

**BOARD OF DIRECTORS MEETING
January 25, 2024
MINUTES**

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

Attending – Quorum was established:

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|----------------|----------------|---------------------------|
| President | Scott Hente | Present |
| Vice President | Tim McMahon | Present |
| Secretary | Barbara Rist | Present |
| Treasurer | Mark Holthouse | Present |
| Board Member | Steve Durham | Absent |
| Board Members | Wendy Pechero | Present by Zoom (partial) |
| Board Member | Dan Chapman | Present |

Barbara Rist has a directed proxy for Steve Durham – for Stritzel Management Construction contract only. General proxy also provided for all other items but not utilized at the direction of legal counsel.

Also Present: Mindy Gutierrez, KCPOA Community Manager

Introduction of Guest

Attorney David Firmin was introduced.

Review and approve minutes from December 12, 2023, Regularly Scheduled Meeting

A motion was made and seconded to approve the minutes from December 12, 2023 (McMahon/Holthouse). Motion carried 6-0.

Manager’s Report – Mindy Gutierrez

The Management Report was reviewed; questions and comments were invited regarding the content.

- The SCC will be asked for a recommendation on allowing bikes and pedestrians to obtain RFID’s. It was noted that policy and procedure will need to be created if this goes forward. (Golf carts are currently allowed RFIDs, at the owner’s expense).
- The SCC will be asked about the feasibility of re-establishing the “RFID Loaner Cards” for residents driving a temporary vehicle.

Infrastructure Committee – Tim McMahon

A committee report was provided to the board before the meeting.

- **A motion was made, seconded and passed to approve a \$37K expenditure for an Engineering Study at the North Gate and the inbound lane of the Main Gate (McMahon/Chapman) 6-0.** B. Rist questioned the necessity of this expenditure. T. McMahon stated that the 2 consultants and IC members find it to be necessary.

- **A motion was made, seconded and passed to approve a contract with All Phase Locate to respond to 811 notifications (McMahon/Chapman) 6-0.** These costs are not passed on to homeowners at this time.
- **A motion was made, seconded and passed to approve a bid from Seal Coat Solutions for crack seal with Twin Flowers removed from the scope of work (McMahon/Chapman) 6-0.**
- **A motion was made, seconded and passed to approve the Stritzel Construction Management contract for 2024 for consulting services on Road Systems and New Developments (McMahon/Chapman) 4-2 (Rist/Durham opposed) (Note: W. Pechero exited the meeting prior to this vote).** The new contract will expand Stritzel's scope of work for the Infrastructure Committee (IC) and increase his hourly fee to \$150. It was noted that he has been paid over \$245K over the last two years, for road-system consultation services and new development oversight, and this was 30% above the budgeted amount. B. Rist provided a report on the historical use of consultants from 2019 to the present. T. McMahon presented information on the IC's use of consultants and the value they provide to the committee which is viewed as important to essential. Example: RFP's are currently being prepared and distributed for road work this year. M. Holthouse suggested letting that work continue for now and revisiting the contract next month. At that time, placing "not to exceed" limits on the monthly expense should be considered and the IC will be asked to provide input on the expense limit. The EB agreed that alternative solutions should be explored for consulting work and M. Gutierrez will request an Asset Management proposal from RowCal for review.

ARC (Barbara Rist)

- The updated project Status Report was presented.
- RR1 and RR4 sales report was presented.
- An updated KCE map was reviewed shown a hidden lot which was discovered on Lyda Lane. Assessments are not currently collected for this lot, which is one of 3 contiguous lots held by a single owner. Historical agreements pertaining to this lot have not been discovered at this time. General discussion was held on re-platting lots. David Firmin stated that a plat map amendment requires either 1) an amendment to the Declaration or 2) an administrative function to re-allocate the interest appropriately.
- A townhall meeting regarding Perimeter Infrastructure on Private Property will be held on February 15th. Owner responses to the Chronicle article, weekly updates, and meeting invitation were reviewed.

Finance Committee – (Mark Holthouse)

- The FC recommends acceptance of the December 2023 Financial Statement. **A motion was made, seconded and passed to accept the December 2023 Financial Statement (Holthouse/Rist), 5-0.**
- The EB appointed Lynn Kehler, Bill Sanden, Mark Holthouse, Matt Coleman and Mindy Gutierrez to serve on the Insurance Committee.
- **A motion was made, seconded and passed to approve the June 30, 2023 Audit (Hothouse/Chapman) 5-0.**
- **A motion was made, seconded and passed to approve a not to exceed price of \$15K for the installation of carpet and electrical work in the POA office (Holthouse/Rist) 5-0.**

CALM – (Dan Chapman)

- **A motion was made, seconded and passed to approve Ann Murphy to serve on the CALM Committee (Chapman/Holthouse) 5-0.**

Covenant – (Barbara Rist)

- Barbara Rist attended the CC meeting on January 17th. She reported that they agreed to complete periodic inspections of the community and she will provide assistance by delivering a revised process summary and checklist, as requested by the committee members.

Security Committee

- **A motion was made, seconded and passed to approve a bid from Taylor Fence for \$17K to repair the exit bound East Gate RFID reader and ornamental gate (Holthouse/McMahon) 5-0.** The RFID reader had been hit by a United Van Lines truck and they will be billed for \$2k. The ornamental gate has been damaged by United and other vendors, is due to be powder coated, and requires a new bar at the base to bring the exit gate up to current code. \$15k cost will be an association reserve expense.
- Mark Holthouse provided an update on his findings on alternatives to fiber replacement. Reasonable options to utilize Comcast fiber and cellular have emerged and will be further explored.

Legal – (David Firmin)

- The Park has expressed interest in adopting the KCPOA Master Association agreement. This would require both sets of Declarations, the sub and the master, to be amended. D. Firmin is working with The Park and in the early stages of this discussion.

David reported on upcoming legislation being reviewed and the Federal requirement passed as follows:

- Colorado common interest communities in accordance with the federal Corporate Transparency Act (CTA), as of January 1, 2025, must disclose information about the entity itself and board members through an electronic filing system available on FINGen's website. Information required to be reported about the entity (association) itself includes:
 - The association's full legal name
 - Any "trading as" (t/a) or "doing business as" (d/b/a) name
 - Current street address of its principal place of business
 - State of formation/registration
 - Federal taxpayer identification number

In addition, for each individual beneficial owner (board member), associations must file and disclose the following personal identifying information:

- Full legal name of each board member
- Date of birth of each board member
- Each board member's residential street address
- Driver's license, passport, or state-issued ID number
- A scanned copy of the corresponding driver's license, passport, or state-issued ID

The next meeting date will be February 22, 2024.

The meeting was adjourned at 5:31 p.m.

Respectfully submitted, B. Rist/KCPOA EB Secretary