

BOARD OF DIRECTORS MEETING
April 25, 2024
MINUTES

CALL TO ORDER – At the direction of Scott Hente, the meeting was called to order at 2:57 p.m.

Attending – Quorum was established with the presence of five (5) out of six (6) board members. It was noted that Wendy Pechero resigned from the Board in March due to work obligations.

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

Also Present: David Firmin, Legal Counsel; Mindy Gutierrez, KCPOA Community Manager

Scott Hente has a directed proxy for Tim McMahon to vote for the approval of the following: March minutes, the March financial statement and the Glen Vista Point Notice of Acceptance.

Introduction of Guest

No owner guests attended this meeting.

Review and approve minutes from March 28, 2024, Regularly Scheduled Meeting

A motion was made and seconded to approve the minutes from March 28, 2024 (Holthouse/Chapman). Motion carried 6-0.

Manager's Report – Mindy Gutierrez

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

Infrastructure Committee – Scott Hente

The IC Update was reviewed.

- CSU has paid the invoice for \$12K for the restoration of the Hillbrook roadway. KCPOA will use that money to repair the road and it is now deleted from CSU scope of work. Scott wants to be sure that the remainder of CSU restoration is completed to KCPOA standards.
- **A motion was made, seconded and passed to approve the Glen Vista Point Notice of Acceptance (Rist/Chapman) 6-0.**

- Discussion was held on the meeting notes with the Grand Market Point owners. There was little interest expressed by the owners towards repairing or improving the roadway at this time. KCPOA has an easement agreement only with the owners allowing us to use this road to access our East Gate. KCPOA has no ownership or maintenance rights. **A motion was made, seconded and approved by all present that KCPOA will take no further action with the Grand Market Point owners on the repair of their road.**

ARC (Barbara Rist)

- The updated Project Status Report was presented.
- The updated Red Rocks (RR1) and Preserve (RR4) sales report was presented. Mark noted that there are 7 lots in RR1 and 13 lots in RR4 that have not been sold or scheduled to start construction.
- Perimeter Infrastructure Update: The board received input from a number of affected owners, who have indicated their willingness to participate in an Easement Agreement with KCPOA. A DRAFT document will be created, based largely on the language used in our existing Easement Agreements, and circulated with a cover letter to the 31 owners backing onto Mesa Road. B Rist, S. Hente, D. Firmin to review and approve.
- **A motion was made, seconded and passed to approve the bid from JR Engineering for \$29,160 to provide an engineering and architectural plan to convert the existing Construction gate to a residential gate (Rist/Chapman) 5-0.** It was noted that this bid does not include project coordination. Taylor Fence, Mile High Security and vendors for lighting, pillars and signage will be needed. Contact information has been supplied to JR Engineering. Additional project needs will be identified and assigned after the completed plan is received from JR Engineering.

Finance Committee – (Mark Holthouse)

- The FC recommends acceptance of the March 2024 Financial Statement. **A motion was made, seconded and passed unanimously to accept the March 2024 Financial Statements (Holthouse/Rist) 6-0.**
- Mark reported that he is working with the committee chairs on their anticipated expenses for the 2025 Operating Budget. The Finance Committee is hoping to have a draft budget for EB review in May. It was noted that there are no annual increases specified in the new Cathedral Ridge Security contract but the contract can be terminated or renegotiated at any time.

CALM – (Dan Chapman)

- Dan reported that the CALM committee was congratulated by the Chair for keeping expenses favorable to budget.
- The Copper Trowel proposal was submitted for review and EB approval. The proposal covers seasonal work to plant and maintain annual flower beds, pots, and off-season pot decorations. **A motion was made, seconded and passed to approve the proposal from Copper Trowel for \$21,000 for flowers for the 2024 season (Chapman/Rist) 5-0.**

Covenant Committee - Scott Hente

No EB Liaison to the Executive Board present at today's meeting. The new Liaison is to be determined, following W. Pechero's resignation. Scott will ask the Chair of the Covenant Committee to provide a written monthly report for upcoming EB meetings.

Security Committee - Steve Durham

- **A motion was made, seconded and passed to approve a \$5,465.92 bid from Guarantee Electrical Contractor (light pole and electric) and a bid for \$12,223 from Sirvis (3 cameras plus installation) for the security camera installation at the end of the Almagre Heights cul-de-sac (Durham/Chapman) 5-0.** It was noted that these are a different type of camera than what has been utilized in the past; they are not continuous feed to the guardhouse. Rather, they are an improved technology, cloud based, that alarms the gatehouse when any preset parameters have been triggered. They are expected to enhance security while allowing KCPOA to test this type of technology for future camera installations.
- Taylor Fence has the replacement gear box for the east gate on order. They will be asked for the time of delivery and if a second one should be ordered now to avoid having the association wait for this part in the future. Taylor Fence will be asked the status of the bid for the swing arm for the Fillmore gate.
- Discussion was held on Fed Ex delivery problems and a person who does not live in KCPOA asking for permission to jog in the association. The board members are not in favor of allowing this but also note that it's unclear how it could be stopped.

Appoint Nominating Committee

Barbara Rist was noted to be the Chair of the nominating committee. There are three positions up for election this year, Mark Holthouse and Scott Hente's terms of office are expiring, Wendy Pechero has resigned. Mark and Scott agreed to be placed on the ballot for this year. Additional volunteers for the board will be solicited. The other members of the Nominating Committee will be selected, and all will be appointed, at the May meeting.

Legal – (David Firmin)

David reported that there are two weeks left in this legislative session. The bill that will have the most effect on Kissing Camels is the Auxiliary Dwelling Unit bill and it is widely expected to pass. The ADU bill will allow an owner to build multiple single-family homes, or a multi-family unit, on property that is designated for 1 single family home only. HOA restrictions will no longer apply as to the number of dwellings, lot setbacks will no longer be valid, and parking policies will also be unenforceable. The proposed change to the KCPOA CC&R's that will address this bill will be reviewed at the May meeting. David stated that the amendment will define a "dwelling unit", and stipulate that, should the ADU bill pass, each dwelling unit on a lot will be subject to the full assessment rates. At best, this will be a deterrent to someone considering building an additional dwelling unit on a property. A second amendment will also be considered that restricts leasing to no less than 30 days and prohibits timesharing. If the board elects to pursue these amendments, a vote of the membership is required. The ballot will be set up so that each proposed change is voted on separately. The association will have 60 days to complete the voting process from its start date.

Misc: The landscape bill that passed affects the POA, not individual homes. There is an HOA task force that will include the requirement for manager licensing, changes to foreclosure policy, changes to HB1127 and approval of the use of electronic distribution for mailings rather than U.S. Mail.

Next Executive Board Scheduled Meeting: May 23, 2024 at 3:00pm

The meeting was adjourned at 4:15 p.m.

Respectfully submitted: B. Rist, KCPOA EB Secretary