

**BOARD OF DIRECTORS MEETING
BUDGET RATIFICATION MEETING
March 27, 2025
MINUTES**

CALL TO ORDER – At the direction of Scott Hente, the meeting was called to order at 2:55p.m.

Attending – Quorum was established.

President	Scott Hente	Present
Vice President	Tim McMahon	Present
Secretary	Barbara Rist	Present
Treasurer	Mark Holthouse	Present
Director	Steve Durham	Present by zoom
Director	Dan Chapman	Present
Director	Brad Harvey	Present

Also Present: Attorney David Firmin; Mindy Gutierrez, RowCal

Introduction of Guests

No guests or property owners attended this meeting.

Approval of Minutes

A motion was made and seconded to approve the minutes from the February 27, 2025 regular meeting with one correction (McMahon/Chapman). Motion carried 7-0. The approved minutes will be posted to the KCPOA website following this meeting.

Manager's Report – Mindy Gutierrez

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

- The twelve notarized Easement Agreements were given to David Firmin to record with El Paso County. He will send copies to the appropriate owners.
- Discussion was held on the timing of the KCPOA invoice payments. New personnel have been hired in the RowCal accounts payable department and invoices are being paid in a timely manner.
- The EB approved the SCC recommendation to add arrows on the Sunnybrook and Hill Circle street signs to more clearly indicate the direction of each. This was requested by homeowners to reduce unintentional traffic on Sunnybrook.
- The 2025 KCPOA Budget packet was mailed to all owners on March 4, 2025. Owners were invited to attend today's executive board meeting for formal budget ratification.

Infrastructure Committee – Tim McMahon

- The IC recommended a 2" Mill and Overlay with full-depth crack repairs on Grand Market Point from Hill Circle to the East Gate. This project will replace the

previously approved Camel Rock View project, which will be rescheduled to a later date. **A motion was made and seconded (McMahon/Rist) to approve the bid from Schmidt for \$88,000 for this work. Motion carried.** The work will take three days to complete and the project will be scheduled after the Main Gate project is completed.

- Discussion was held on the original Stritzel Consulting contract from 2019 and proposed amendments to the hourly rate expense. **A motion was made and seconded (McMahon/Chapman) to approve the amendment to the Stritzel contract, increasing the hourly billing fee to \$155 per hour. Motion carried.**
- David Firmin will write the resolution and charter for the Fire Mitigation Task Force and submit it to the EB for approval. The task force will report directly to the EB at this time.
- Discussion was held on the road work that will be done in May to the entry side of the Main Gate, effectively closing all entry lanes for the duration of this project. The project will significantly disrupt the normal flow of traffic into and out of the community. The SCC recommended that the exit side of the Main Gate be used for entering the community. Exiting the community would then be limited to the East and North gates. The concept was generally agreed to and it was noted that City approval will be needed before the plan is finalized. GOGC must also be advised as the gate closure will impact guest access to GOGC facilities. Multiple communications are planned, to the KCPOA membership, regarding this project.
- An update was provided on South Gate Conversion project (currently known as the Construction Gate). Final design and costs for landscaping are being determined by the CALM committee. Most elements of the gate conversion project will be sub-contracted to our existing preferred contractors, i.e. security, fencing, landscaping, asphalt, lighting and signage. The timing of this project has not yet been determined but the work could commence any time after the Main Gate project has been completed. Once converted, the South Gate will come an additional “residents only” entry and exit gate.

ARC (Barbara Rist)

- The updated Project Status Report was presented. The ARC has noted a marked increase in the number of Landscape Remodel projects specifically for the purpose of fire mitigation. Projects will continue to be reviewed on a daily basis.
- The updated Red Rocks and Preserve Sales/Construction Status Report was presented. The final lot in Red Rocks is now scheduled to break ground. While construction is completed or underway on all 115 lots, 10 to 15 of those properties are currently being offered for sale by Toll Brothers, built as “Quick Move-In” properties for this purpose.

Finance Committee – (Mark Holthouse)

- **A motion was made and seconded (Holthouse/Harvey) to approve the December 2024 and the January and February 2025 financial statements as presented. Motion carried.** It was noted that the 2025 budget was approved by the EB on February 27, 2025. The 2025 financial statements were finalized following budget approval.
- This meeting also served as the 2025 Budget Ratification meeting. All owners were invited to attend and discuss any comments or questions regarding the budget. No

owners attended this meeting and no objections were raised. The 2025 budget is now formally ratified.

- On March 22, 2025 the FC recommended that the EB approve the new KCPOA insurance policies (action required prior to today's EB meeting). The motion was made and seconded (Hothouse/Rist). Motion carried. All annual Insurance policies are now bound and KCPOA is fully insured. Because this action took place between EB meetings: **A motion was made and seconded (Harvey/McMahon) to ratify the vote on the insurance bids as recommended by the FC. Motion carried.** M. Holthouse will prepare an article for the Chronicle on this topic.

CALM – (Dan Chapman)

- CALM has reviewed the initial landscape plan concept for the South Gate, as prepared by Timberline, and is proposing a number of changes. A “water-wise” approach is the preference, to lower costs and reduce fire risks. CLAM will work with Timberline on the revised plan and proposal.
- CALM will put the flower and holiday decor contracts out for bid. While the community is happy with the current vendors, the price on both should be competitively bid. M. Gutierrez is assisting CALM in this effort.

Covenant Committee

- The CC is focused on KCE property inspections scheduled to occur in May. Jerry Schafer will write an article for the Chronicle detailing the process which will closely match that followed last year.

SCC – Brad Harvey

- The SCC is not in favor of a pedestrian gate at the East gate. Numerous reasons were cited by the overall security of the community is the primary issue.
- The bid for the North Gate loop has not been received. This gate modification is needed to allow non-resident exiting onto Mesa Road. The SCC and EB want this project completed as soon as possible and M. Gutierrez will follow-up.
- Luke Travins prepared a Chronicle article on the Peak Alert systems. All property owners should sign up for this critical communication system. The SCC will ensure that security personnel are also set up on the alert system.
- SirviS is working to get the Almagre cameras functional as soon as possible. The Almagre camera system differs from that used at other areas of the community and was installed as a test of newer, potentially better, technology.

ADU Ordinance – Barbara Rist

B. Rist prepared a handout on the recent ordinance, passed by the City of Colorado Springs, on allowing Accessory Dwelling Units to be built on single-family residential lots. The City ordinance adds greater restrictions for permitting ADUs than those imposed at the State level. These restrictions would benefit our community. Discussion was held on the ramifications of adhering to the City ordinance and whether the City's mandate could prevail over the State statute if the issue was taken into court. If KCPOA follows the city ordinance, ADUs would no longer be an option within KCE due to our WUI designation. The EB agreed that unless/until the court makes a ruling in favor of the State, KCPOA will follow the city ordinance. David Firmin was asked to review the matter and provide a legal opinion.

Proposed Declaration Amendment

During 2024, an amendment to the KCPOA Declaration was proposed to specifically address the allocation of assessments to property owners. The proposed amendment would require that property owners pay assessments for each dwelling unit built on their lot. This proposal was initiated in direct response to the State ADU statutes which required KCPOA to allow more than one single-family residence per lot. Discussion was held on whether or not the proposed amendment should be reinitiated, given the recent City ordinance that would preclude this action in KCE. A general consensus was reached that the amendment is not needed at this time and that the issue may be readdressed if actions are taken by the State to prevail in its ADU requirements.

Legal – David Firmin

- A follow-up letter, to the owners of Grand Market Point, was approved to be sent. KCPOA is requesting road repairs and ongoing maintenance to the section of roadway outside of the East Gate.
- A letter to all owners regarding EB review of perimeter infrastructure elements (wall and fencing) along Mesa Road, and the attempted acquisition of easement agreements for maintenance, repairs and improvements to same, will be sent by David Firmin. The purpose of this letter is to inform the community of the outcome of our efforts and future ramifications.
- D. Firmin reported on legislation that is under review at this time.

Executive Session

The meeting was adjourned to Executive Session at 4:30 p.m.

EB meeting was reconvened and adjourned at 4:49 p.m.

Next Scheduled Meeting: April 24, 2025 at 3:00 p.m.

Respectfully submitted: B. Rist, KCPOA EB Secretary