

## Minutes of December 4, 2024 Cody HOA Board Meeting

The meeting was held at the home of Joe Grout, 2959 ½ Bookcliff Avenue and called to order at 7:00 PM by Gary Langdon, President. Those present were: Joe Grout, Jesse Medina (Board Members), Gary Langdon (President) and Kathy Bowen (Secretary/Treasurer). Ty DuCray was ill and unable to attend.

Kathy passed out the 2024 Income & Expense Report showing as of December 4, 2024 \$2,084.55 in checking and \$24,779.83 in the money market account. There were no questions regarding the report and Gary asked that it be filed as presented.

Kathy presented the proposed budget for 2025. The budget presented was \$17,495 in expenditures with \$16,634.55 in total funds available with dues kept at \$150 per home and \$2,084.55 carry over from 2024. After discussion among the board members, it was decided to accept the proposed budget for 2025.

Joe Grout presented the attached letter stating his intention to operate the pump house through the upcoming irrigation season but stating that this will be his last season after serving the HOA for 30 years in this capacity. The letter asks for other homeowners to step up to help him this summer and learn the ins and outs of keeping the pump house running. This letter will be included in the mailout to homeowners with the Notice of the Annual Meeting.

The Annual HOA Meeting was discussed with Wednesday, January 22, 2025 chosen as the date for the meeting to be held at 7:00 PM at Frutvale Elementary. Kathy said she would contact the school district to reserve a room for the meeting.

There being no further business to discuss, the meeting was adjourned at 7:30 PM.

Respectfully Submitted,  
Kathy Bowen  
Secretary/Treasurer Cody HOA

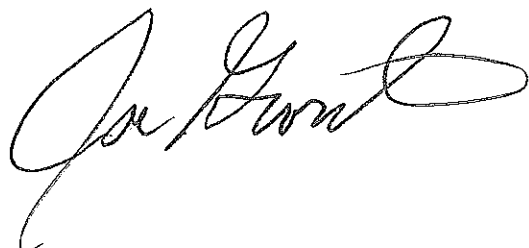
For the past ~30 years I have been extensively involved in the day-to-day operations of Cody Homeowners Association, particularly the operation of the pressurized irrigation system. This includes maintaining the pumps, the main irrigation lines, location services as required by 811 and the yearly maintenance upkeep to keep the system operational through the irrigation season. Our overall water delivery success rate is conservatively 95% full operation excluding outages or shortages caused by Highland Park Lateral Ditch and Drainage who supplies the water to the cisterns which we distribute to our members in the HOA.

The work needed to carry out the success rate above takes the ability to respond to a situation that arises quickly and as efficiently as possible. It takes some time and the ability to act quickly to restore service in a prompt manner. I have had the pleasure of working with several of you over the years and your time and dedication and willingness to help in all type of scenarios; many which include manual labor in tight areas, including cleaning the cisterns and excavation of leaks in yards that have little to no access for machinery. For this I personally want to Thank each one of these people as they have been invaluable in the operation of the irrigation system at the level we have reached.

This said, I find myself at a point where I want to step back and allow people who are younger and physically more capable than I to take over the day-to-day operations. I am not getting any younger and frankly I would much rather spend my summers fishing, biking, and spending more time with family and friends that live at distances further than I can be absent from my present duties in the Cody subdivision for extended periods of time. So, I am resigning my position as lead irrigation operator, effective **January 2026**.

This gives 4+ months from receipt of this notice for someone to step up before the start of the 2025 watering season to work with me through a full season to understand the routines needed to assure that whoever takes over daily operations has at least a rudimentary idea of the duties. I will still be available in the future as I am available; to assist in operations particularly in areas where the subtleties are not readily apparent and when applicable operation of heavy machinery when the need arises at a reasonable rate as an equipment operator, as well as in season pump repairs, at a far reduced rate compared to the pump repair companies.

I will also stay on as a board member to help board members in the transition, as there are many non-irrigation related duties that require the attention of the board to manage.

A handwritten signature in black ink, appearing to read "Joe Powell". The signature is fluid and cursive, with a large initial "J" and "P".

## Minutes of January 25, 2025 Cody HOA Board Meeting

The meeting was held at the home of Joe Grout, 2959 ½ Bookcliff Avenue and called to order at 1:00 PM by Gary Langdon, President. Those present were: Joe Grout, Jesse Medina and Ty DuCray (Board Members), Gary Langdon (President) and Kathy Bowen (Secretary/Treasurer).

Joe Grout presented the attached notice to homeowners outlining new changes to be implemented by the Board of Directors due to the apparent lack of interest of the homeowners in the operation of the Cody HOA. The board approved the changes and the notice will be included in the mailout to homeowners with the annual billing for HOA dues and proxy.

There being no further business to discuss, the meeting was adjourned at 1:30 PM.

Respectfully Submitted,  
Kathy Bowen  
Secretary/Treasurer Cody HOA

## **Cody HOA**

**Effective February 1, 2025**

Due to the nearly nonexistent turnout at the annual meeting on Jan 23, 2025, and the total disinterest in the future of the Homeowners association the following changes will be implemented

### **Secretary/ Treasurer**

1. The position of the Secretary/ Treasurer will be paid at a rate commiserate to the work required. In the past we covered the position at a yearly stipend of \$600.00 This will now change to 150.00 per month for basic services (paying bills, maintaining our website, and fielding requests for information regarding the sale of homes and inquiries into the CC&R; s
2. Any correspondence that goes out to each home (annual meetings, billing invoices etc. shall incur a charge of 200.00 per occurrence.
3. All invoices including this year's annual billing will be considered in arrears after 30 days which will incur late fees for outstanding balances on HOA dues to be increased to \$15.00 per month. The HOA dues will be considered uncollectable after 120 days from the date of the invoice and a lien will be filed against the original invoice amount, plus late fees incurred and an additional charge of \$200.00 for filing the lien plus all incurred late charges as well as interest and all fees the County of Mesa clerk and recorder requires to file the lien. An additional fee of \$150.00 will also be added to release the lien once paid. Each year the lien must be renewed for nonpayment including the present year charges an additional \$150.00 will be charged to the lien.

### **Pumphouse operator**

1. The operator of the pumphouse will only be available when he is physically present in the subdivision. If you have an emergency due to a leak on your property you will have to call the operator first and if no answer, one of the emergency contacts listed on the Cody HOA website. If you have no internet or choose not to use this resource, it will be in your best interest to have these phone numbers listed in an easily accessible location in your home or phone. The person you contacted will shut off the water and

inform you to contact the pumphouse operator and leave a message with your name, address, and phone number detailing the issue you have. Once the pumphouse operator is available he will get back to you and physically come inspect the damage/issue at hand and will review a solution to repair the issue in an efficient manner.

- A. A contact document will be supplied, and a signature will be required by the homeowner. It will detail the responsibilities of the homeowner regarding the issue identified, the responsibility of the homeowner to find a suitable contractor to perform repairs on the riser and the 2" valve (which belong to you making you responsible for the repair) and a required site inspection of the completed repair by the pumphouse operator to verify the repair can service the pressurized irrigation without failure. This is due to the attempts in the past by contractors or homeowners to use band aid type repairs that failed again in short order. If the repair is unsuitable or fails again the homeowner will contact the repair person to improve the repair to meet the needs of pressurized irrigation in the system.
- B. In the case of a main line leak Cody HOA representative will have full access to the rear yard including laborers and equipment to repair the break. The contractor or pumphouse operator will use some care relating to the landscaping where the leak is identified but we are not responsible for moving and or removing outbuildings or concrete overlays, patios or any other obstruction (pavers, dog runs, side or rear yard fences) that would result in unsafe working conditions within the dedicated easement. Until these obstructions are removed so we can excavate the area safely to repair the leak, we will not contact the repair contractor as it will be up to the homeowner to remove these obstructions prior to excavation, and then upon removal to contact the pumphouse operator so the work can then be scheduled for completion of the repairs. It will also fall to the homeowner to replace all removed items.

2. Beginning April 1, 2025, the pumphouse operator shall be compensated at a rate of \$600.00 a month during the annual operating season (April- October), If during any month the work necessary to keep the water system operating exceeds 20 hours an additional \$40.00 per hour will be paid for the remainder of that month. This also includes mandatory underground line location service required by 811 or "call before you dig" requirements.

3. During the off-season months (November –March) any work performed will be at a rate of \$40.00 per hour will be charged. This will cover time spent doing repairs to the pumps/ pumphouse, routine maintenance or improvements in the water system facilities and structures, Additionally, this will include minor maintenance required at the retention facility (cleaning debris from the outlet water structure, raking leaves in the fall for the City of Grand Junction to remove during the annual leaf pickup program and clearing the

sidewalk of snow after a storm to comply with the city requirement of clear sidewalks within 24 hours of a storm. If the operator is unavailable for any reason a contracted company will do the work at their standard rate.

4. The availability of the pumphouse operator will no longer be as needed, rather it will be when the operator is available. This will lead to delays or potentially long outright shutdown times regarding the pumphouse and or water distribution system which can only be returned to service by the pumphouse operator. In other words, from this point forward if the operator is not available for any reason, the emergency contact will shut off the water system until the operator is available again. These emergency contacts will no longer be required to do anything more than shut down the system to prevent further damage to property or to our pumps or facilities and have been instructed this is the limit of their duties.
5. As for information regarding any shutdown during the water season, a brief explanation of the shutdown and the reason for the shutdown will be listed on the Cody HOA website. There will be no information as to how long it will take to rectify the issue listed, only that an issue exists. This is the only place you will have access to the information during the water season since the pumphouse operator and the secretary are the only two who have access to post such information. We are discussing a secondary solution (possible signpost indicating the status of the water easily seen as you enter the subdivision from Darby Dr) but we have to locate a place and get permission for the sign to be installed as it will be on private property.

#### **Implementation of the changes.**

1. The invoice you received along with this informational letter will leave the annual dues @ 150.00 per household for the year 2025 as this was the budget approved at the annual meeting. For the rest of the above-mentioned changes the board of directors authorized that money be drawn from the capitol money market we maintain for catastrophic occurrences (water line leaks in street right of ways, cleaning the pond using excavation contractors to maintain the area as serviceable for major rain and snow events etc.) The fund can service the increased budget required by these changes for one year; however, expect next year's budget to reflect the increased financial burdens listed above, or in the case of a property management company taking over those costs based on the negotiated contract the Board of Directors will in good faith sign.

2. Because of the nature of the Homeowners Association we cannot disband the HOA as it is designed in perpetuity without a legal challenge to remove the HOA. This will not occur because of the burdens placed on each home (maintenance of the retention facility, the charter of the Highline canal “Water runs with the land” which in turn holds each of us responsible for paying Highland Park Lateral Ditch and Drainage Company for water to be supplied to the area, even if we do not use it.)

Even if we were to convert the pressurized irrigation to single use ( a pump in each yard) the issue of dealing with the dirty water that flows in the spring runoff and after major rains in the high country would still require system wide management to prevent lines from plugging full of silt (even as dirty as the water may seem to you in the spring, the cisterns are filtering out at least 60% of the silt before it ever reaches your property which even in relatively clean runoff years still deposits 12-18” of silt in the cisterns that we have to dispose of annually. This silt is not pumped through our system but removed in a different manner, obviously to prevent plugging the underground lines. We have a functioning plan presently to remove the silt that takes 3 to 5 hours each season to accomplish by no less than two people in a pinch, but 3-4 people optimally.

### **Moving forward**

We as HOA members and the board that directs operations are faced with the reality that with no one willing to step up and help with basic functions of the infrastructure or even lead in the capacity of a HOA board member have left us little choice but to turn to outside contractors and/or property management companies which come at much higher costs than we have been able to maintain for many years. We have had your needs at the forefront of any decision that has been made for years now but change is necessary not only for the good of the community but the knowledge that has been acquired over the past 30 years. Without knowledge this hard-earned information disappears without people to carry that information forward. We are hopeful that property owners are willing to eventually step forward and assist and help the present board in the future so we can share this hard earned information, understanding the wealth for what it is worth.

The above information has been reviewed by the Cody HOA Board of directors and approved by the Board of directors at a meeting held January 25, 2025.

Gary Langdon, President

Ty Ducray Director,

Jessie Medina, Director

Kathy Bowen Secretary /Treasurer Joe Grout, Director, pumphouse operator