

HOA BOARD MEETING MINUTES
August 16, 2016

President Brent Wallace called the meeting to order at 6:10 pm. All Board members were present except: Ed Cooke.
Guests: J. Crank, Mr & Mrs. Youlin, Mack Sharp & builder, Gary.

No report from the President or Secretary.

Treasurer: The budget is on target for current and future expenses, with a small amount overage for monument maintenance. We have \$2,200 in account.

Old Business:

- Lot #3 – The plans for the detached garage were approved. The Board advised Mac that the El Paso Building Dept. will need to review the plan once the HOA approves.
- Lot #45 – Homeowner agreed to relocate the proposed shed and will be sending revised plans and documents to the Board for approval.
- Trail Signs – Don Messmer has removed all signs that stated the trail was part of the Black Forest Trail Assoc. The Board approved making a sign stating: **NOTICE Private Trail. Forest Gate HOA maintains this trail. CRS 33-41-101 and 13-21115 limit liability regarding use of the trail. WARNING Anyone using this trail does so at their own risk. Trail users are responsible for any damage caused, including the removal of any trash or waste material resulting from the use of the trail.**

Ed P. and Robert K. will make the sign and post.

- Trail Easement:

- Brent spoke to lot #46 homeowner about the current trail not being on the easement and did he want to keep it that way or have it moved. The homeowner would like the trail to be relocated onto the easement between his lot and lot #47. He stated if any trees needed to be taken down, he would be glad to do so.
- Lot #44 – Homeowner has not responded to message from Brent as to the trail that currently is off the easement and on his property.
- Lot #43 – Homeowner is okay to leave the trail off the easement and on his property.

Brent will draft a letter and contact a recommended real estate lawyer to make sure the letter is worded correctly for homeowners to sign stating they take full liability responsibility for the trail being on their property and not on the easement.

- T. Youlin, Lot #42 asked the Board to explain the liability issue regarding the trail easement. Kenny explained his understanding according to the HOA insurance agent.

- R. Kenny and B. Wallace will put the letter/ballot together and email to all home/lot owners regarding the trail being kept private to Forest Gate residents or allow non-residents to use the trail. The recorded plat and PUD development plan established the easement as a private trail for HOA members only, however, the covenants allow public access unless the homeowners vote to limit the use. An explanation of the HOA and homeowner/lot owner's liability will be included in the letter/ballot.

New Business:

- Lot #12 – Homeowner submitted photos of proposed remodel of deck surface and railing to the Board for approval. The Board approved as presented.
- Lot #38 – Lot owner submitted plans and design review form for a home to be built on the lot. The Board approved #1 & #2 on the Design Review Form (site plan and construction plan) and advised the lot owner that we need the information on exterior materials & colors to complete the approval process. Lot owner will provide information to the Board within 30 days.

The next meeting of the Board is set for Tuesday, October 4th at the Black Forest Fire Dept. Conference Room at 6:00 pm

The meeting was adjourned at 7:55 pm.

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Submitted by: Diane Saign, Secretary