

BOARD OF DIRECTORS MEETING
September 26, 2024
MINUTES

CALL TO ORDER – At the direction of Scott Hente, the meeting was called to order at 2:52 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	Present
Board Member	Dan Chapman	Present
Board Member	Brad Harvey	Present

Also Present: Jan Weiland and Alan Gregory, Homeowners; Attorney David Firmin; Mindy Gutierrez, RowCal

Introduction of Guests

Jan Weiland was introduced and asked if she had any association concerns. She requested that a sign be installed at the Red Rocks entry to the Nature Trail. B. Harvey stated that this will be included for discussion on the next CALM meeting agenda. Discussion was held on the cellular camera installed at Almagre and that the Red Rocks owners would like it to be functioning 24 hours per day. M. Holthouse stated that battery installation is scheduled in October which will make it fully operational. Discussion was held on fire mitigation for the sloped hillside on the entry side of the east gate, directly bordering Red Rocks. Scott Hente will be attending a meeting on wildfire mitigation next week and will report back on his findings. This area is not KCPOA property.

Approval of Minutes

A motion was made and seconded to approve the minutes from the July 25, 2024 regular meeting (Holthouse/Rist). Motion carried 5-0, B. Harvey abstained. A motion was made and seconded to approve the minutes dated August 29, 2024 and September 16, 2024 (Harvey/Chapman). Motion carried 6-0. The board members approved posting the Draft Annual Meeting minutes on the website.

Manager's Report – Mindy Gutierrez

- The Management Report was reviewed and questions and comments were invited regarding the content.
- Chronicle articles were requested to be submitted by October 1st.
- Dumpsters will be placed at the Golf Club recreation center parking lot from October 4th through the 6th for green waste fall clean-up for KCPOA members.

Infrastructure Committee – Scott Hente

The IC Update was reviewed by Scott in Tim's absence.

- Punchlist items for road work not yet completed by Schmidt Construction has been prepared. Final payment will not be made until all items are addressed.
- An unresolved drainage issue at the ditch on West #8 remains to be fixed. This issue was noted as a priority in the 2022 Drainage Study. GOGC has responsibility for correcting the issue and M. Holthouse agreed to follow up on the process.

ARC (Barbara Rist)

- The updated Project Status Report was presented. The ARC has developed a new project management and archival system that now generates this report. Board members will receive a permanent link to “ARCOS”, for real-time review of all active projects at any time. Steve D’Amico will attend the October board meeting to provide a presentation on ARCOS and answer questions.
- The updated Red Rocks and Preserve sales report was presented.
- The 30-day posting period for comments on updates to the Design Guidelines is completed. **A motion was made, seconded and passed unanimously to approve the revised document and to rename it as the “KCPOA Design Guidelines & Maintenance Standards” (Rist/Durham), 6-0.** The revised document will be posted to the KCPOA website in its full form.

Finance Committee – (Mark Holthouse)

- The FC recommends acceptance of the July and August 2024 Financial Statement. **A motion was made, seconded and passed unanimously to accept the July and August 2024 Financial Statements (Holthouse/Rist), 6-0.**
- M. Holthouse reported the FC is discussing changing the KCPOA fiscal year to a calendar year (January 1 to December 31). The EB supports this idea and asked if the change could commence at the start of the new year, 1/1/25. M. Holthouse will discuss this with the FC and provide a recommendation on the timing.
- The FC is working with RowCal representatives and Matt Coleman to explore other brokers for our insurance coverage for next year. Renewal is due at the end of March, 2025.

CALM – (Dan Chapman)

- D. Chapman reported that there are four proposals related to common area landscape maintenance that need EB approval: Holiday Lighting, Deep Root Tree Fertilization, Tree Trimming and Mulch. All bids, with the exception of the mulch bid, are in the current budget. B. Harvey explained that the original mulch bid was for the six flower beds only, located on Hill Circle. At the time of application, it was found that additional areas needed mulch; the manpower and mulch were available so the additional work was approved. Going forward, mulching will be done on annual schedule and planned in the operating budget. Discussion was held on methods to lower the costs for mulch. CALM has determined that ordering and taking delivery of a larger load, in a single-delivery, greatly lowers the cost. This requires a location where a semi-truck load of mulch can be delivered and deposited for a 3–4-day period. The EB favors this cost-savings approach. **A motion was made, seconded and passed unanimously to approve the Holiday Lighting bid (\$27K), Deep Root Fertilizing (\$5k); Tree trimming (\$10K); Mulch (\$16K) (Durham/Chapman), 6-0.**

- The association pressure reducing valve has failed twice over the last year. Timberline will check for a warranty. There have been four main line breaks over the past month as a result.
- The cost and location for additional dog stations will be on the next CALM agenda. Usage and need have increased due to the influx of new owners in Red Rocks and Preserve.

Covenant Committee

There is no Board liaison for this committee at this time.

Security Committee - Steve Durham

- S. Durham discussed an incident which occurred at the east gate, between a delivery driver and an owner. He questioned the security response process when something like this is reported. He did not believe there was a good resolution for the owner or himself. It was acknowledged that a process does exist and should have been followed. M. Gutierrez will look into this and report back. The board agreed that if a delivery driver does not follow KCPOA procedures, Allied Universal is authorized to file a complaint with the company or report it to management.
- The draft letter to Toll Brothers from David Firmin was reviewed. The board agreed that stronger language is needed. It was noted that the security service bills sent to Toll Brothers for May, June, July and August have not been paid. David Firmin will include this in his next draft letter. It was also noted that Toll Brothers has not paid the past quarterly assessments for their properties which were due on July 10, 2024. The association will follow regular collection procedures if payment is not received. B. Rist will send Toll Brother development agreements to D. Firmin for address and process verification.

EB Liaisons for Committees – Scott Hente

The Board agreed to defer this item and place it on the October meeting agenda.

Amendment to CC&R's future steps – Scott Hente

The ballots sent to all owners in July, for amendments to the CC&R's, were invalidated due to errors. A new ballot and plan of action will be discussed after further review and research are completed.

Excess Income from last Fiscal Year

Before excess member income can be rolled over to the next fiscal year, a vote of the membership is required. This is known as the "IRS 70-604 Election". B. Rist agreed to prepare the ballot, per IRS requirements, and draft a cover letter for S. Hente review. The final package will be mailed to all owners as soon as possible.

Legal – (David Firmin)

D. Firmin reported that he will be meeting with members of the IC mid-October to discuss the road conditions outside the east gate. The responsibility for road maintenance is defined in the easement agreement and falls to the owners of the road. KCPOA holds an easement for access purposes only. Likely outcome: D. Firmin will draft a legal letter to those who are responsible for maintenance.

Next Scheduled Meeting: October 31, 2024 at 3:00 p.m.

The meeting was adjourned at 4:35 p.m.

Respectfully submitted: B. Rist, KCPOA EB Secretary