



Andy Mowery <pohoaandy@gmail.com>

Backlot Mowing

Andy Mowery <pohoaandy@gmail.com>

To: Poudre Overlook HOA at FtC <atftcpoudreoverlook@gmail.com>

Cc: Lora B 4POHOA <lb4pohoa@gmail.com>, Clay Jones <joneswv66@gmail.com>, "Walker G. Flanary" <wgflanary@gmail.com>, John Tunna <pohoajohn@gmail.com>, steve.christen@poudre-fire

To the Board,

On a lap on my bike around the neighborhood backlots yesterday, I noted that it appears we had contractors working yesterday in the front "natural area", as well as mowing the irrigated open space appeared to have work done, which I understand is a different contractor (E&W). This raised questions about how we are determining priorities with the contractor(s).

Today, when I rode the same route, I noted several things:

1. The "natural area" appears to still have a large number of weeds that are flowering and spreading seed, including some of the same noxious prickly ones that were chemically treated last year. They have remained successful, so it would be a good idea to continue the same treatment (supposed to be applied in May and September) to finish the job.
2. It appears that E&W began backlot mowing on the Northern fence area, but no weed whacking was done. There is also a section where the mowing was stopped short about 6 feet from the fence.
3. It appears, however, that those whose properties abut to the open drainage area along Paddle Ct. and parts of Headwater had mowing done that was fairly clean all the way to their fences.
4. No mowing has been done along the Southern Fence, where the subject fire hydrant (apparent code violation).

Photos are below (I have more if you would like to review).

One of the homeowners was on his deck and asked what I was doing, and I said I was wondering why this area of mowing had been prioritized. He's a former Director who attends most every meeting, and he suggested that it got mowed "before the rains". As far as I can tell, that would put the date perhaps as far back as May 30. I'm not certain that is accurate.

The question is why the Treasurer, who is the sole contact with contractors (if the 6/15/22 decision is valid and means he is the sole decision maker), would prioritize these areas on the North, and in code violation to continue until the fire hydrant literally is no longer visible from the ground. It would make sense that hydrant areas receive top priority vs. last priority - particularly when work appears several days of consistent rain (exacerbating the situation). Can you please explain how the Board or Treasurer is determining the priorities of the contractor?

Below are some additional photos that illustrate the condition of the natural area (along Overland) and the backlots as of today. I would appreciate a timely response to the remaining open questions

Sincerely,

Andy



Grasses taller than fences



Tall weeds (large area) on South Fence



Dandelions seeding in natural area



Weeds surrounding and inside "flower/planting" areas (unmaintained)



North Fence - mowed on left, not on right



Large tree debris moved from mowed area to unmowed area (North Fence). Weeds along mowed side not weed whacked



North Fence area - large swath not mowed, no weed whacking



Open area (irrigated, edged and weed whacked up to homeowner 3-rail fences). Significantly different standards.



Area behind Paddle Court/Headwater mowed as a priority



More of area behind Paddle Court

----- Forwarded message -----
From: **Andy Mowery** <pohoaandy@gmail.com>
Date: Mon, Jun 5, 2023 at 3:00 PM

Subject: Re: SB23-178 Compliance
To: Poudre Overlook HOA at FtC <atftcpoudreoverlook@gmail.com>
Cc: John Tunna <pohojohn@gmail.com>, Clay Jones <joneswv66@gmail.com>, Walker G. Flanary <wgflanary@gmail.com>, Lora B 4POHOA <lb4pohoa@gmail.com>

To the Board:

Following up specifically on the condition of common area sidewalks, I am sending recent photos. I have excluded Poudre Fire from this email, as this is not their concern. I am also raising the issue

1. Below are photos showing the ends of Bubbling Brook where both tall grasses and weeds are allowed to grow unabated.
2. I am also including photos of the area adjacent to the common area where Director Jones lives. It seems that area is maintained like a golf course, while other areas are ignored completely.

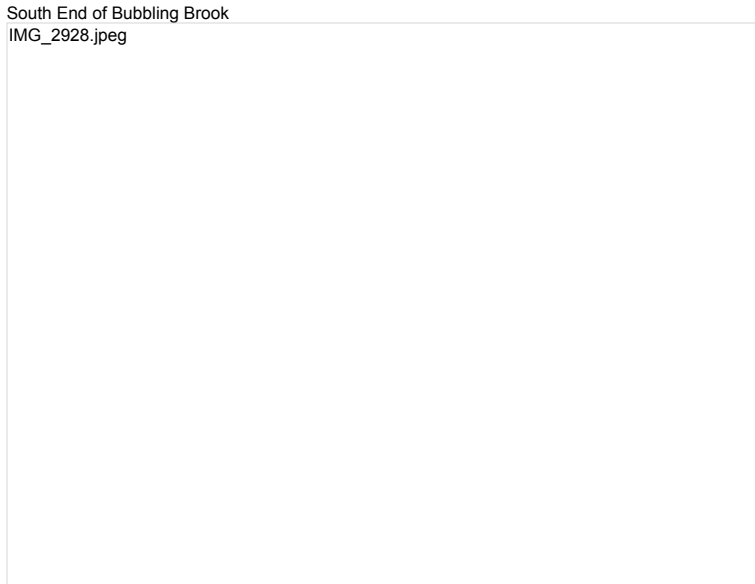
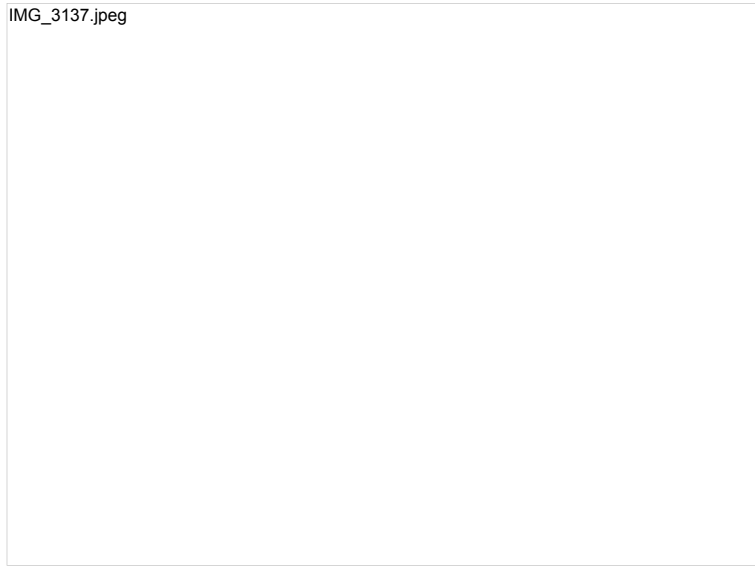
It appears we have one standard for common area sidewalks some homeowners that are drastically different than for others. Why are all common area sidewalks not receiving equal and consistent :
Finally, it appears we spent \$357 on water in May when we received over 4" of rain.

- A. May I please see the daily water usage charts (or could they be shown at a meeting)?
- B. Is anyone turning off the system when we have such rains?
- C. Has the Board considered automating water management with inexpensive rain-detectors for the irrigation system).

It seems we are wasting money on water when it is unnecessary, and simultaneously ignoring the landscaping needs of common areas that are unirrigated demonstrating that no irrigation was neces:
while others are allowed to look unmaintained?

Sincerely,

Andy



North End of Bubbling Brook

IMG_2927.jpeg

Adjacent to a Director's house

IMG_2926.jpeg

Fence line along Headwater in open space

IMG_2931.jpeg

Along connector to Stagecoach

IMG_2908.jpeg

Connector to Lin Mar Acres

On Mon, Jun 5, 2023 at 2:23 PM Andy Mowery <pohoaandy@gmail.com> wrote:

To the Board:

Thank you for acknowledging my follow-up email. I have not yet received answers to several questions.

Today I noticed that the fire hydrant located in the SE Corner of the PID/HOA has now disappeared in tall grass. We now have grasses in the 3-5 foot tall range throughout much of the backlots. The amount of backlot/outlot mowing has been controlled by a single household in Poudre Overlook HOA.

Prior to 2019 the mowing was always done in the last week of May, or if weather delayed, by the first week in June. I have yet to receive official confirmation that the mowing is scheduled for the improvement over recent years. I would like this fact verified before publishing on the subject to other homeowners.

Director Jones appears to have absolute/sole control over the control (there is no evidence of a Board vote), and he recently lamented that if only we had a property management company, scheduled email exchange with Trademark Property Management Group in June/July of 2021 when the same delayed scheduling appears to have been influenced or directed by the same household (Gloria) at the time and had claimed that the Board was now the Landscaping Committee (Gloria Jones was the sole member and Chair). While blame has been placed on the contractor, the scheduling decision by the household wishing for them to be too late in the year to address weed/seeding issue, invite rattlesnakes into the area, lead to a higher likelihood of insects like ticks being able to flourish (which are at least important, appear to create a code violation regarding access to fire hydrants the HOA is responsible to keep a clear path).

I had previously engaged Wayne Higgens in 2021 who has since retired. I spoke today with Steve Christen, who affirmed the fact that allowing these grasses to grow in this manner is a code violation. The HOA has already created policy in POHOA whereby volunteers covering for poor contracting (snow removal) is incentivized by giving "gift cards" to volunteers who do the work. While I have yet to receive confirmation, it would appear that the Board may need to take formal action to precipitate code compliance if they are unwilling to schedule contractors in time to avoid the fire hydrants being obstructed by the grass. This is central to up to 7 homes, 5 of which are in 2 different subdivisions (which could create liability issues not self-contained in this HOA).

If you wish to reimburse me for my own efforts using the same gift card program, I would like that in writing, including the scope of work, and the rate at which I would be reimbursed. I am unclear if a reimbursement (via email) would require a cleared path from Bubbling Brook Court (cul-de-sac), or whether only the immediate area around the fire hydrant is necessary to clear. It is also a question as to whether a reimbursement through many of these grasses which now have thick stalks as a result of allowing them to overgrow to this point. It would be SO much easier if you simply had the contractor maintain this path using a lawnmower.

I have also attached a recent 2023 study that addresses Fire-Wise Practices in Colorado as they may affect and drive up insurance costs for the HOA as well as individual homeowners. I have prepared to adapt some of our policies and rules regarding fire safety, yet this has not yet been made an agenda item at any meeting. Having such tall grasses immediately adjacent to over a mile of cedar trees poses risks that may significantly affect our insurance premiums. I would like the Board to study this issue as an official agenda item, and perhaps allow a Landscaping Committee to work on solutions.

Whatever good faith reasons to delay mowing may exist, they are likely outweighed by legitimate cost and safety reasons that point towards scheduling this mowing in late May.

Below are some photos from today to illustrate the current condition and issue. I am still seeking answers on the remaining open questions which you have acknowledged receipt.

Regarding Mr. Christen, who is copied on this email, he advised that if POHOA is unwilling to act in a timely manner, the Poudre Fire Department could begin formal enforcement actions at any time (if they appear to do). I do not wish to cause POHOA to have additional time or expense on this issue, but I do not believe ignoring compliance is an option at this time. This hydrant has been obstructed for some time.

Sincerely,

Andy

image2-2.jpeg

Fire Hydrant barely visible in SE Corner of POHOA (yellow top behind grasses near center of photo)

image1-4.jpeg

Wider view of same corner. Imagine having to find it in the dark when seconds and minutes matter.

From: Andrew Mowery <andrew.p.mowery@gmail.com>
Date: July 7, 2021 at 6:07:32 PM MDT
To: Theresa Martinson <theresa@trademarkpmg.com>
Subject: Fwd: Fire hydrant clearance

Theresa,

I just received confirmation from the Poudre Fire Authority regarding access to fire hydrants, and it would appear that POHOA has a code obligation to the County to keep all fire hyc

I have yet to receive confirmation that the problem is due to negligence/incompetence on either the part of Trademark or the Board in scheduling the pre-arranged contractor on time

- a) she claims to not have enough minutes on her cell plan to provide such access (it wouldn't be necessary with wi-fi)
- b) she does not know how to set up a Zoom meeting (I sent an instructional youtube video, and did not receive a reply)

I would like confirmation that all Landscaping Meetings will be accessible remotely going forward so that homeowners with these concerns can have an opportunity to participate pre

I spoke with Capt. Wiggins, who confirmed for me that POHOA should not feel that maintenance around the fire hydrant is optional going forward. This should be noted in the perma

Please confirm in writing that POHOA will no longer allow this hydrant to become obstructed again in the future.

Sincerely,

Andy

----- Forwarded message -----

From: Wayne Wiggins <Wayne.Wiggins@poudre-fire.org>
Date: Wed, Jul 7, 2021 at 5:13 PM
Subject: Fire hydrant clearance
To: andrew.p.mowery@gmail.com <andrew.p.mowery@gmail.com>

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