

Summer 2018 Newsletter

Two Important Notices:

1) **Hail Damage.** The Architectural Review Committee (ARC) would like you to know they are working hard at quick turn arounds for homeowners trying to repair damage due to our recent hail storm. If you have more than one damage request (roof, windows, siding, garage door....) you can put them all on the same ARC Improvement Request form. Forms can be found on the website: www.buffalocreekhoa.com

- a. **Be very careful of con artists.** You always hear stories after the fact about people getting taken. They swarm to damage areas.
- b. Remember they are consulting you with the hope of making money on the deal. Even in a free estimate, **they don't make a penny unless they convince you that you need their service**, and the best con artists are real good. (Be smart)
- c. Make sure they are **licensed to work in Wellington**. Basically a legal thing – meaning the Town requires licensing, but does not vet their quality of work.
- d. **Roof – There is only one type of roof allowed in our HOA.** Look around it's pretty obvious. **All roofs need to be at least a 30 year, Architectural Shingle, color - Weathered Wood.**
- e. Be sure to get **approval of a dumpster if you need one.**

2) **Fire Blight:** We are having an **epidemic of Fire Blight**, predominantly in the **snow crab trees** which were so popular during the neighborhood construction. Dead patches in a canopy are a sure sign, see **Figure 1**. I've had our HOA tree contractor drive around and look over the neighborhood. We've been hit real hard. My understanding is that the trees will die without help, and **the cost for the first year will range from \$250.00 to \$500.00**. The Fire Blight is an infection spread by bees. It's fought by an injection of serum into the trunk and needs trimming in the dormant season in such a way as not to spread the infection by contaminating unaffected branches. **James Knotts of Tree Top is willing to give you a free estimate. (970) 568 -9695**. A flyer is attached to this email in jpeg format with more information as well as being available on our website under Documents.



Figure 1

Mandatory Watering Restrictions: The Agenda for **the Town Board Meeting, Tuesday June 26th**, under New Business has: a. Wilson Wells Emergency Repairs & b. Resolution 26-2018 – **Mandatory Watering Restrictions**. The Town did not supply any supporting information and/or documentation (they didn't even insert a copy of the Resolution). Mandatory restriction implies something serious has happened to the Town's ability to supply water where they need to move to restrictions immediately not taking the time for a public comment period. The Board will be voting on that issue Tuesday and they'll have to discuss it in open session for a vote. **Expect immediate water restrictions.** We'll send more info when we get it.

Pump House: We've been very happy with the new system in the Pump House. The system is working just as we had hoped. **With the irrigation system all working, it's been a whole different game this year.** During the

upgrade, when we got into the manifold we found a couple different parts needing to be replaced and got those fixed. We did go over the budget a little bit. The program works great, the jockey pump, which hasn't worked for about 6 years, is really an appreciated fix.

Tree Replacements: We've had a few more trees die this year, a few blew over in high winds, and **one that was involved in a hit and run**. We are putting two more trees along the north sidewalk area. You'll see Larry and his crew from **Just Trees** getting this done in the next few weeks.

Flower Beds: The flower beds were planted just in time to (hopefully) survive our hail storm. Hopefully they'll recoup.

Website: One of our new Board Members, Bryan Lamoreaux, has been working hard at redesigning our HOA Website. It seems like a lot of the bugs have been found and resolved. **Take some time and look over our website to see the new layout and added information. Questions, or looking for Documentation? Let us know!**

Misinformation: There has been a homeowner bad mouthing the HOA and putting out streams of **incorrect information on social media**. The Board's position on other postings is to let it go, people will figure it out on their own. One item the Board would like to correct has to do **with the lawsuit filed against the HOA**. A recent posting claimed that the HOA filed a lawsuit on a homeowner because we built a sidewalk that resulted in flooding homes. There's no logic in that statement and hopefully everyone who saw it understood that. A homeowner, through some bad advice, hired an attorney, **reportedly on a cash basis** (not by retainer where the attorney only gets paid if they win) and **offered the HOA a cash settlement to not go to court**. The Board of Directors wants to point out they are not suing the Board of Directors and wanting their personal money, the people being sued are the **other 433 homeowners in the HOA**. The Board had several experts report to the Board and it boils down to a simple fact that sidewalks do not cause flooding. The Board was also presented with information on **a perfect storm of snow levels above 200% and record heats of over 100 degrees that year** causing the ground water levels to rise. There's also a lot of confidential info that can't be shared at this time.

The Board voted to not pay out a large portion of your money and set a bad precedent. **The Board reported everything to the Insurance Company**. The Board was then told this would be a jury trial if we didn't agree to pay. They did not want the Mediation/Arbitration process (a Jury Trial would probably be 3 days and could add costs to the case by \$60,000.00). **After the Insurance Company reviewed the information they agreed to not settle**, however they did do their legal maneuvering to allow us the ability to collect costs if the jury finds in our favor. **To date that very same sidewalk has not flooded one other home.**

Littering: Homeowners who throw their yard debris into the HOA common area **will be fined and charged** with the removal. Kind of seems like an obvious thing, but keeps happening each year.

Dog Manure: Many homeowners are lodging complaints about people **not picking up after their dogs on both the common areas and on their private property**. One homeowner reported trying to confront one couple with a black lab and a white dog about half size, who left a calling card in their front yard, but took off running once they were noticed. Please pick up after your dogs so we can keep our neighborhood clean and our fellow neighbors happy!