

**BOARD OF DIRECTORS  
COMBINED NOVEMBER/DECEMBER MEETING  
December 8, 2022  
MINUTES**

**CALL TO ORDER** – At the direction of the President, the combined November/December meeting was called to order at 2:00 PM.

**Attending** – Quorum was established:

Board President	Matt Coleman	Present
Vice President	Luke Travins	Present
Secretary	Scott Hente	Present
Treasurer	Mark Holthouse	Present
Board Member	Steve Durham	Present
Board Member	Tim McMahan	Present
Board Member	Barbara Rist	Present

Diane Hampson, KCPOA Community Manager, and KCPOA attorney David Firmin, with Altitude Law, were in attendance.

**Announcement by President**

Management is recording this meeting to verify 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 from now on. This is a procedural change to assist the EB and management office.

**Introduction of Guests in person or via Zoom:**

David Lee, a former owner of 3785 Hill Circle, was in attendance.  
Jason Stephenson, RowCal Director of Management, was also in attendance via Zoom.

**Impact Fee Appeal: David Lee (Lee), former owner of 3785 Hill Circle**

The Executive Board heard testimony from Lee regarding his request to refund a \$2500 impact fee and \$750 in Covenant fines for materials storage.

**Review and approve minutes from October 27, 2022, Regularly Scheduled Meeting.**

**A motion was made to approve the minutes from October 27, 2022 (Rist/McMahon). Motion carried.**

**Manager's Report – Diane Hampson**

Diane Hampson provided a written report to the Executive Board.

**Meeting with Sub-Association Presidents (Matt Coleman)**

Matt met with the sub-association presidents to discuss impact fees and how they pertain to sub-association owners. The key takeaway from the discussion was that the

sub-associations would like to be represented if revisions occur in the impact fee process and fee structure.

Matt reported that, if desired and initiated by legacy sub-associations (The Park, Camels Ridge, and The Courtyard), KCPOA would be receptive to a conversation about them adopting the Master Declaration – but the KCPOA would not lead this effort, as it would be inappropriate to do so.

### **RowCal Representation – Jason Stephenson**

Jason Stephenson attended via Zoom to thank the Board for its continued support and to let the Board know he is a resource for any questions or concerns it has about RowCal.

### **Infrastructure Committee – Tim McMahon**

- A report of the committee was provided to the board in advance of the meeting, and questions/discussion were invited regarding its content.
- **A motion was made and seconded (McMahon/Hente) to approve the 2022 Drainage Study from Terra Nova Engineering and to post the study on the website. The motion carried.**
- **A motion was made and seconded (McMahon/Hente) to accept the NorthPointe Development. The motion carried.**
  - Upon acceptance, Orsillo Land Development will give \$13,000 for road improvements
  - ILOC will be reduced to \$2,000
  - The roadwork Warranty on the agreed-upon portion of Glen Vista Point is extended until Spring 2024.
- Signature Golf Point
  - Matt Coleman, John, Hurwitz, and Bruce Barbarick met with the Garden of the Gods Club Property Owners Association, LLC (GGCPOA) Board President to discuss Signature Golf Point road conditions
    - KCPOA is taking responsibility for the road since no documents were found regarding road acceptance.
    - KCPOA is not responsible for drainage. Bruce Barbarick noticed water pooling in the road; water flows from curbs and does not drain.
    - GGCPOA agreed to the above findings and asked for recommendations to solve the concrete and drainage issues before repairing the road.
- Westgate
  - John Hurwitz, Mark Stritzel, and Diane met with Darek Barnes, Westgate's Development partner.
  - Barnes agreed to restore the \$50,000 Irrevocable Letter of Credit by December 19, 2022
  - Barnes also arranged to remove the trackpad, which is Westgate's responsibility.

### **ARC (Scott Hente)**

- A report of the committee was provided to the board in advance of the meeting, and questions/discussion were invited regarding its content.
- ARC Revised Design Guidelines

- The ARC revised Design Guidelines were posted on the website according to the KCPOA Procedures for Adoption of Policies, Procedures, Rules, Regulations, or Guidelines.
- Kudos to Barbara Rist on her extensive work.
- **A motion was made and seconded (Hente/McMahon) to adopt the September 2022 Design Guidelines. The motion carried. The revised Guidelines will be posted on the website.**
- Decision regarding 3685 Hill Circle Appeal
  - Conversation ensued regarding what was considered fair and reasonable regarding the impact fees and covenant fines levied on 3785 Hill Circle.
  - **A motion was made to return all the \$2500 impact fees to the former owners of 3785 Hill Circle (Hente/Durham). The motion failed 2-5.**
  - **A motion was made to return 50% of the impact fees (\$1,250) (Holthouse/Travins). Motion passed 4-2. Barbara Rist abstained.**
  - **A motion was made to waive the \$750 fines (Durham/Hente). Motion failed 2-4.**
  - **A motion was made to return \$250 of the covenant fines as a courtesy (Travins/Durham). The motion carried 4-2.**

#### **Finance Committee – (Mark Holthouse)**

- A report of the committee was provided to the board in advance of the meeting, and questions/discussion were invited regarding its content.
- **A motion was made and seconded for the Board to accept the October 2022 financials (Holthouse/Hente). The motion carried.**
- Audit status: The audit is on track for Board review at the January meeting.

#### **CALM Committee – (Diane Hampson)**

- End cap project additions
  - **A motion was made to approve \$4200 in lighting for the end caps on Hill Circle across from Grand Market Point (Hente/Rist). Motion carried**
  - **A motion was made to approve NTE \$2700 to relocate boulders donated by Toll Brothers (Holthouse/Travins). Motion carried.**

#### **Covenant Committee – (Diane Hampson)**

- A report of the committee was provided to the board in advance of the meeting, and questions/discussion were invited regarding its content.
- **A motion was made and seconded (Rist/Hente) to appoint Tom Aley to the Covenant Committee. The motion carried.**

#### **Security Committee – (Luke Travins)**

- A report of the committee was provided to the board in advance of the meeting, and questions/discussion were invited regarding its content.
- **A motion was made to approve NTE \$10,000 for a two-way driver feedback sign (Travins/Hente). The sign will be placed at the mobile sign's location on Kissing Camels Drive. Motion carried.**

**Code of Conduct Policy**

- Proposed revisions to the Code of Conduct had not been distributed to either the management office or all members of the board in advance of the meeting, so the board tabled the topic until January 2023.

The EB adjourned to Executive Session at 4:23 to discuss the 2023 RowCal Management Agreement. The regular meeting reconvened at 4:53 pm.

**A motion was made to approve the 2023 RowCal Management Agreement with KCPOA (Travins/Rist). The motion carried.**

The next meeting is on January 26, 2023.

Meeting adjourned at 4:56 pm.

Respectfully submitted by Diane Hampson.