

Comstock Estates Homeowners Association
Board of Directors Quarterly Board Meeting Minutes
October 5, 2009 Draft #1

NOTE: These minutes have not been approved by the Comstock Estates HOA Board of Directors.

ATTENDEES

Board of Directors: Chairman Norm Noffsinger; Board Members Gene Burrell, Paul Roberts, and Jim Wilds.

Board Committee member LD Pee

IRRIGATION SYSTEM

1. Member LD Pee presented a report regarding shortages of water to Comstock Estates. The problem is thought to be Elmwood Ditch Company customers that use more than they are allotted by rights. In this circumstance, Comstock Estates does not receive the amount of water it has paid for.

Residual pressure in the lower reaches of Comstock Estates has been measured to be 3 psi which occurs when downstream users use exceeds their rights. Down stream user rates was measured by LD Pee and others.

Member Pee is working with representatives of the Elmwood Ditch Company and other users to develop a method of control acceptable to all users and that will assure all users obtain their allocation.

2. The irrigation water system will be shut off on October 15, 2009. Homeowners are to be made aware that it is their responsibility to open the valve on the riser after the system is drained so that the valve will not be damaged by freezing water.

The dry pond needs to be trimmed. Member Pee recommended that the Board get estimate from Steve's Sprinkler Service for the work.

3. President Noffsinger reported that ditch company operations cause debris to plug the grate at the diversion into the Elmwood system. Board Member Williams designed and installed a deflector using vanes that will direct movement of much of that debris to the far side of the canal from the diversion grate. The deflector has shown to be effective.

The deflector does not extend the full length of the grate to further improve operations. It was moved by Board Member Roberts and seconded by Board Member Wilds that Comstock

Estates fund the extension at a cost not to exceed \$1,000. The motion passed unanimously.

4. President Noffsinger and Board Member Roberts reported on the status of title to the shares of the water in the Elmwood Ditch belonging to Comstock Estates. Shares were transferred to Comstock Estates from the developer as the early filings developed. Shares were transferred to a second owner for additional filings; and then to another before all eight filings were complete.

The later owners did not transfer the shares to Comstock Estates. However, Comstock Estates has made payment for the water associated with those shares annually. Comstock Estates has Stock Certificates confirming ownership of about 25 of the 77 shares that, in theory, belong to Comstock Estates.

Comstock Estates counsel had recommended an impleader action wherein we would ask the court to require Grand Valley Irrigation to transfer the shares to Comstock Estates. Cost of this action is estimated to be approximately \$2,500.

Board Member Roberts moved that the Board accept the recommendation at an estimated cost of \$2,500. Board Member Wilds seconded the motion which passed unanimously including a proxy vote for Board Member Wilson by President Noffsinger.

RESIGNATION OF BOARD MEMBER; APPOINTMENT OF SUCCESSOR.

President Noffsinger announced resignation of Board Member Burrell who is leaving Comstock Estates. Burrell passed on all paper files which included actions of the Architectural Control Committee.

President Noffsinger announced that Member Tom Snow volunteered to replace Burrell. President Noffsinger moved Member Snow be appointed to the Board. The motion was seconded by Board Member Wilds and passed unanimously.

Mr. Tom Duhemel, who resides at 436 Forty Niner, volunteered to assist the Board. President Noffsinger appointed Mr. Duhemel to the Architectural Control Committee.

NEIGHBORHOOD WATCH

Status of the Neighborhood Watch program was presented by Board Member Wilds. He has not been successful in appointment of Block Captains; and suggested that a mass mailing or handout explaining the program to Members was needed.

FINANCIAL REPORT

An analysis and discussion of the financial report provided by Heritage Property Management was presented. President Noffsinger reported that dues for 3 properties exceed \$500; and 8 exceed \$200. However approximately 90% of Association dues has been collected.

Member Roberts reported that expenditures for fencing and irrigation system are close to budgeted amounts. Legal fees are below budget; and the surplus of about \$1,500 should cover fees to file the inpleader action for the irrigation water shares.

OPEN DISCUSSION

Board Member Roberts recommended that a newsletter be sent to all Members; and said newsletter is to include next years budget, need for assistance with the Neighborhood Watch Program, and reminder to all members to properly set irrigation valves so they would not freeze. Board Member Snow recommended that efforts be coordinated with the police department to contact as many Members as possible by e-mail.

ADJOURNMENT

The meeting was adjourned approximately 8:25 pm.

Respectfully submitted,
Gene A. Burrell