



KCPOA Town Hall Meeting

AGENDA

1. 2021-22 Goals – *Where are we?*
2. On the Horizon
3. Overview of Proposed Covenant Amendments
4. Members Q&A
5. Final Thoughts & Closing Comments



Thank you to our volunteers...you make KCPOA possible!

PROCEDURES FOR THE CONDUCT OF MEETINGS

Gathering is for informational purposes as a mid-year update to members.

KCPOA meeting conduct policy applies

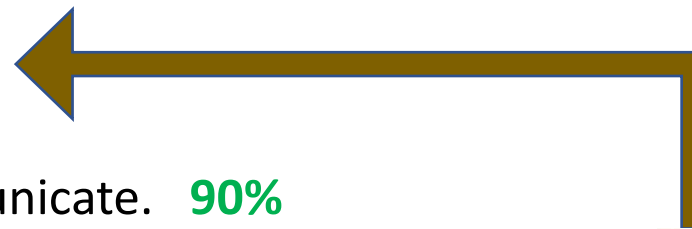
- Meeting is open to every KCPOA member
(In person and On line enabled)
- Open Forum following presentations
 - Time limit per member to speak: 1 opportunity, 3 minutes
(Please use the mic so all present or listening in can hear you)
 - Signup sheets will determine order of member speakers
 - Member conduct policy – ***decorum, courtesy, respect for others' time***

Play nice !



2021-22 Goals – Where are we?

- ✓ Resolve ongoing litigation **100%**
- ✓ Ensure the continued financial strength of KCPOA **100%**
- ✓ Restructure and improve the processes employed by our ACC (ARC) **95%**
- ☐ Finalize all aspects of the development agreements for Red Rock Point 1 and 4 **80%**
- ☐ Rebuild our bench of volunteers **60%**
- ✓ Communicate, communicate, and communicate. **90%**
(*Have you registered on www.kc-poa.com ?*)



What about
YOU?



On the Horizon...

- Drainage Study Results...long term maintenance plan?
- 65 homes in RRP1; Development of RRP4...then 50 homes
- Security...more cameras, better fencing, improved procedures
- Reserve Study...Validate reserve adequacy for infrastructure
- Increase KCPOA work capacity – professional and staff
- Refresh and increase volunteer involvement
- Rising Costs...labor, vendors, gas, material...assessing impact
- Member Survey to inform board and committees for 2022-23





Amendment to CC&Rs: Background

- 2 years of litigation challenges
- Unbudgeted Cash Costs to KCPOA > \$60,000
- Hundreds of Hours of Volunteer and Staff Time
- Disruption of KCPOA Association Liability Insurance
 - Retention (i.e. "Deductible") raised from \$10,000 to \$50,000 per claim
 - Defense costs moved "inside the limits" vs. "outside" previously
 - Zero options via our insurance broker for renewal
- Broken relationships, bad feelings, and less *volunteerism*

Constructive Outcomes...

- ✓ Rewrote Design Guidelines
- ✓ Restructured the ARC, emphasizing "Review" and not "Control"
- ✓ Revised ARC processes, project tracking, tech review by licensed architect
- ✓ Mandatory formal board and committee training around duties, responsibilities, and process
- ✓ Improved communications and transparency
- ❑ Institute Alternate Dispute Resolution for disputes vs. KCPOA



Amendment to CC&Rs: Why ADR?

“The cost, complexity, and delay inherent in court proceedings make litigation a particularly inefficient means of resolving neighborhood disputes. The legislature specifically encourages common interest communities (HOAs) to adopt protocols that make use of mediation or arbitration as alternatives...to the filing of a complaint between a unit owner and the association.”

“Mediation and other methods of ADR are more cost effective than traditional litigation and frequently result in more acceptable outcomes for all parties involved.”

-- State of CO Dept of Regulatory Affairs Website / CCIOA Section 38-33.3-124 and 209.5

- ✓ **Best Practice articulated by CCIOA**
- ✓ **Fair**
- ✓ **More Efficient**
- ✓ **Less Costly**



Amendment to CC&Rs (Two Ballot Items)

Update and clarify provisions regarding Design Review and Architectural approval

- ✓ Change “ACC” to “ARC
- ✓ Limit landscaping that requires review and approval
- ✓ No limit to # members of the ARC (to handle work)

Add provision providing for Alternate Dispute Resolution

- ✓ Mandatory negotiation and binding arbitration; no litigation
- ✓ Limited to matters arising from the governing documents
- ✓ Exempts various claims, including contracts, title actions, and member vs member with no KCPOA involvement



Amendment to CC&Rs: Process

- Altitude Law retained to advise Executive Board (David Firmin present)
- Ballots distributed only to members who are not in “legacy sub-associations”
(The Park, Camels Ridge, and The Courtyard)
- 60 days (+ 4 days of mailing time) to return ballots (mail, email, drop off)
- 51% of eligible voters (i.e. those receiving ballots) must **Vote YES** for passage;
(A choice not to vote is equivalent to a “no” vote.)
- Altitude Law will audit the results before results reported to members

Members Q&A

Courtesy and Decorum

1 Comment – 3 Minutes

Be recognized by the Chair

Identify yourself

Use the microphone

Play nice !





Final Thoughts

Bylaws call us to “...*serve, in good faith, in a manner believed to be in the best interests of the Association.*” This is the spirit of the proposal being put before you.

Some folks you know who have committed to support this measure....

Executive Board Members:

Matt Coleman, Luke Travins, Marie Parkinson, Bill Sanden, Sandi Swinford,
Mark Holthouse, and Scott Hente

Former KCPOA Presidents:

Chuck Jordan, Paul Clarkin, Bill Hurt, Phil Schmidt, Dick McCaskill, and Dale Meyerrose

Please VOTE YES !



Closing Comments

Please consider dining upstairs at the Garden of the Gods Club, with appreciation for ownership making the Three Graces facility available for our meeting.

On behalf of your Executive Board and our Committees,

THANK YOU for the opportunity to serve.