

**BOARD OF DIRECTORS MEETING
July 27, 2023
MINUTES**

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

Attending – Quorum was established:

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

Also Present: David Firmin, Altitude Law; Mindy Gutierrez, KCPOA Community Manager

Announcement by Matt Coleman

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.

Review and approve minutes from June 22, 2023, Regularly Scheduled Meeting.

A motion was made and seconded to approve the minutes from June 22, 2023 (Hente/McMahon). Motion carried 7-0.

Manager's Report – Mindy Gutierrez

The Management Report was reviewed, questions and comments were invited regarding the content. A subject line for the Call log will be added, the decision log was approved to be posted on the website. The new owner orientation was well attended, favorably received, they will be held quarterly going forward. Mindy will follow up on the bid to clean the Mesa wall.

Proposed Limited Amendment to Bylaws – Matt Coleman

A motion was made and seconded to approve the proposed Limited Amendment to the Bylaws as submitted which would provide a super-majority of the board to affirm the deemed resignation of a board member in the event of conduct that was deemed egregious and immediately harmful to the board, (Holthouse/Travins). In discussion commentary was offered that the board should consider a revision to the existing Code of Conduct Principles first. There was also a reluctance to enable the board to effectively remove one of its own via the bylaws versus putting the matter to the full membership. The motion failed 5-1, Coleman abstained.

Infrastructure Committee – Tim McMahon

A committee report was provided to the board before the meeting, questions/discussion were invited regarding its content.

- Signature Point had a board meeting yesterday but has not provided their input on the RMA as of this date. This topic will be on the next EB agenda for review.
- McMahon and John Hurwitz walked the route of the High Pressure gas line with CSU and BlackEagle on July 25, 2023. A video and pictures were taken to document the area before any work is done.
- **A motion was made and seconded (McMahon/Rist) to approve posting the revised ROW policy on the website for a 30 day comment period. The motion carried unanimously.** Mark noted that the flat fee of \$2,500 is intended to cover consultant costs related to the project, and does not set funds aside for future road restoration.
- A temporary repair is needed on the inbound side of the main gate. Measurements have been taken and a bid will be provided.
- Carl Smith and Mark Holthouse have resigned from the IC. They were thanked for their service.
- Fillmore has been reduced to one lane due to Toll Brothers barriers. It does not appear that work is being completed, Mindy will follow up with Toll Brothers on this safety issue.

ARC (Scott Hente)

- The Project Status Report has been updated to remove completed projects.
- Over half of RR1 and RR4 projects have been sold.
- **A motion was made, seconded and passed unanimously to approve the request from Toll Brothers for a sign provided the sign be revised to state "By Appointment Only", another application for the sign will need to be completed in one year if it has not been removed (Hente/McMahon).**

Finance Committee – (Mark Holthouse)

- A committee report was provided to the board before the meeting, questions/discussions were invited regarding its content.
- The FC recommends acceptance of the June 2023 Financial Statement. **A motion was made, seconded and passed to accept the June 2023 Financial Statement (Holthouse/Hente), 7-0.**
- Finance Committee recommended the EB sign a three year lease for the current HOA office space. **A motion was made, seconded and passed to approve Option B, a three year lease with Garden Gateway Plaza, commencing on November 1, 2023 (Holthouse/Hente).**
- **A motion was made, seconded and passed unanimously to appoint Marjorie "Doyle" Lyons to the Finance Committee as recommended by the Finance Committee (Holthouse/McMahon).**
- Paul Clarkin has stepped down from the Finance Committee, and he was thanked for his service.

CALM Committee – (Mindy Gutierrez)

- **A motion was made, seconded and unanimously passed to appoint Sheila Brackett to serve on the CALM Committee as recommended by the committee (Hente/Holthouse).**

Covenant Committee – (Mindy Gutierrez)

A motion was made, seconded and unanimously passed to appoint Wendy Pechero to the Covenant Committee (Hente/Holthouse).

Security Committee – (Luke Travins)

- A committee report prepared by Luke Travins was provided to the board before the meeting, questions/discussions were invited regarding its content.
- Discussion was held on the wall and fence along the Mesa Road border of KCPOA. KCPOA has no ownership or easement for wall maintenance. The current owners along Mesa would like to increase the height to increase security. The wall is deteriorating and will require repairs in the future. Barbara Rist, Brad Harvey and David Firmin are reviewing ownership issues, and a Task Force may be appointed to consider the matter when more information is received. The wall and fence along the perimeter of KCPOA is not included in the reserve study. Durham noted that the landscape in the rear yards of owners on Mesa provides a noise and pollution barrier. He was invited to attend the next ARC meeting as an appropriate forum to share his view on the matter.
- The SCC was not in favor of providing RFID tags at no cost to owners. This matter will be reviewed further for other options. Mindy was asked to review how bicycles and motorcycles can obtain gate access.

Nominating Committee – (Scott Hente)

A motion was made, seconded and passed unanimously to ratify Wendy Pechero and Dan Chapman to be placed on the ballot for the Annual Meeting in August (Hente/Holthouse). Wendy Pechero will not be able to attend the meeting and has agreed to provide a video presentation. Nominations will also be accepted from the floor.

Assessments: Dwelling Unit vs. Lot

David Firmin reported that an Amendment to the Declaration would be required to change the assessment amount from per lot to per dwelling unit. 51% of the owners would need to vote in favor of the change. David was asked to draft an amendment for Board review.

New Business

Matt Coleman reported that stairs have been installed up to Navigators Pond and the “No Trespassing” sign has been removed, asking board members if they knew who initiated the activity as it had implications for KCPOA. Durham commented that a group of neighbors, whom he said he knows but preferred not to identify to the board, had built the structure with the consent of the Navigators, that it did not appear to be on KCPOA property, and he recommended the board not pursue the matter further so as to avoid controversy. Coleman commented that seemed at odds with remarks made at a meeting he and Scott Hente had recently with GOGRC CEO James Gibson, wherein Gibson expressed that the Navigators were specifically concerned with about security at the pond, to the extent of wanting to install a security camera for monitoring. In subsequent conversation, Gibson reported no knowledge of the structure, the removal of the “no Trespassing” sign, or any initiative by the Navigators to allow for such things. (GOGRC has a written agreement with the Navigators regarding the ponds to which KCPOA is not a party). Given the inconsistencies and the desire for KCPOA to ensure it is aligned with GOGRC, while acting in the interest of members, it was decided to further explore the topic further in a meeting near term with GOGRC, the Navigators, and KCPOA.

Coleman thanked the Board for all their work this past year and provided a gift to all present.

The meeting was adjourned at 4:43 p.m.

The next meeting is scheduled for August 8, 2023

Respectfully submitted by Board of Directors