

Meeting Minutes
Infrastructure Committee
Kissing Camels Property Owners Association
January 13, 2022

Dick McCaskill	Committee Chair	Present
Mark Holthouse	Committee Member / EB Liaison	Present
Carl Smith	Committee Member / Drainage	Present
John Frank	Committee Member /Roads	Present
Ron Johnson	Committee Member / SC Liaison	Present
Bud Ingels	Committee Member/Construction	Present
Diane Hampson	Community Manager	Present
Teresa Lamothe	Assistant Community Manager	Present
Bruce Barbarick	KCPOA Asphalt Consultant	Absent
Mark Stritzel	KCPOA Const. Management Consultant	Present
Guests:	Peter Martz, KC5, LLC John Hurwitz, owner, 3910 Sar Rise Point	

The KCPOA Infrastructure Committee (IC), reporting to the EB, has as its responsibilities the implementing of the KCPOA land development process for unplatted vacant land parcels, the monitoring and maintenance of common area roadways and selected non-road physical assets, the monitoring and maintenance of corporate KCPOA drainage facilities, and providing capital and operating budget input to the EB. Meetings are generally held monthly, with special purpose meetings and working sessions called as needed.

The meeting was called to order at 3:30 PM. Quorum was established.

The minutes from December 9, 2021, were approved as submitted. (Ingels/Smith).

New Business:

a. KCPOA 2022 Road Maintenance Planning – John Frank

- i. John provided an overview of 2022 road maintenance planning. The information related to road maintenance planning was provided in writing by Bruce Barbarick and was distributed to the Committee members. Bruce Barbarick provided the crack fill/sealing Request for Proposal (RFP). as John requested, the RFP included environmental compliance as part of the contractor’s responsibility.

Two firms submitted proposals that were acceptable to perform the work. Bruce Barbarick recommends awarding the contract to A- 1 Chip Seal.

As discussed, confirmed scope of work, quantities and unit prices are listed below:

- Material: 10,000 LBS
- Unit Price: \$2.15 per LB

- Extension: \$21,500
- Streets included: Kissing Camels Drive, Camels Ridge, Hill Circle, Inwood Road, Sunnybrook Lane, Camelback Way, Camels View, Twinflower Point, Camel Grove, Greenside Point, Star Rise Point, Lumina View, Coyote Point Drive, Elisa Court, Chilson Lane.

A motion was made and seconded to award the contract to A-1 Chip Seal for EB confirmation and execution for a NTE cost of \$21,500 (Frank/Holthouse). Motion carried.

ACTION: The Chair will ask Bruce if the contract should be revised to include compressed air to blow the dirt out of the cracks prior to applying the hot sealant.

b. Drainage Study Update - Carl Smith

- Carl provided an overview of the drainage study contract awarded to Terra Nova Engineering last month. The subcommittee met last week with the Owner, LuAnne Ducett, to review changes she proposes to the contract. Those requested changes will be reviewed by Carl, Dick, and Ron Lehmann. Minor changes will not affect the cost of the contract; the price of \$64,500 will remain the same. Once the proposed changes are agreed upon Diane will complete the contract to be executed by Matt Coleman.
- c. Resolution:** The IC voted to recommend that the EB modify the IC Formation Resolution by adding the words *shown in italics* below:

Resolution for the Formation of the KCPOA Infrastructure Committee:

The Kissing Camels Property Association (KCPOA) Executive Board (EB) by this resolution, based on Articles 5.1 and 5.2.9 of the Amended KCPOA CCRs, formally establishes the KCPOA Infrastructure Committee (IC), reporting to the EB, and delegated with the tasks of:

1. Implementing the KCPOA land development process for unplatted vacant land parcels, *which process shall conclude upon final acceptance of the infrastructure improvements into KCPOA ownership.*
2. Monitoring and maintenance/*repair* of common area roadways (including sidewalks, curbs, and gutters) and selected non-road physical assets (e.g., signage not related to safety and security, walls and posts, streetlights, street signs, *new* perimeter fencing *through the warranty period*, and underground cabling/wiring).
3. Monitoring and maintenance/*repair* of corporate KCPOA drainage facilities.
4. Providing capital and operating budget input to the EB in support of assigned tasks.

The IC shall consist of at least three and no more than seven standing members and one

alternate member, including at least one member of the EB, all of whom shall be annually appointed or re-appointed by the EB.

A motion was made and seconded to adopt the changes to the Resolution as presented (Ingels/Johnson). Motion carried.

Old Business:

a. Review of Developments in Progress - Dick McCaskill

i. RRP1 (aka "Preserve at Kissing Camels")

The IC discussed and approved the following Motion: Having received the Detailed Grading Plan with pdf file date 12-7-2021 and RR1 Revised Appendix B of December 28, 2021, and acknowledging that several modifications must be made to the Development Agreement between KCPOA and KC5, LLC for Red Rock Point 1, signature dated June 22, 2020, the Infrastructure Committee does hereby approve the Amendment to DA as presented by Ron Lehmann, and the associated exhibits and appendices, with one exception. That exception is to remove the words "and approved" at the end of the last sentence in point #7.

The IC and ARC feel that the Fee of \$100 should be charged to reflect the work required of the ARC whether or not the change order is approved. Furthermore, the committee recommends that the Amendment and associated exhibits and appendices be executed by a signatory officer of the EB if and only if the EB is satisfied that the Garden of the Gods Resort and Club will not object to the use of its non-potable water source for the irrigation of the common area landscaping in the development.

A motion was made and seconded to approve the motion as presented (Ingels/Frank). Motion carried.

The Chair noted that at the time of the IC meeting, Toll represented that the draft letter confirming use of its non-potable water source was accepted by the Club but was yet unsigned. Once signed it will become an Appendix to the Amendment.

The Chair also noted the following.

a) Ron Lehmann will revise any final wording to the narrative Amendment and combine the incorporated exhibits and appendices into one document for signature and recording,

(b) Barbara Rist will provide the final Appendix B (the consolidated lot-by-lot chart of the allowances and restrictions for each of the sixty-five lots), and

(c) unless the EB determines that material changes in the business terms of the proposed Amendment are necessary and require IC review and comment, the IC has no further need to review and comment at this time.

ii. RRP4 (aka "Red Rocks at Kissing Camels")

The IC discussed and approved the following Motion: Having finalized a Development Agreement with KC5, LLC for the development known as Red Rocks Point 4, having incorporated the final Development Plan by reference into that Development Agreement, and in receipt of the final Development Plan approval by the City of Colorado Springs, the IC has determined that the requirements contained within the KCPOA Land Development Guidelines for EB approval of a development have been met.

Therefore, the IC hereby votes to recommend to the KCPOA Executive Board that the EB favorably review and approve the documents mentioned. Conditioned upon the receipt by the KCPOA Community Management Office of the final full-size DP stamped and signed by the City, the IC recommends that a signatory officer of the Executive Board execute the Development Agreement with KC5, LLC.

A motion was made and seconded to approve the motion as presented (Ingels/Holthouse). Motion carried.

The Chair noted the EB will need to include a statement by Peter Martz that he will deliver the city stamped, signed, full-sized drawings to the Community Management Office in the next few days. Those full-sized drawings should be logged and maintained on file in the Management Office for reference and use by the committees and EB. Peter also mentioned that with this approval KC5 anticipates selling RRP4 to Toll Brothers with closing to occur likely in February.

In the Chairman's opinion, it is likely that upon further detailed planning by Toll Brothers, it may request an Amendment to this RRP4 DA. Lastly, Peter commented that KC5, LLC has agreed to sell the vacant area known as 6-8 South to GOGC, with closing on the sale to occur as soon as the end of the month.

Next meeting date: February 10, 2022.

Meeting adjourned at 4:56 pm.

Respectfully submitted by Teresa Lamothe