers at 1571 S. Syracuse attended the meeting to document a complaint against her neighbor at 1573 S. Syracuse. She said the neighbor removed sod from her yard to transplant into their yard. Additionally she said a tree between their two yards was trimmed by her neighbor without her consent. She went to discuss the matter with her neighbor and he screamed profanities at her and requested she leave his property. The Board agreed that if the tree is on his property, he was responsible for trimming the tree. She requested the manner in which she was treated be noted in the file. She said that her lawn is recovering. Peggy left the meeting.

Sewer Line: Ben explained that he received a letter requesting his driveway be replaced. He brought his neighbors to the meeting to discuss possible options. Garrett Singer, who lives to the west of Ben said he would prefer his driveway and lawn not be torn up with the replacement sewer line. There was no main line under the City street that could be tapped. The line could be disconnected and rerouted into the neighboring sewer line to the west. Kenny, is the neighbor to the west and a contractor, and said he wanted to discuss the matter with the City further. He did submit two proposals. Ben also said the Association would need to pursue additional bids.

Election of Officers: The Board agreed to the following positions: Nancy – President, Ben – Vice President, Diane – Secretary, Penny – Treasurer, and Carol – Member at Large.

Minutes: The September 1, 2011 annual minutes were reviewed. A correction was made. The minutes will be distributed with the monthly billing at the end of October.

The August 2, 2011 minutes were reviewed. Ben moved to approve the minutes as submitted, Penny seconded, vote unanimous.

Financial Reports: The financial reports were reviewed and checks were signed. Penny inquired if the pool phone was turned off. Danielle reported that it had been.

The delinquency list was reviewed. Nancy Sloane's account at 7671 E. Iowa Ave was discussed. The Board agreed to pursue a lawsuit to obtain judgment.

The foreclosure at 1555 S. Roslyn Street was discussed for non-payment. The Board agreed to pursue the bank for payment.

Glen Shannon at 1596 S. Spruce Street submitted an email requesting his late fees and legal fees be waived. He used a bill pay service and said the bill pay service sent the payment. He indicates that

Management & Maintenance, Inc. (M&M) lost the check. M&M could not locate the check in the office. Ben moved that no late fees, fines or legal fees would be waived, Penny seconded. Nancy, Ben, Penny, Carol in favor, Diane abstained. Diane indicated she would be in favor of waiving the late fees.

The Board reviewed two requests for the removal of fines. Ben moved to waive the fine for 1553 S. Roslyn Street in the amount of \$25, Diane seconded, vote unanimous.

Ben moved to waive the fine for 7630 E. Gunnison Place in the amount of \$25, Diane seconded, vote unanimous.

Lunch Bunch: Penny reported the Lunch Bunch went to Lake Dillon to view the leaves and eat lunch.

Bathroom Remodel: Dave Kirchner submitted a revised proposal to repair the bathrooms. Diane moved to accept the revised proposal, Carol seconded, vote unanimous.

Singing Hills Landscape: The Board reviewed an email from Ernie to transplant the iris. The Board agreed to proceed. The Board requested they be placed near the signs on Florida or on Quebec Way.

Ernie suggested an upright juniper bushes be pruned at Quebec Way and Florida. Singing Hills is not able to prune the bushes due to the height. The Board suggested Danielle contact EcoCutters.

Fence Assessment: The Board reviewed the fence assessment for the perimeter fences. The Board requested the interior perimeter fences also be assessed. Danielle will notify the contractor.

Homeowner Correspondence: The Board reviewed a letter from Robert Page at 7665 E. Gunnison Place regarding a fine. No action was needed.

Donna Saccocci at 1548 S. Trenton Court submitted a letter indicated that Ludwig Prazak was living at her home as he was receiving mail at the residence. Since the pool was closed no action was needed at this time.

Rebecca Buxton at 7501 E. Iowa Ave submitted a letter regarding the condition of her lawn and the fine that was issued. The Board was in consensus not to waive the fence.

Agness Pazirandeh at 1562 S. Syracuse submitted a requesting the fine be waived. If the Board did not want to waive the fine she requested the fine be removed from the account.

Peggy Rogers at 1571 S. Syracuse submitted a letter regarding the neighbor and tree trimming. The homeowner attended the meeting, no further discussion was needed.

Nancy Lettola at 1557 S. Trenton Court submitted a letter regarding her yard and a fine she received. The Board agreed to monitor the lawn, however, would not waive the fine.

Architectural Control Committee Requests: The Board reviewed a proposal for Joan Polocastri at 1573 S. Trenton submitted a request to replace a section of sidewalk with pavers. The Board requested a diagram and colored photos of the paver choices. The Board agreed it would be setting a precedent and they should consider the change carefully. Approval was tabled.

Sherryl Brandes at 1594 S. Trenton Court submitted a request for replacement windows. Ben moved to approve the request based on the email vote, Diane seconded, vote unanimous.

Raccoons/Golod: Danielle reported that she was contacted by the son of the Owner of 1595 S. Spruce. The son advised her that animal control was hired; however, they set traps and were unsuccessful in catching the raccoons. He was advised by the animal control company that raccoons that were reported were most likely passing through the yard. The Board requested that Danielle follow up with the complaining homeowners to determine if the raccoons were still a problem.

Next Meeting: The next meeting will be held on November 1, 2011 at 7:00 p.m. at Nancy's house.

Adjournment: There being no further business the meeting was adjourned at 9:30 p.m.