

Meadow Creek Homeowners' Association
Annual Meeting
Held Sept 10th, 2022, Nancy's Place, Frisco at 10am

Board Members Present:

Kim Howland – President

Christine Wesnofske – Member at Large

Daniel Clark – Secretary

Jackie Keating – Treasurer –Attended via Zoom (internet) connection

Robert Nicol – Architectural Committee

The meeting was called to order by the President at 10:05 am. The Board counted 31 people present in person and 14 represented by proxy for a total of 45, exceeding the minimum requirement of a quorum of 40.

The President called for a vote to approve the minutes of the last Annual Meeting. A vote approved the minutes.

The President requested reports from the Treasurer and the Architectural Committee.

Mr. Nicol thanked the membership for submitting their plans for approval.

Mr. Bowers asked whether the Architectural Committee approved, or could disapprove, the installation of (unpainted) metal conduit on the outside of a house. The reply was that the Committee could not decline such installation because it is required by building codes, but a similar complaint was resolved by asking the homeowner to paint the conduit to match the house.

Ms. Keating reported on the Association finances by phone. The main expenses included Directors and Officers insurance, website maintenance, and Annual Meeting expense. A member asked about the insurance expense; Mr. Broughton advised the meeting that such insurance is required by Colorado law.

Ms. Keating proposed maintaining the Association dues assessment at \$30 for the year, and a vote was called to approve the amount. The assessment was approved.

There were some questions about how to pay dues; they can be paid by check or Paypal. A suggestion to add a Venmo payment account was rejected.

Ms. Howland solicited the membership for people interested in serving on the Board and taking over her (or another) Board position; there were none.

Ms. Howland thanked the membership for being responsive to the HOA's requests and suggestions for resolving issues in the last year.

Ms. Howland reviewed existing business.

A neighborhood micro-library had been proposed last year. Kent Willis' wife Anna had proposed to identify a location for the unit, but the initial selection raised doubts as to its suitability due to potential damage from snowplows. There was discussion about whether the box could be removed in winter, or located elsewhere. The address of 54/56 Hawn was mentioned as a potential location; that owner rejected the request. Clare Keating will work with Anna to find a location.

The President moved on to new business.

There was a discussion of the HOA's policies regarding trailers kept in driveways. It was recognized that the Association covenants generally prohibit the keeping of trailers of any kind on lots, but that the Board has some discretion in enforcement of the provision.

It was noted that some residents keep trailers containing tools and other necessities of their trade on their premises, and that much of the concern about trailers involve recreational uses, as in the storage of boats, etc. Mr. Broughton noted that allowing for **some** trailer use should in fact enhance property values by demonstrating that the neighborhood is occupied full time and residents can both monitor the neighborhood and maintain their businesses within the HOA's rules.

It was generally agreed that residents ought to be able to keep recreational trailers on-site for the summer season, but that winter storage should be secured elsewhere, though it was also noted that available storage facilities have diminished recently. It was also agreed that people *living* in trailers was never allowed.

Mr. Willis volunteered that the idle vehicle parked on his lot has fallen below the threshold of "operability" due to two flat tires, and that it was therefore out of compliance with the relevant covenants. He undertook to replace the tires.

There was some discussion about dandelion mitigation and the condition of the central "green space" within the loop. Kent Willis and others requested that people undertaking such mitigation use less-toxic means to kill dandelions so as to support the bee population. There was some sentiment expressed that some lots could be better taken care of and made more attractive, and it was pointed out that there is no Association (collective) land in the center, though it may have been treated as such in the past.

There was some discussion of trespassers and trespassing across neighboring lots. A question was asked if a trespasser could sue an owner for injury from a hazard. Mr. Willis (an attorney), noted that while there are circumstances such as "attractive nuisances" which would allow it, and that there is, regrettably, always a lawyer ready to sue an owner's insurance company for nuisance value, generally speaking, a random trespasser **cannot** sue a random landowner for injury.

The question was asked if a "no trespassing" sign would protect against liability from trespassers. It would not; however, a homeowner can only take positive action *against* a trespasser if a property is posted.

Ms. Genereux brought up the issue of voles and pocket gophers, which ruined her lawn. Ms. Genereux would like a way to inform neighbors that her lot is being treated for gophers, which might be hazardous for neighboring dogs. Ms. Howland offered to post a public list of residents' email addresses so neighbors can message each other. It was suggested an outdoor cat could help. Mr. Nicol also mentioned that the pest service will have small advisory signs to post on the property, which is the recommended course of action. Neighbors interested in participating in vole/pocket gopher mitigation

were informed that they can reach out to Ms. Howland or drop a note on the website to be connected for potential group rates.

There was a discussion of dead trees in the neighborhood. Some trees have been tagged for removal but haven't been. The Town of Frisco used to identify and require the removal of beetle-killed trees, but that program seems to have lapsed.

Mr. Willis noted that homeowners *are* liable for damage caused to others' property by a falling (dead) tree; this should provide an incentive for owners to remove them.

A member suggested the Association might offer a subsidy from existing funds for tree removal to hesitant homeowners. The proposal did not receive much encouragement.

A member noted that some garbage cans were being put out overnight and that they were making a mess being tipped over by bears or dogs.

Ms. Wesnofske noted that Garbage Gurus offered the service of retrieving full cans from a closed garage for a reasonable price (similar to Timberline's).

It was noted that a Town ordinance specifies that trash *cannot* put out the night before and that cans *must* be taken in before the end of collection day. Offenders can be reported to the Frisco police for citation, if necessary. The Town rules can be posted on the HOAs website.

There was discussion of short-term rentals. It was noted that there are actual or proposed moratoriums on short-term rental licenses in various jurisdictions within Summit county, including Breckenridge, and unincorporated Summit county.

A member complained about short-term tenants leaving outside lights on overnight. Mr. Willis noted that local rules require a short-term landlord to have an agent available to take tenant calls 24 hours a day, and that the Town itself is supposed to maintain a "hotline" for residents. A member noted that "no one answers that phone".

Ms. Wesnofske noted that most short-term properties are managed by a local professional property manager, and that complaints can be successfully directed to them. In the case of the lights issue, the neighbor should ask the property manager to install a timer for the outside lights.

The President solicited a vote to re-elect the current Board, and the Board was re-elected without objection.

The President called for and received a vote to adjourn the meeting at 11:05.

Respectfully submitted

Daniel Clark

Secretary