



**Northmoor Acres Homeowners Association  
Board of Directors Regular Meeting  
MINUTES – April 16, 2020**

**CALL TO ORDER**

The meeting was called to order by President Ruof at 7:07 pm; the meeting was held virtually online due to the coronavirus pandemic and the Colorado stay-at-home order. Board Secretary Ginny Hersch was present.

A previous trial of the software was held 3/26/20 at 7:00 pm, with 8 available Board members.

**ROLL CALL**

Directors Present:    S Ruof;    R Sprague;  S Rieke;    G Hersch;  K Gardner;  
  
                          K Overlin;  J Kienholz;  V Tams;    M Hoekstra

**MEMBER'S FORUM:** HOA Members Present (Name / Address / Summary): N/A

**APPROVAL OF AGENDA:** Director Gardner made a motion to approve the agenda. It was seconded and motion carried unanimously to approve the agenda.

**SECRETARY'S REPORT:** The Secretary's Report was presented. There was discussion. The minutes will be revised to reflect Directors Hoekstra and Kienholz abstained from votes on the Home Business violation letters for 20027 Northmoor Drive, 2071 Yucca Court and 5131 Yucca Court. Director Gardner made a motion to approve the Board Meeting Minutes for March 9, 2020, previously sent out by email, as corrected. It was seconded and motion carried unanimously to approve the March minutes as corrected.

**TREASURER'S REPORT:** The Treasurer's Report was delayed and will be presented at the next meeting. There was discussion. The information was given to the accountant and there was a communication breakdown which resulted in a delay. Director Gardner made a motion to table the financial report for end of March, 2020. It was seconded and motion carried unanimously to table the report. Director Gardner made a motion to approve paying the bills. It was seconded and motion carried unanimously to pay the bills.

**PRESIDENT/VICE PRESIDENT'S REPORT:** The President/VP report was presented. Board correspondence received and sent since last meeting was listed.

**COMMITTEE REPORTS:**

- **Architectural Control Committee (ACC).** The reports for February and March were presented by President Ruof on behalf of ACC Chairperson, Joanne Stroud.
  - Project extension for 20777 Northmoor Drive. ACC requested Board to send final extension letter through August 30, 2020 for final painting. Legal advice requested by ACC – received and discussed with ACC Secretary. There was discussion. Secretary Hersch shared that the homeowner has been very cooperative and agreeable in all

communications with the ACC and has been making good progress to finalize their project. It was requested by the Board that President Ruof contact ACC Chair Stroud and suggest the ACC request homeowners, who run over the granted timeline (typically one year), to reapply to the ACC for another one-year approval rather than the ACC granting extensions.

- Director Sprague made a motion to accept the February and March ACC reports. It was seconded and motion carried to accept the February and March ACC reports.
- Broadband Committee. The report was presented by Director Hoekstra. There is no new information: Everything is on hold due to COVID-19.
- Governing Documents Committee. The report was presented by President Ruof on behalf of Chairperson Deb Coulson. The Governing Documents meeting with the attorney set for April 7 was postponed due to the coronavirus pandemic and Colorado stay-at-home order. The attorney recommended the meeting be delayed until it could be held in person.
- Neighborhood Committee. The report was presented by Directors Tams. The May 2<sup>nd</sup> Cleanup day/Hot Dogs & Brats lunch which would be coordinated with the Property Maintenance Committee, with backup date of June 6 was cancelled due to the coronavirus.
- Property Maintenance. The report was presented by Director Gardner. The May 2<sup>nd</sup> Cleanup day/Hot Dogs & Brats lunch with backup date of June 6, was cancelled due to the coronavirus threat. Director Sprague moved, it was seconded, and motion carried to cancel the workdays. One member abstained. Director Gardner wants to plant some trees himself as planned, sometime in May. Discussed buying trees. Director Gardner asked Director Hoekstra to put a cancellation notice out to the members.
- Welcome Committee (TBD). Welcome is currently being carried out by Director Gardner.

### **OLD BUSINESS – Covenant Issues.**

Director Hoekstra moved that all current covenant enforcement actions be granted a temporary delay of enforcement for 90 days. Seconded by Director Sprague. Director Sprague moved to amend the motion to include that future covenant enforcement actions be evaluated on a case by case basis during this crisis, and that restarting a discontinued violation would count as a new violation. Discussion. Discussed sending a letter to each homeowner currently in violation that grants the 90-day temporary delay in enforcement. Director Hoekstra will draft a letter for Board review to include language to the effect that if the homeowner could get the violation issue addressed sooner, it would be appreciated, but it must be resolved by the time of the July 16<sup>th</sup> meeting. Motion carried as amended. The temporary delay of enforcement letters will be sent to the following homeowners:

- 20966 Northmoor Drive. Unsightly and unsanitary.
  - President Ruof returned the phone calls 3/25 to friend of homeowner to clarify what was being requested. The friend indicated he would facilitate us getting that written information from homeowner. No response received.
  - Acknowledgement letter sent to non-resident homeowner brother.
  - Board wants to schedule hearing, consulted with attorney 4/13 re virtual hearing.
- 20457 Northmoor Drive. Three horses.
  - Letter of March 9 approved and mailed, response date 4/9. Email response received 3/31 indicating they would move one horse in May and were selling their house.

- 20059 Northmoor Drive. Unsightly and unsanitary.
  - Cleanup has been started. Hold for now
- 20097 Northmoor Drive. Unapproved structure.
  - Sent thank you letter
- 5411 Sage Court. Unsightly and unsanitary.
  - March 9 follow up letter approved and mailed, response date 3/30. No response received, but clean-up is continuing. Car pulled into back of trailer, rear axle removed from yard.
- 5411 Sage Court. Unapproved structure.
  - Sent thank you letter
- 20253 Cactus Drive. Three horses.
  - Board approved sending first letter, mailed 3/9. Response received 3/15 stating that the third horse was a colt who would be 1 year on May 31. One horse will be removed by that date. They may be moving.
- 20059 Northmoor Drive. Dog grooming business.
  - Violation letter sent 3/9 certified mail, signed receipt received. Response date 4/9. No written response, but President Ruof had phone call with wife 3/15, discussed various issues. Said she was cutting back due to back problems. No application filed with Weld County as of 4/15.
- 20027 Northmoor Drive. HVAC business.
  - Violation letter sent 3/9 certified mail, signed receipt received. Response date 4/9. No response. No application filed with Weld County as of 4/15.
- 5071 Yucca Court. Window business.
  - Violation letter sent 3/9 certified mail, signed, receipt received. Response date 4/9. No response from homeowner. No application filed with Weld County as of 4/15.
  - Homeowner/neighbor at 5031 Yucca Court called President Ruof to complain about his neighbor getting the violation letter.
- 5131 Yucca Court. Possible lawn care business.
  - Violation letter sent 3/9 certified mail, signed, receipt received. Response date 4/9. Phone call received but could not be returned, invalid number. Written response 3/19 stating that they are not running a lawn care business. Equipment was being used by their grandsons on the property and for a few neighbors.

**OLD BUSINESS** – **Other.** President Ruof and Secretary Hersch will gather information on statute of limitations.

**NEW BUSINESS** – **Covenant Issues.** None

**NEW BUSINESS** – **Other**

- Discuss possible 90-day suspension of enforcement actions. See discussion above under Old Business Covenant Enforcement.
- Discuss plans for holding annual meeting. Decided to table and revisit at the next meeting.
- Discuss officer election. Director Kienholz requested Board position elections be added to the agenda. Discussion. The Bylaws conflict on when Board officer positions are chosen. Director Sprague wanted to know if anyone was opposed to having an election. Discussion.

Director Hoekstra made a motion to hold elections tonight. There was a second, and the motion carried. Director Rieke and Director Hersch were opposed. The Board will elect officers. Director Hoekstra wants nominations. Discussion.

President: Director Gardner nominated Director Kienholz for president. Director Kienholz accepted the nomination. Director Hersch nominated Director Ruof, who accepted the nomination. Each nominee gave a statement.

Director Kienholz: His goal is to shorten meetings, bring in the fun stuff, upgrade technology, get creative with neighborhood projects.

Director Ruof: Her goal is to work on completing sustainability plans of the Board, make it attractive to be on the Board, make sure the HOA continues as an organization, finish governing documents, to continue to work to get all old paperwork organized. Stressed that Board has duty to enforce the covenants the best that we can and do it in a way that is fair.

Vote: Directors Hersch, Tams, Rieke and Ruof voted for Director Ruof. Directors Hoekstra, Kienholz, Gardner, Overlin and Sprague voted for Director Kienholz. Director Kienholz was elected President.

Vice President: Director Hoekstra nominated Director Gardner, who accepted the nomination. He was the only Director running. Director Gardner was elected Vice President.

Secretary: Director Kienholz nominated Director Hoekstra, who accepted the nomination. Director Ruof nominated Director Hersch, who accepted the nomination.

Vote: Directors Hersch, Tams, Overlin, Ruof and Rieke voted for Director Hersch. Directors Gardner, Kienholz, Hoekstra and Sprague voted for Director Hoekstra. Director Hersch was elected Secretary.

Treasurer: Director Sprague nominated Director Rieke, who accepted the nomination. Director Overlin nominated Director Hoekstra, who accepted the nomination.

Vote: Directors Hersch, Rieke, Tams, Ruof and Sprague voted for Director Rieke. Directors Gardner, Kienholz, Overlin and Hoekstra voted for Director Hoekstra. Director Rieke was elected Treasurer.

**CHECKS TO PAY THE BILLS.** Because of COVID-19, Treasurer Rieke requested temporary authorization to be the only signer on the checks. There was discussion. It was moved, seconded and motion carried to go on a month by month basis, but this month Treasurer Rieke is authorized to be the sole signer on the checks.

### **NEXT BOARD MEETING**

Next Regular Board of Director's meeting will be held May 21, 2020, held virtually online, at 7:00 pm.

### **ADJOURNEMENT**

The meeting adjourned at 9:25 pm.

### **NORTHMOOR ACRES HOMEOWNERS ASSOCIATION**

By: Ginny Hersch, Board Secretary



**Northmoor Acres Homeowners Association  
Board of Directors Regular Meeting  
OFFICER REPORTS & COVENANT ISSUES  
April 16, 2020**

**SECRETARY’S REPORT**

- Minutes of March 9, 2020, were sent by email to be reviewed
- 20957 Northmoor Drive status letter sent 4/9/20
- 5031 Yucca Court status letter sent 4/6/20

**TREASURER’S REPORT**

- Income for March:
  - Received royalty check from Kerr-McGee for \$3,204.88 (3/25/20 auto-deposit).
- Received information from our Oil and Gas consultant, Ben MacFarlane, about the likely future of our oil production considering the current market status. He felt that nobody would drill very many new wells at the current low oil prices. But he thought that existing wells would continue to flow; also that some old wells that were near the end of their life would be shut in early, but we should have at least a few more years before we need to worry about that.
- New CDs in Greeley update - opened 2 CDs (one for \$100,000 and one for \$50,000)
- CPA has filed our taxes electronically and sent us our estimated payment schedule for 2019. Outstanding taxes were paid
- Treasurer is preapproved to pay taxes when due.
- Treasurer is preapproved to pay trash bill when due.
- April 20 is Business Flexible Savings rate relock date
- April 29 is prior domain name renewal date.

• Bills for April

Barry Zaiger	CPA	\$90.00	
Barry Zaiger	HOA business - Tax preparation	\$445.00	
Radical Design	Web page - Monthly maintenance	\$50.00	
Ginny Hersch	HOA business Annual HOA license CO Div Real Estate - \$33 Corporate Report - \$10 Trademark Registration - \$30	\$73.00	
Susy Ruof	Postage Postage 4 registered letters - \$27.80 Office Staples 3 reams paper - \$34.19	\$61.99	
Bruce Fickel	Professional Fees – HOA business	\$121.00	

Kim Gardner	Property Maintenance - \$117.65 Grass seed - \$10.99 Storage bench for hoses - \$106.66 Annual Meeting - \$18.81 Walmart - \$16.19 Walmart - \$2.62	\$136.46
Arborx	Property Maintenance – greenbelt tree spraying	\$461.00
Royal Disposal	Trash	\$3,540.00*
Joanne Stroud	Postage Stamps - \$55 Certified mail receipt - \$6.95 Office Office Depot toner & 2 reams paper - \$91.56	\$153.51
Mark Hoekstra	Notification – reverse 911 calls x 2	\$50.00
Ish Reservoir	Ditch	\$1,100.00
TOTAL		\$6,281.96

\*Already paid

## PRESIDENT/VICE PRESIDENT REPORT

- Correspondence/contacts
  - Bills received: Buzz Zaiger CPA (one for regular monthly service, one for tax preparation), Radical Design Webpage, Bruce Fickel attorney
  - Invoices sent: 20064 Cactus Drive. March and April
  - Homeowner correspondence/contact - Covenant issues (see particulars below)
    - 20966 Northmoor Drive
    - 20457 Northmoor Drive
    - 20097 Northmoor Drive
    - 5411 Sage Court
    - 20253 Cactus Drive
    - 20059 Northmoor Drive
    - 20027 Northmoor Drive
    - 5071 Yucca Court
    - 5131 Yucca Court
  - Miscellaneous:
    - Bank Statements (2) received
    - CBIZ questionnaire received
    - Contacted Weld County Zoning 4/9
    - Phone conference attorney Fickel 4/13
    - Contacted Johnstown Police Department, to cancel security for annual meeting

- Other
  - Postponed annual meeting, drafted message to go out, placed notice on website
  - Wrote notice changing method of Board meetings, placed on website
  - Attended webinars about HOAs and coronavirus

## COVENANT ISSUES

- 20966 Northmoor Drive. Unsightly and unsanitary. First notification letter mailed to both owners 8-10-18. Occupied trailer/much of wood on east side of house was removed, Weld County Zoning closed their case. HOA continued follow-up with additional repair items, most require good weather (repair/painting). Board approved mailing follow-up letter of 3/21/19. No sign of additional repairs/painting but weather was very wet/cold; warmed up in summer. Follow-up letter mailed 8/1/19, requested response date 9/1/19. No response received. Follow-up letter mailed 9/25/19, requested response date 9/25/19, no response received. Notice of hearing Board letter 12/5/19, requested response date 1/5/20. Received response letter dated 1/6/20. Board approved follow up letter of 2/20/20 as revised. President received two phone calls concerning this on 3/3 and 3/4 asking for more specifics about what the Board needs. The Board also received an email on March 9 from the non-resident homeowner brother, describing the situation in detail from his perspective.
  - President Ruof returned the phone calls 3/25 to friend of homeowner to clarify what was being requested. The friend indicated he would facilitate us getting that written information from the homeowner. No response received.
  - Acknowledgement letter sent to non-resident homeowner brother.
  - Board wants to schedule hearing, consulted with attorney 4/13 re virtual hearings
- 20457 Northmoor Drive. Three horses. Picture 12/14/19. Violation letter mailed 12/19/19, requested response date 1/19/20. No written response.
  - Letter of March 9 approved and mailed, response date 4/9. Email response received 3/31 indicating they would move one horse in May and were selling their house.
  - Suggest send an acknowledgement letter, anything else?
- 20059 Northmoor Drive. Unsightly and unsanitary. Violation letter mailed 12/19/19. Response date 1/19/20. Clean-up has been started. Hold for now.
- 20097 Northmoor Drive. Unapproved structure. ACC requested that notice of unapproved structure on property be shared with title company prior to closing. Status letter emailed/mailed 1/13/20 to title company and homeowner, including notice of pending ACC issue. Unapproved structure was removed 2/23/20. Closed.
  - Sent thank you letter
- 5411 Sage Court. Unsightly and unsanitary. Letter mailed/emailed 12/19/19, tenant of homeowner called 12/21/19 to discuss issues with President Ruof. One trailer was moved. In Feb, Board approved sending follow up letter, also discussed contacting Weld County Zoning enforcement.

- March 9 follow up letter approved and mailed, response date 3/30. No response received, but clean-up is continuing. Car pulled into back of trailer, rear axle removed from yard.
- 5411 Sage Court. Unapproved structure. A horse loafing shed was moved onto property on 11/28/19 without first submitting plans to the ACC; tenant of homeowner did call President Ruof & ACC Chairperson Stroud on 11/27/19 to notify he was moving the shed onto property the next day. He was told that we could not approve him doing that; if the plan was not accepted by the ACC, he would have to remove the shed. Tenant said he would send required paperwork immediately but did not do so. Tenant called President Ruof on 12/21/19 to discuss the unsightly letter, also discussed the unapproved structure. Email sent to homeowner tenant 12/21/19 with requirements for ACC paperwork, requested response date of 1/3/20. No plan received. Follow-up letter mailed/emailed in 1/10/20 to homeowner, response date 2/1/20. Incomplete plan (3 pictures and hand drawing of structure) received 2/1/20. Submittal form received 2/6/20, plot plan and paint color chips not received. ACC to send letter requesting plot plan and paint chips. Tenant called President Ruof on 2/29 to provide plot plan and paint chips to ACC Chair, meeting arranged. Plan was approved by ACC on March 5. Closed.
  - Sent thank you letter
- 20253 Cactus Drive. Three horses. Picture taken.
  - Board approved sending first letter, mailed 3/9. Response received 3/15 stating that the third horse was a colt who would be 1 year on May 31. One horse will be removed by that date. They may be moving. Hold for now.
- 20059 Northmoor Drive. Dog grooming business, the Groom Room. Customers coming to the property and business advertising includes home address with directions.
  - Violation letter sent 3/9 certified mail, signed receipt received. Response date 4/9. No written response, but President Ruof had phone call with wife 3/15, discussed various issues. Said she was cutting back due to back problems. No application filed with Weld County as of 4/15.
- 20027 Northmoor Drive. HVAC business, Pioneer Heating and Air. New product is being delivered to the property, and discarded product is being kept in trucks on the property.
  - Violation letter sent 3/9 certified mail, signed receipt received. Response date 4/9. No response. No application filed with Weld County as of 4/15.
- 5071 Yucca Court. Window business, Clear Choice Window & Door Service. New product is being delivered to the property, which may be window and door units.
  - Violation letter sent 3/9 certified mail, signed, receipt received. Response date 4/9. No response from homeowner. No application filed with Weld County as of 4/15.
  - Homeowner/neighbor at 5031 Yucca Court called President Ruof to complain about his neighbor getting the violation letter.



- 5131 Yucca Court. Lawn care business. Possible employees coming and going in trucks, and bringing in large piles of lawn waste to be burned on the property. Also appear to be repairing and testing multiple lawn mowers/leaf blowers outside with an accompanying high noise level.
  - Violation letter sent 3/9 certified mail, signed, receipt received. Response date 4/9. Phone call received but could not be returned, invalid number. Written response 3/19 stating that they are not running a lawn care business. Equipment was being used by their grandsons on the property and for a few neighbors.