

**Murphy Creek Master Homeowners Association
Board Meeting Minutes
May 12, 2011**

The regular Board meeting of Murphy Creek Master HOA was held on May 12, 2011 at the Murphy Creek clubhouse 23801 E. Florida Ave. Board members present were Kathleen Sheldon, Rodney Alpert, Michael Sheldon and Cris Alexander; Charles Bransfield was absent. Irene Borisov represented Colorado Management.

Guests

No owners were present from the community.

Call to order

Meeting was called to order at 11:27pm and quorum was established.

Minutes

Michael Sheldon motioned and Rodney Alpert seconded to approve the February 16, 2011 meeting minutes. Motion passed unanimously.

Management Report

The management report was presented, reviewed, and approved. A copy is attached and made a part hereof.

Financial Report

The Board accepted the February, March & April 2011 payables as presented.

Please note the following on the financial statements dated April 30, 2011. These were presented to the Board members present, all others were mailed out.

- A. Murphy Creek Master there is currently \$40,196.99 in the operating account, \$17,850.50 in the escrow account and \$69,895.43 in the money market/CD account for a total of \$120,833.44.
- B. Murphy Creek Master operating expenses are over Budget \$6,600.62 year-to-date. Covenant expenses and bad debt writes are the categories that are over budget.
- C. Murphy Creek Master delinquencies total \$183,875.20, of that amount, only \$26,708.77 is dues and \$26,335.40 legal/covenant enforcement, and the rest are late charges and violations totaling \$115,171.40.

Association Business

- A. **Bad debt write-offs** – Total amount is \$48,013 which are a combination of legal fees, NSF fees, late fees, fines and assessments. All these accounts are from foreclosed properties and/or bankruptcies. Rodney Alpert motioned and Cris Alexander seconded to write the accounts off to bad debt, motion passed. Cris Alexander motioned and Rodney Alpert seconded to send these accounts to the collection company as presented by management. Motion passed.
- B. Owners residing on Alabama Dr. are interested in opening a small in home daycare; they are requesting that the Board grant them permission to open this in home business. Kathleen Sheldon motioned and Cris Alexander seconded to approve this request with the following conditions: The owner will need to provide the HOA all City of Aurora/State licensing approvals on a yearly basis for HOA review and will need to abide by the covenants that do not allow for any external nuisances to any adjoining neighbors, if complaints are received, owner will be required to meet with the HOA to discuss resolution, motion passed.
- C. Owners residing on Duquesne Ct. have received several complaints from their neighbor about their cats. They are requesting that the HOA grant them permission to install a "fence-in" system in their backyard, more information is provided in the Board packet. The Board has denied the owners request

for the installation of the cat fencing due to aesthetics within the community, the open rail fencing was initially approved for the yards so that the community had openness between the homes, installing additional items on the inside fencing takes away from this set standard and opens the door to other items that the Board does not feel will work within the make-up of the community.

- D. **Fire pits** – several owner complaints, no rules around them, discussion to take place at the meeting. The Board will allow charcoal and gas fire pits but no wood-burning fire pits as restricted within the association's covenants.
- E. Request from owner to plant a 1.5 inch caliper tree in the front yard instead of the required 2.5 inch tree. Cris Alexander motioned and Michael Sheldon seconded to allow owners to replace front yard street lawn trees with a 1.5" caliper instead of the original required 2.5" caliper. Front yard trees will still need to meet this requirement as well as the 1 required 2.5" caliper deciduous tree in each backyard. Motion passed.
- F. **Escrow discussion** – for the past several years, management has been placing covenant liens on properties that are in violation if they go up for sale or are foreclosed on. The reason for escrow is twofold; first, the owners are not able to sell their property without either fixing the violations first or putting escrow aside and signing an agreement that the items will be fixed so that the lien can be released before the close on the property. Secondly, this allows the HOA to not spend more money trying to sue every owner over and over again to get a property brought to compliance; instead, we spend minimal moneys and wait for the sale of the property to occur. Management went over the escrow procedures as set by the Board many years back and the Board agreed that this is still the correct procedure management is to continue to follow going forward.
- G. Property on Louisiana Cir. has been in collections for several years and legal has not been able to serve the owners. They state this is not a contender for foreclosure due to the market value of the home. The Board would like to consider this account dead and will have management hold the lien that is in place but turn off all late fees at this time.
- H. **Mid-year forum** –The Board will hold the forum on the 15th after the regular Board meetings to begin at 6:30pm. Notice has been sent out to all owners.
- I. **Social Committee Request** – the social committee would like to ask the Board to allow them to have the District landscapers install poles at the corner of Jewell & Gun Club Rd. to be used for the community garage sale banner and any other social committee advertising needed for future community events. The Board has approved this request.
- J. Owner residing on Addison Ct has received several extensions on the addition of a street tree that they pulled out years ago. The owner received new violations/fines due to lack of follow-through on the extension/agreement given to them. At this time, the owner has requested the removal of his fines (\$1300) on the account and they will plant the tree. Cris Alexander motioned and Michael Sheldon seconded to authorize management to give this owner the same 50% reduction in fines/fees as provided to other owners in the same situation. This reduction will not be given until the tree is installed and only an additional 30 days will be granted on the previous extension granted. Motion passed.
- K. Owners have requested that the DRC review the "staining of concrete" for their driveway, they have several oil stains that are not able to be removed and have stained their driveways as is. The owners are requesting ether a "Greystone" or "New Concrete" color scheme. The Board has approved this owners request as long as the colors as submitted are used. Motion passed.
- L. There has been a complaint filed by an owner about their neighbor drying their clothes in the garage on a make shift clothesline. Per the new state laws, we cannot deny an owner the right to use a clothes line but we can put restrictions around it that are minimal. This owner backs to the golf course and does not want to have clothes hanging out on the line in the backyard, so she dries them a few times a month in the garage and has it half closed unless her husband is out doing yard work. This is not the first time the complaining party has requested the HOA to review this, at that time, the Board stated this was not a violation unless it became habitual. No proof was presented on this account. At this time the HOA will again not pursue this further unless it becomes habitual and there is significant proof from the complaining party.
- M. Owner received a violation for having their back porch covered on one side with wood privacy fencing and plastic covers on the other side of the porch within the backyard. This was not originally approved. The Board stated that the wood needs to be removed along with the plastic covering on the other side and any additions to the back patio need to be submitted to the DRC for actual review.

- N. An owner within the community has severe pigeon problems and they are nesting below her solar panels. She installed a white noise system to ward them off, but unfortunately, it could be heard by the neighbors. She is requesting the addition of wire mesh to the undersides of the solar panels to keep them out of the areas in question. This is something that the DRC wanted to have the Board review before they provide a response to the owner. The Board agreed that the wire cage/mesh would be fine to install around the exiting solar panels.

Adjournment

There being no further business, the meeting adjourned at 12:35 p.m.



Signature - Approved

6/15/2011

Date

Direch

Association Title - Approved