

BOARD OF DIRECTORS MEETING
September 28, 2023
MINUTES

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

Attending – Quorum was established:

President	Scott Hente	Present
Vice President	Tim McMahon	Absent
Secretary	Barbara Rist	Present
Treasurer	Mark Holthouse	Present
Board Member	Steve Durham	Absent
Board Members	Wendy Pechero	Present
Board Member	Dan Chapman by zoom	Present

Also Present: Homeowners Gail Rollinger, Mary McClean, Matt Coleman, John Hurwitz; David Firmin, Altitude Law; Mindy Gutierrez, KCPOA Community Manager

Introduction of Guests

All those present at the meeting were introduced.

Announcement by Scott Hente

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. Scott has a proxy from Steve Durham for all items and a proxy from Tim McMahon for IC items.

Review and approve minutes from August 8, 2023, Regularly Scheduled Meeting

A motion was made and seconded to approve the minutes from August 8, 2023 (Rist/Holthouse). Motion carried 6-0. The Annual Meeting minutes were approved for file and will be approved by the membership at the 2024 Annual Meeting.

Resident Matters

Gail Rollinger and Mary McClean provided pictures of the dead trees at 1690 Hill Circle. They believe it is a safety issue due to fire danger. They would like the association to remove the trees now and bill the owner back for the work. Wendy Pechero stated that at the Covenant Committee meeting yesterday, the CC recommends that a tree professional complete a review of the home and provide a written report detailing their recommendation. David Firmin does not recommend that anyone go on to the property to inspect at this time, the previous owners are living in the home, an eviction notice was posted on their door on 8-29-23. David Firmin directed management to send the Unit Owner an initial letter informing the owner that the trees have been deemed a violation that threatens public safety. The owner will be told they have 72 hours to cure the violation. The EB agreed to inform Gail and Mary the outcome. Gail and Mary then left the meeting.

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 going forward. The CALM committee recommendation on the Timberline snow removal contract will be in the CALM report provided by Dan Chapman.

Discuss Sub-Associations – Scott Hente

Scott reported that he met with the representatives of the Sub Association's. Ron Lehmann has indicated that he would be interested in having the Courtyard join KCPOA, the EB reviewed potential gains for the Courtyard or KCPOA. Both Associations would have to make changes to their legal documents to accommodate this action, an affirmative majority vote would be required. There would be no change in the assessment, the RMA has been completed. Ron Lehmann will be asked to attend the next EB meeting to further review this matter.

Discuss Navigators Pond – Scott Hente

Scott reported that he has met with representatives of The Navigators, they gave permission for the installation of the steps. Their concern is with the insurance cost for the property. When it was built, Navigators Pond was a low priority dam. With all the KCPOA development, it has become a high priority dam and insurance is more expensive. Navigators has requested KCPOA to list Navigators Pond on the KCPOA insurance policy as an additional insured, for \$10 Million. The EB did not approve this action, Matt Coleman agreed with this position. The Navigators have the right to fence the pond, their current agreement with KCPOA is an easement for one pipe. Their agreement to have the pond in the current location is with the GOGC.

Review Ownership of Perimeter Infrastructure – Barbara Rist

Barbara Rist reported that the Association has copies of 14 recorded easements running with the land on perimeter infrastructure, the remaining 32 lots have not been completed. For the lots with no easement, owners can complete any changes to the perimeter wall/fence with ARC approval. Barbara believes that these owners understand that KCPOA will maintain the perimeter structure. The current recorded easements will be given to David Firmin so he can scan them and provide an electronic PDF of all files. The development agreements with RR1, RR4 and Westgate will be reviewed to see if perimeter infrastructure is addressed. Discussion was held on the EB goals for this property. The EB agreed that owners need to be notified of the ownership now to help the Board determine next steps. Barbara Rist will complete her Chronicle Article on this and do a weekend update to begin the information campaign.

ARC (Barbara Rist)

- The Project Status Report was updated and presented.
- RR1 and RR4 sales report was presented.
- The Toll Brothers sales sign is installed and is discreet and appropriate.
- Discussion was held on the landscape installation behind the Toll Brothers completed homes. The Nature Trail will be connected to the new development, the timing is to be determined.

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 July and August 2023 Financial Statement. **A motion was made, seconded and passed to accept the July and August 2023 Financial Statement (Holthouse/Rist), 6-0.**
- Mark reported that the FC is recruiting for a new member with public accounting experience.
- All invoices are approved for payment by Jason and Mindy of RowCal first, then two EB officers need to approve them. Mark and Scott have been completing this, Barbara and Tim will be asked to understand and be able to complete this going forward. RowCal issues checks one time per week.

CALM Committee – Dan Chapman

- **A motion was made, seconded and passed to appoint Chris Hendren to serve on the CALM Committee as recommended by the committee (Chapman/Holthouse) 6-0.**
- **A motion was made, seconded and passed to approve the Timberline Snow Removal Contract as recommended by the CALM committee. It was noted that the price increase is approximately 10%, all other parameters remain the same (Chapman/Rist) 6-0.**

Infrastructure Committee – John Hurwitz

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

- **A motion was made, seconded and passed unanimously to ratify the email approval of the RMA w/ Signature Pointe (Holthouse/Pechero).**
- **A motion was made, seconded and passed unanimously to approve the ROW Policy. It has been posted on the website for 30 days, there were no owner comments (Hothouse/Rist).**
- **A motion was made, seconded and passed unanimously to approve the Groninger Concrete contract for \$10,330 as recommended by the IC (Holthouse/Pechero).** It was noted that this contract and other concrete contracts are sent out for competing bids.
- A bid has been received from Entech for four core drills at the Main Gate for \$4775. The IC will review and make a recommendation.
- John reported that Brushland Court road conditions may be addressed under warranty. The IC will further investigate and report back. Brushland Court was removed from the T2 Slurry schedule, the road was not in good enough condition to have this work done.
- CSU restoration after the installation of the high pressure gas line will be completed to the City standards. Weekly emails on progress are sent to all owners.
- KCPOA ownership of land outside the East Gate is a small portion of asphalt that abuts the median. All other property outside the gate is owned by the four entities who own businesses outside the gate. The IC recommends that the EB pay Bruce Barbarick to complete an RFP for mill and overlay, of the roadway out to Centennial, including curbs, gutters and traffic control. The IC recommends that KCPOA obtain approval from the four owners, bid the work out, and have the contractor selected be the General Contractor for the work. **A motion was made, seconded and passed to approve no more than \$3,000 for Bruce Barbarick to prepare a preliminary assessment write up of the Grand Market roadway outside the East Gate (Hente/Pechero) 4-1.** IC will make contact with the four owners outside the East Gate before the letter requesting payment for damage to the median outside the East Gate is sent.

Covenant Committee – Wendy Pechero

Wendy asked if the Association can require owners to complete maintenance in the rear yard based on other owner reporting. David Firmin responded that the Architectural Guidelines require maintenance of what is seen from the street. "Peeping Tom" covenant enforcement is not permitted, climbing fences, trespassing and drones fall into this category. Discussion was held on which committee should complete inspections for Covenant violations, Barbara stated that the ARC has been doing it the past few months. Wendy will ask the CC to complete them going forward. All inspections should be fair and equitable. Discussion was held on the safety of E Bikes, golf carts and scooters. Wendy will complete her Chronicle article on this subject.

Security Committee

- A committee report prepared by Luke Travins was provided to the board before the meeting, questions/discussions were invited regarding its content.
- The EB requested SCC recommendation on a cost change in the Cathedral Ridge Security Agreement.
- Scott Hente will talk with Luke Travins on the Security procedures for car accidents. Owners will be encouraged to call 911 or the Fire Department for emergencies rather than making KCPOA Security their first call.

Legal – (David Firmin)

David Firmin will re-write the Limited Amendment to the CC&R's based on EB input. The meeting was then adjourned to Executive Session at 5:28 p.m. to discuss legal issues.

The meeting re-convened and was adjourned at 5:30 p.m.

The next meeting is scheduled for October 26, 2023

Respectfully submitted, Board of Directors