

WEST FORK VILLAGE HOMEOWNERS ASSOCIATION

BOARD OF DIRECTORS

GENERAL MEETING MINUTES

August 25, 2022

Attendees:

Travis Ryan, Onsite Manager
Matthew Shewmon, President
Michael Montoya, Vice-President
Sean Dolan, Treasurer
Dottie DeMark, Secretary
Mike Gantz, Voting Member

Also Present:

Jan Massey #1504
Jon Bartlett, BCS/Awesome Internet
Amelia Johnson #1102

Meeting start time: 6:01

1. Roll Call.
2. Meeting with Jon Bartlett, BCS/Awesome Internet. Mr. Bartlett described his proposal to provide fiber optic internet service to residents of West Fork Village and to enter into a revenue sharing plan between the HOA and BCS. In 2019, BCS purchased Cardinal Properties, a Longmont company that had been in business since 1985. BCS is a small private entity that has been in business since 2000. They provide personal service and they want to expand their reach into West Fork where there are already 15 residents using BCS's service now. BCS hasn't raised their prices in 20 years and has no hidden costs. Mr. Bartlett distributed a flyer showing a 3-tier internet service plan that would be discounted to West Fork residents. Sean advised that he had someone look at our agreement with Comcast and they discovered some things that are now illegal, but the marketing prohibition clause may be legal. Mr. Bartlett advised that since the federal government passed this recent law that it gets rid of exclusivity and the Comcast contract is null and void. He then explained how they will install their services using our current equipment already in the units. There would be no modems needed, only a wi-fi router which is provided by BCS at no charge. The fiber optics will handle 10 gigs per building and has no data caps and competitive pricing. When Mr. Bartlett was asked about any incidents of BCS's failure to provide their service, he advised of 2 incidents: the most recent one was a major power outage in Aurora that lasted 4 hours. The other one lasted 8 hours a when cable got cut. The phone service has their own digital phone network and the clubhouse phones have been with

BCS for years. A disadvantage would be that if you lose power, you lose phone service. Monthly phone service for West Fork would be \$17.95. There is a \$5 per month licensing fee that helps pay for the license and antenna, which gives a great signal using DirectTV. The process to begin the arrangement would be BCS doing an easement agreement to provide service and maintain their plan. If Comcast can legally keep us from marketing, BSC could do mailers to residents. He would then present a revenue sharing agreement where West Fork would receive a set percentage of the revenue and he explained how it works. He emphasized that there are no data caps and the gig numbers on his flyer represent the speed of download, not the data amount. Installation is normally \$69.95 but West Fork residents pay \$19.95. BCS always has a tech onsite on Tuesday and Thursday. West Fork would be the only property in Greeley using BCS; he has plans to also approach Pinacole and Mountain View. If we don't go exclusive, Mr. Bartlett said we could split the revenue 50/50. Mr. Bartlett then answered questions posed by the Board. The HOA needs to see if it can get out of the Comcast agreement and Sean thinks that the marketing restriction is the only thing we can't get out of. BCS will provide 24/7 support and that support is located in Michigan. Now that Mr. Bartlett knows what we want, he will put together an easement agreement and a profit sharing agreement; either can be cancelled at any time at no charge. He stated that the HOA will receive revenue share for any service BCS provides in West Fork Village. Changing the current phones is an easy process. A **Motion to request that BCS prepare an easement agreement and a profit sharing agreement and forward it to Travis was made by Sean, seconded by Dottie, and the Motion was passed.**

3. Open Discussion. Jan asked why it takes so long to get light bulbs changed. Travis responded that Jan's light fixture was broken and an electrician had to come out. Jan asked if we could get the minutes posted sooner to the website. Travis answered yes but they need to have Board approval before they are posted and the June and July minutes should be approved tonight. Jan asked why the landscape company waters on the same day that they mow. Travis will instruct them not to do that. Amelia commented that the lawn in the northwest corner of the complex has too much crab grass growing and it could eventually kill the good grass. Travis advised that the only time we can kill the crab grass is in the fall. Sean noted that we could take care of it but we would have to pay for it and since we are looking at ways to cut down costs, it could affect dues. Sean suggested that we replace it with natural prairie grass. Jan stated that whoever addressed the increased watering problem on the west side, it looks great now.
4. Minutes. Matthew gave 3 changes to the June 25, 2022 minutes: the 7th sentence under Item 3 insert the word "no" between the words 'because' and 'fertilizer'; change the two places where 'pm' is used in Item 5 to "am"; and in the last sentence of Item 5, change 'discussed' to 'discussion.' A **Motion to approve (1) the June 25 minutes with the changes listed above, and (2) the July 7 minutes as presented by Matthew Shewmon as acting secretary was made by Sean, seconded by Matthew, and the Motion was approved.** Dottie will type up the handwritten July 7, 2022 minutes before they can be posted to the website. Dottie read the May 26, 2022 minutes submitted by Mike G as acting secretary. A **Motion to approve the May 26, 2022 minutes as presented was made by Matthew, seconded by Mike M, and the Motion passed.**
5. New Business.
 - a. Comcast Addendum. The lawyer needs to review the Comcast Addendum Addressing recent FCC Changes and also review the current Comcast agreement to determine if

anything is enforceable. Travis will then circulate the information by email for a Board vote. The Comcast agreement is not exclusive. Travis will ask the attorney to determine if it's okay to bring BCS into the complex and if we can get out of the marketing clause in the Comcast agreement. If the attorney approves all, we will move ahead. Jan noted that it's important that BCS doesn't interfere with the Comcast service.

- b. Snow Removal Bids. Four bids were presented from: FLM (contracted for past 4 years), Rocky Mountain, C&S Rain Gutters, and Able. HOA does the walks and entryways; FLM does the roads and driveways. Travis worked with the guy who owns Rocky Mountain and he was pretty good but Travis never worked for Rocky Mountain. Travis doesn't know anything about C&S except they installed rain gutters here. Following discussion, Travis was asked to get a referral for Rocky Mountain.
- c. Asphalt Quotes at Building 3. Travis sent out about 8 different requests to contractors and only 3 responded: National Pavement Partners for \$126,141.59; Onsite Solutions for \$185,516.65; and RCD Construction, Inc for \$160,779. Paul from National Pavement Partners did the map and bid tab for the contractors. A discussion of the 3 bids and map followed. A **Motion to accept the bid presented from National Pavement Partners for \$126,141.59 for replacing asphalt at Building 3 was made by Matthew, seconded by Mike G, and the Motion was approved.** Travis added that there is nothing in this year's budget or Reserves for this. An option would be a special assessment and it would have to be next year. We could look at anything left over from the insurance claim. Matt calculated a special assessment would be around \$500. Following discussion Jan noted that people won't want to pay for Building 3. A partial assessment was discussed and what is left in insurance proceeds and should it be used to start the asphalt process. Travis thinks it's around \$400,000; Mike M thinks that's too high. Travis will review and get a good number. Jan talked about a partial assessment and using some of the insurance money. Travis will talk to the attorney about the process for charging the assessment.
- d. Estimate for fence repairs. After discussion, a **Motion to hire Chris Kennedy to fix the fallen fence was made by Sean, seconded by Dottie, and the Motion was approved.**
- e. Budget Schedule. The attendees at the budget meetings will be Sean, Matthew, Mike G., Travis, and Jan. They will be held on October 5th, October 17th, and November 2nd at 5:30 pm.
- f. Trip Hazard Removal Quote. Travis needs to find out what the insurance company considers a trip hazard. The total estimate to fix everything on the list is \$13,871.00. Discussion followed about doing some of the things ourself. A **Motion to authorize Travis to spend up to \$3,500 to fix the most dangerous locations of trip hazards taken from Precision Concrete Cutting's report was made by Matthew, seconded by Mike G, and the Motion was approved.**
- g. Pool Closing for the Season. It was agreed that the pool would be closed for the season on Labor Day, Monday, 9/5. Travis will send a postcard notifying owners.
- h. Email Votes. On August 9th, the Board approved a **Motion by email to approve the changes made to HOA policies to comply with HB1137.** Dottie asked Travis to provide the 1st and 2nd names who made and seconded the motion on this and future email votes made by the Board.

- i. Garage #54 purchase. The last garage sold went for \$7,500. After discussion, it was agreed to put it out for bid next year and include it in next year's budget.
 - j. Baby gate request. After discussion, Travis agreed to get pictures of what the gate will look like and tell the Owner that it can't be permanently attached to the building.
6. Reports.
- a. Transaction List. A discussion was had about the high water use in building 7. Matthew asked if this would be the last time to pay for pool chemicals and Travis said yes.
 - b. P&L and Balance Sheet. A discussion occurred about legal expenses. Anita has been cleaning up the balance sheet. Matthew noted that he still needs clarity on Item 2102, Insurance Proceeds Payable, on the balance sheet. Travis will clarify with Anita.
 - c. Update on Suites and Apartment. Travis advised there has been quite a bit of activity with Air B&B. The apartment should be rented through November by the traveling nurse who is in there now; she got a 3 month extension.
 - d. Pool Cover. Travis advised that the \$4,200 already spent on the pool cover was for updating the motors both inside and outside. Budget shows 7,000 for the pool cover leaving \$2,800 for the pool cover. Travis is waiting for Dunham Electric's bid.

Whereupon, the Board went into Executive Session and the public left the meeting at 8:59 pm. The minutes for the Executive Meeting are recorded elsewhere. The Board returned from the Executive Meeting at 9:03 pm.

A Motion to Adjourn was made by Sean, **seconded** by Dottie, and the **Motion passed.** The meeting was adjourned at 9:03 pm.

Respectfully submitted,

Dottie DeMark, Secretary