BOARD OF DIRECTORS MEETING
July 24, 2025 MINUTES

CALL TO ORDER – At the direction of Scott Hente, the meeting was called to order at 3:02 p.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
Director	Dan Chapman	Present
Director	Brad Harvey	Present

Also Present: Lisa Baker, RowCal and David Firmin, KCPOA Attorney

Introduction of Guests
Dick McCaskill (The Park, Board President) and Ron Lehmann (The Courtyard, Board President)

Homeowner Forum
D. McCaskill and R. Lehman presented the position that KCPOA must allow all sub-association members full voting rights on Master Declaration amendments without any necessity for the sub-associations to accept, or be governed by, the Master Declaration. (Sub-associations that did not accept the Master Declaration are also known as “Legacy Sub-Associations”.)

- Legal counsel confirmed no conflict exists between the Declaration and Bylaws regarding voting rights. KCPOA governing documents clearly state the members of sub-association that are not subject to the Master Declaration shall have no vote on amendments to the Declaration.
- The board reaffirmed that sub-associations do not have voting rights on Declaration amendments if they are not subject to the Master Declaration.
- **A motion was made and seconded to send a brief written response to the sub-association presidents reaffirming this position and bringing this matter to a close (McMahon/Rist). Motion carried 7-0.**
- The matter of The Park and/or The Courtyard adopting the Master Declaration of KCPOA, at some point in the future, remains their decision, at which time full voting rights for all members would be established.

Approval of Minutes
A motion was made and seconded to approve the minutes from the June 26, 2025 regular board meeting (Harvey/McMahon). Motion carried 7-0.
The approved minutes will be posted to the KCPOA website following this meeting.

Old Business

- The lawsuit filed against Kroger pertaining road maintenance issues and responsibilities has been filed and they have acknowledged receipt of the suit. Their formal response to the court is due within 21 days, early August.
- A revised "KCPOA Collection policy", to conform with new statute HB25-1043, has been submitted and is under review. The final policy must be adopted by October 1, 2025.
- The Infrastructure Committee recommended removing the temporary street storage permitting process (permit application and damage deposit payment) but retaining rules which prohibit placing materials on the street and the requirement to pay for street damage repairs if doing so. B. Rist will draft the revisions to the Design Guidelines for submittal to the executive board and final approval.
- S. Durham is reviewing governing documents to identify outdated or conflicting rules. The Covenant Committee will review and determine if changes should be recommended. S. Durham will present findings and recommendations at the September 2025 EB meeting.

New Business

- The CALM committee requests the assistance of S. Hente in reaching out to GOGC to seek their approval to connect the irrigation for the "Southgate Common Area Landscape" to the existing non-potable water line. Hente agreed to be the connection and will reach out to Brenda Smith on this matter.
- The EB discussed new board member applications, the upcoming election at the Annual Homeowner's Meeting, and updates on actions taken to date by the Nominating Committee.
- The EB reviewed the nominees for the 2025 Community Service Award. **Following discussion, the motion was made and seconded to approve Luke Travins as the recipient of the 2025 Community Service Award (Harvey / McMahon). Motion carried 7-0.**

Manager's Report – Lisa Baker

- Continued financial reporting challenges with RowCal were noted. Steps are being taken to simplify accounting systems and improve transparency.
- A change in RowCal accounting personnel is under consideration to address ongoing issues.
- L. Baker reported that some owners in The Greens sub-association have been double-paying their recycling fees. A full audit has been completed and RowCal is refunding over payments to the appropriate homeowners.
- Discussion was held on the contents of the "Board Meeting Packet", prepared and submitted to the EB prior to each meeting. **Board determined that full Call Logs and Manager Reports will no longer be included in the board packet, but a condensed report from manager, focusing on exceptions and significant issues, will still be provided (Chapman/Hente). Motion Carried 7-0**

Wildfire Mitigation Task Force – Scott Hente

- A second “Fire Mitigation” town hall meeting was hosted by the CSFD. Attendance was lower than that of the first meeting earlier this year, but there was valuable engagement and shared information.
- CSFD has emphasized that mitigation guidelines are not mandates for existing homes. B. Rist reiterated that the ARC and KCPOA are not an enforcement arm for the CSFD.
- Kissing Camels has received its Firewise community status due to past applications by one or more sub-associations.
- Discussion was held on the WMTF recommendation that KCPOA consider a Fire Mitigation Plan for its surrounding open spaces. **A motion was made and seconded to authorize the WMTF, in conjunction with the CALM committee, to request an estimate from Front Range Arborists for mitigation on 8.21 acres of Priority 1 open space (Hente/Harvey). Motion carried 7- 0.**
- It was noted that coordination and comparable mitigation efforts will be required for the adjacent open spaces owned by GOGC, in order for KCPOA mitigation efforts to be most effective.
- A DRAFT of the KCPOA Community Wildfire Action Plan (2025/2027) was presented. B. Rist noted that the plan exceeded its parameters (KCPOA open spaces and common areas) by including private property requirements. The draft and further discussion was tabled and a revised draft requested.

Finance Committee – Mark Holthouse

- **A motion was made and seconded (Harvey/Rist) to approve the May and June 2025 financial statements as presented. Motion carried 7- 0**
- **Recycling fee issue identified for the Greens; board approved refunds for double-charged homeowners (Hente/Chapman). Motion carried 7- 0.**

Infrastructure Committee – Tim McMahon

- Delays with Schmidt Construction have affected the Camel Grove and Grand Market road projects. Projected completion date is now September 2025. Phase one work has been completed and these streets are re-opened.
- Contracts for the Southgate Conversion Project are now being finalized. A project starting date of August 2025 is anticipated.

ARC - Barbara Rist

- The updated ARC Project Status Report was presented for review and questions.
- The updated Red Rocks and Preserve Construction/Sales Report was also presented.
- Appendix E “Accessory Dwelling Units” has been removed from the KCPOA Design Guidelines. Homeowners were notified in the July 18, 2025 “Weekend Update” by S. Hente.

SCC – Brad Harvey

- Board members requested that security personnel report incidences of construction and landscaping materials being placed in the street anywhere in the community.
- Management requests better reporting on street light issues.

<u>CALM – Dan Chapman</u>

- **A motion was made and seconded to approve the Timberline bid to raise 200 spray heads along Hill Circle at a total cost of $5,034.63 (Harvey/McMahon). Motion carried 7-0.**

<u>Covenant Committee – Steve Durham</u>

Nothing further to report at this meeting.

<u>Annual Homeowner's Meeting</u>

- Annual meeting format will remain the same as prior year's: each committee will present an update on annual achievements and items of interest.
- Committee reports and slides are requested within 2 weeks of this meeting date.
- Board member bios (for members running for a board member position) are requested for inclusion with the ballot in the homeowner notification packets.

<u>Legal – David Firmin</u>

- A new retainer agreement will be drafted and submitted to the board for approval.

<u>Executive Session -</u> Entered at 4:48pm – Adjourned 4:55pm

<u>Adjournment:</u> The meeting was adjourned at 5:08pmpm.

<u>Next Scheduled Meeting:</u> Annual Meeting August 28, 2025 at 4:00 p.m.
Board Meeting September 25, 2025 at 3:00p.m.

Respectfully submitted: B. Rist, KCPOA EB Secretary