

**BOARD OF DIRECTORS  
REGULAR MEETING  
June 23, 2022  
MINUTES**

**CALL TO ORDER** – At the direction of the President, the meeting was called to order at 3:00 PM.

**Attending** – Quorum was established:

Board President	Matt Coleman	Present
Vice President	Luke Travins	Present
Secretary	Marie Parkinson	Present
Treasurer	Bill Sanden	Present
Board Member	Scott Hente	Present
Board Member	Sandi Swinford	Present
Board Member	Mark Holthouse	Present

Diane Hampson, KCPOA Community Manager, and Allie Johnson, Assistant Community Manager were in attendance.

**Announcement by President**

Management is recording this meeting for the purpose of verifying the minutes; the executive session will not be recorded. After management composes and the EB verifies the minutes this recording will be deleted. This announcement is standard practice incorporated into minutes going forward. This is a procedural change to assist the EB and management office.

**Review and approve minutes from May 26, 2022, Regularly Scheduled Meeting**

**A motion was made to approve the minutes from May 26, 2022, as submitted (Hente/Swinford). Motion carried.**

**Introduction of Guests in person or via Zoom:** David Firmin, Altitude Law re: HB22-1137.

David provided a detailed overview of HB22-1137, when it will go into effect, and how it will affect the community and community management.

- Some of the highlights were
- Collection practices impacted
  - Interest to be capped at 8%
  - Payments plans are extended to 18 months
  - Collection notices must be sent in three forms. 1) Certified mail 2) must be posted on the property 3) Standard USPS, email, or text.
  - A picture must be taken of the notice posted on the owner's property.
  - Management must keep a log of all collection attempts.
  - Collection notices must be sent to the owner in the language of the owner's choice.

- Application of payments goes to principal first and then to late fees, penalties, and interest.
- Covenant Enforcement Impacted
  - Covenant enforcement letters must also go out Certified and in the language of the owner's choice.
  - Cure time has been extended to 30 days.
  - If owner does not send picture proof of cure, management must go out to property within 7 days of owner notification of cure to verify. Management must then send the owner a letter acknowledging cure.
  - Violation fines are capped at \$500 per fine.
- Diane suggested inviting David Firmin to an ARC meeting so that he can edify the Committee about changes to ARC Design Guidelines and compliance enforcement.

### **Manager's Report – Diane Hampson**

- Diane Hampson reported on ongoing action items and elaborated on the activities covered by the respective committees. Highlights included:
  - Street sweeping occurred this week without any issues.
  - Advised that the CALM Committee realigned their expectations for Timberline. The Committee will revisit with Timberline in 30 days for a progress update.
  - The drainage study is complete with the results being shared with the reserve specialist and available to the EB next month.
  - Diane sent a final annual calendar; awaiting further edits prior to posting to the website.
  - Waiting for approval from CEO James Gibson regarding repairs (or not) to the Kissing Camels Club parking lot, that was damaged by trucks and dumpsters recently located there for Spring cleanup.

### **ARC and CALM – Sandi Swinford**

- **ARC**
  - The ARC will adopt a process to more completely address home remodel requirements, including potential demolition and “scrape-offs.”
  - **Motion was made and seconded to accept the changes made to 3.13 and Appendix C of the Design Guidelines (Swinford/Sanden). Motion carried.**
- **CALM**
  - Changed community clean up day to July 16.
  - Update on End Cap project.
  - CALM to begin considering more xeriscape designs in view of increasing concerns about water costs and availability.
  - Met with Caleb Poe, Garden of the Gods Club, about the project to replace trees in the medians. GOG will apprise CALM on the project.

### **Covenant Committee – Marie Parkinson**

- The Covenant Committee will be holding a hearing with the owners and builder of 3306 Hill Circle on June 29, 2022, to discuss the foundation height.
- Matt notified the rest of the EB that CC member Ken Rodrigues noticed a few updates related to pets and tailgating were never incorporated into the current Rules Handbook. Diane will revise the handbook and repost the copy on the web and in the Reference Notebook.

### **Infrastructure Committee (Mark Holthouse)**

- The preliminary drainage report is both comprehensive and suggests fewer dollars may be needed for near term repairs than anticipated. The report will be presented to the EB when the IC has completed its review.
- Matt suggested setting up a meeting with Garden of the Gods and Terra Nova so that Terra Nova can conduct a joint presentation to review the drainage issues on the golf course and discuss a plan moving forward so all drainage problems are identified and addressed.
- Diane advised that along with an electronic copy of the report that will be available on SharePoint, the office has three hard copies available, one of which will always remain in the office.

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### **Security Committee – Luke Travins**

- Camera project is in process. Mile High Security partnered with Berwick Electric to ensure electrical infrastructure is sufficient for the cameras at the east gate.
- One resident requested relocation of one of the permanent speed signs located on Hill Circle, near Brushland. The owner is upset with the impact the lights have on his home.
- Still waiting on bids for the cattle fencing project.

### **Finance Committee – Bill Sanden**

- **Motion was made and seconded for the Board to accept the May 2022 financials (Sanden/Hente). Motion carried.**
- Diane informed the committee that all money has been moved into the Stifel Investment accounts.

### **Nominating Committee – Luke Travins**

- Candidates:
  - Steve Durham
  - Tim McMahon
  - Barbara Rist
- **Motion made and seconded to accept the nominated candidates (Travins/Hente). Motion carried.**

### **New Business**

- A few minutes prior to the meeting, Matt was informed about significant road failure on Edgecliff and Alta Mesa. During the asphalt remove and replace project currently in

progress it was discovered that the clay soil underneath the roadbed was unstable, and the original roadbed was not compacted properly. Matt was advised that repair of the roads would require more extensive excavation and additional material, costing up to an additional \$200,000. With the contractor already mobilized and the equipment and materials immediately available, it was recommended the work be approved.

- **Motion was made and seconded to authorize repair to the roads the cost not to exceed \$200,000 (Swinford/Hente). Motion carried.**
- **Retention of legal counsel: a motion was made and seconded to send out an RFP to retain legal counsel for an annual fee not to exceed \$30,000 (Swinford/Sanden). Marie and Matt abstained from voting. Motion carried.**
- 2021 Annual Meeting minutes draft was informally accepted for presentation at the 2022 Annual Meeting in late August.
- Reminder that Newsletter articles are due July 1.
- **Motion was made and seconded to create a Community Volunteer Award to be presented at least annually, based on the criteria presented by Matt (Swinford/Sanden). Motion carried.**

### **Old Business**

- Discussion was held about conducting a resident survey. Options discussed were length of survey, electronic versus postcard, and topics of interest.
  - Scott expressed a concern over a possible lack of participation.
  - Sandi suggested a short and targeted survey.
  - Matt proposed to work with Luke to launch a short survey using SurveyMonkey.
- Confirmation of committee members for the next year as follows.
  - Finance Committee- No changes
  - Infrastructure Committee- Mark Holthouse to come off and Catherine Steele to potentially join in October.
  - Covenant Committee- Marie is rolling off, Lynn Hente is a recent new addition. Diane to Chair meetings until a suitable volunteer chair is appointed.
  - Security and Communications Committee - No changes
  - ARC - Mark Stritzel was removed but continues work for the ARC as a consultant. Matt suggested to adding one or two members to the ARC, given the increasing workload.
  - CALM Committee - Sandi to roll off. Diane will act as Liaison in the interim.

Adjourn to Executive Session at 5:06 to discuss the proposed RowCal contract fee changes effective 1 July 2022. Reconvene Board Meeting at 5:10

- **Motion made and seconded to approve the addendum to KCPOA's contract with RowCal (Hente/Travins). Motion carried.**

### **The meeting adjourned at 5:11 pm.**

The next meeting will be July 28, 2022, at 3:00 pm.

Respectfully submitted by Allie Johnson