

## **October 26, 2024 Glen Vista POA Annual Board Meeting**

Ballots were passed out to every member attendee as they signed in with instructions to complete their information and to mark their vote. Ballots were to be dropped into the ballot box.

**Start: 10:10am to 12:15pm**

**Call to Order:** Matt Johnson, President

Matt announced that there was a guest speaker and to be respectful of their time, the meeting needed to start. He directed the members to drop their ballots into the ballot box to ensure the count by the end of the meeting.

**Roll Call of Directors:** Sue Marconi, Secretary

**Present:** Matt Johnson, Yvonne Loop, Richard Fesker, Karyn Thorne, Sue Marconi, Katherine Wickline, Jodi Woodruff

**Stand for the Pledge of Allegiance**

**Vote to approve or amend and approve the agenda:** Called by Secretary Sue Marconi. Treasurer, Karyn Thorne first approved, Director, Katherine Wickline seconded, All Approved

**Vote to approve or amend and approve the minutes from the July 27, 2024 Board Meeting:** Called by Secretary, Sue Marconi. Treasurer, Karyn Thorne first approved, Director, Katherine Wickline seconded, All Approved

Matt Johnson, President, asked for any new members to stand and welcomed them to the community.

**Guest Speaker introduced by Treasurer, Karyn Thorne:** Amanda Ashley, Attorney at Law from Altitude Community Law

**Purpose:** To inform members of the purpose of updating the governing documents. Ms. Ashley stated she was working with the Board to bring the Glen Vista Property Owners Association into compliance with the existing and current laws governing community associations in the state of Colorado. Since the GVPOA's formation in 1974, there have been changes in laws for associations in the last 50 years. In Colorado last year, 5 to 7 new bills regarding declarations and covenants were passed concerning associations. By law, the Board has a fiduciary responsibility to govern in the best interests of the community. The two primary areas of concern are: 1) **Title 38 CCIOA** (Colorado Common Interest Ownership Act) which governs the formation, management, powers, and operation of all common interest communities in Colorado, regardless of when those communities were created and 2) **CRS Title 7 Colorado Statute** which involves the governance of corporations, associations and nonprofits. Under a POA, the law states that they must have 9 good governance policies to operate legally. Associations, like GVPOA, must be updated to remain legal, compliant and be able to enforce their covenants. The analogy given by the attorney was speeding is never a problem until you are caught. Ms. Ashley stated she would remain after the meeting to answer any questions.

**Treasure Report: Karyn Thorne, Treasurer**

Karyn went over the numbers and line items on the Proposed Budget for 2025. She informed the Board and the members of the POA's money in Sunflower Bank. Balances on 10/25/2024 were as follows: Checking Account Balance of \$78,948.64, Savings Account Balance of \$47,222.25, CD Balance of \$10,810.87 with a 10/2028 maturity date

**Facebook and Website: Sue Marconi, Secretary and Volunteers**

Sue talked about the Facebook page for the GVPOA, Official Glen Vista Website. She encouraged new and old members to visit it for updates and reminders. She also said that she spoke with the EMS at the Fire Department and they will be doing projects and events that she can include on the site. The website is <https://glenvista-colorado.org> The website is easy to navigate and members can use it to contact board members.

**Small Claims Court Report: Richard Fesker, retired and Katherine Wickline, Director**

Richard stated his term has ended so he will be passing his duties on to Katherine. However, Richard said that as per CCIOA, only the lawyers can now file claims. Katherine stated that they had not been able to serve the person so they could not complete the claim. Richard and Katherine went to the court on 10/8/2024 and the files were dismissed without prejudice. The files were remanded to the attorney to begin collection services. Katherine said the POA does not have to pay the attorney costs for these filings; the property owner will have to cover the costs of collections. The process for liens are as follows: a first notice is sent out and after 30 days, a second notice goes out and if there is no response after 60 days, the claim goes to the Attorney. The Attorney will file the lien and handle the collections.

**Status Letters and Liens: Katherine Wickline, Director**

Katherine stated that an average of 21 status letters per quarter (correction from stated "month" in the meeting) have been sent in 2024. She reiterated that the liens will be one of the items handled by the Attorney so will not be filing them this year as the requirement for notice letters was just made known to the Board. These letters, once approved by the Attorney, will begin to go out on delinquent accounts, in 2025. The Board is bound by law to follow the legal process of notification and filing on liens.

**Road Maintenance Report: Matt Johnson, President**

Matt stated that he has completed a spreadsheet of roads done and not done. Completed roads so far: Shannon Trail, Deer Run Dr., Merion Dr., Harmon Ct., Tumbleweed Rd., Bob Richards Dr., West View Rd., Eldorado Dr., Spring Hill Ln., Cedar Ln., Canyon Rd., Owens Ln., Bear Ln., Nels Dr., Indian Wells Rd., Talbert Gulch Rd., Ridge Rd., Washtub Rd., Coyote Run Rd., Orlando Ln., Macdonnell Loop, Macdonnell Dr., and Blazing Saddle Tr. A new culvert was added on West View Rd. There is \$35,000 more in the budget to continue with road maintenance this year. Kit Carson, Ive Pl., and Ive Rd. are in the hopper at this time. Matt stated that we can now hit all roads on a rotation basis. He welcomed any volunteers and stated that if there is an issue with a road to notify him immediately. While everyone appreciates people trying to fix a road problem if they can, maintaining the roads really needs to be done by the road

crew because some maintenance if not done correctly ends up costing the POA more money when they have to redo it. Matt welcomed emails or phone calls to notify him of problems.

**Pit Report: Matt Johnson, President**

Matt said 12,000 tons of road material have been used so far. Rocky Mountain Excavation has been doing a good job.

**Covenant Update Report: Yvonne Loop, Vice President**

Yvonne stated that the Covenant Committee is composed of volunteers and thanked them all for their assistance and facilitation in the meetings. She encouraged any updates and informed the Board of anything needing attention. She welcomed facts in and opinions out as the goal to work together for the good of the community. Understanding the Covenants require clarification and patience. This is a process as all lots are under the association and we all have rules and regulations to follow. Working with the Attorney to get clarification and updates in place is necessary after 50 years of not having done so. All that is being done may not please everyone, but we need to all try to understand and work together. Enforcement can only happen if we can establish and maintain good governance policies and have everyone on the same page. Again, Yvonne welcomed members to become volunteers.

**Management Software Investigation: Jodi Woodruff, Director**

Jodi stated that she has launched an investigation of several different software databases for Directors and Homeowner/Members for central database and record keeping purposes. This will not only aid the Board but will help to keep members informed of pertinent information. The software would also allow for a process of administration of assessment fees (you can pay online) and the recording of member address/phone changes, email updates and current assessment dues for each homeowner/member. Ideally, homeowners/members will be able to log in with a unique ID and Password to change their personal information as well as access information regularly regarding their property. Updates and events will be posted as well.

**Fire Mitigation and Wildfire Protection Plan Report: Dawn White**

Dawn continues to work with the state forestry officer on getting an initial evaluation of our community. They are working on getting a field inspection report, so we know what steps we need to implement to get our community's wildfire plan in place. There are 3 areas that need to be addressed: fire assessment, fire wise, and CWPP. The progress slowed down with one of the state officials retiring but Dawn is continuing to work on getting the assessment. Once the field inspection and assessment is done then grant monies can be applied for to help with costs. She will provide updates at the next Board meeting.

Karyn stated that Howard has a place, Lone Wolf Disposal, that charges only \$20 for a load of mitigated wood: Canon City offers the Phantom Landfill for disposal of all trash also, she was not sure of the cost.. One member said that Colorado provides a tax deduction for mitigating your property for qualifying families. Richard stated that the POA promotes a wood chipping day 3 times a year and that fencing in the area would allow the chippers to chip after dumping rather than trying to work at the same time. He

mentioned that Laurie and Dawn, a member volunteer, would be taking over the wood chipping event. Karen then asked everyone to thank Richard for his dedicated tenure.

#### **Old Business: Karyn Thorne, Treasurer**

Karyn said that the annual dues were going up to \$172.50 for 2025 (15% increase). Discounts will still apply for early payment. The POA has not raised dues proportionately for years and other POAs dues are \$300 to \$350 currently. This is being done to allow for more badly needed road maintenance as costs have risen over the years without a move to raise the dues to help cover the costs. She is looking for help with the Facebook page. Karyn said Richard has volunteered to help with the Covenant Committee and that the Board is still looking to update the governance policy for Lots 1 through 8. They are trying with the Attorney to determine what was the true intent of the POA for these lots when the POA was originally formed.

**Vote to Approve or Amend and Approve Increase in Dues:** Called by Matt Johnson, Karyn 1st and Yvonne 2nd. All Approved

#### **Miscellaneous Updates and Information:**

**Sue Marconi, Secretary:** Sue stated that with Richard's term ending, the Board now had 3 vacancies for Director positions. She encouraged members to consider filling them. She then updated the members on the two new speed signs on Blazing Saddles and Deer Run Drive and one on Tumbleweed Rd. The signs have slowed some speeders down but not all. We are a residential area so the limit is 30 miles per hour. We can add new and larger signs each year. Members complained about both private and commercial vehicles and traffic from Colorado/Florida Acres going too fast and ruining the roads. Katherine said you can report these vehicles to the Sheriff's office as the Board can't do anything. One member asked about closing the road off at the Deer Run and Blazing Saddles intersection but the Attorney said an association can only put up a locked gate IF the association owns the road AND the keys to the lock are accessible to emergency and law enforcement personnel/vehicles. Also residents of Colorado/Florida Acres must still have egress to main roads.

#### **Matt Johnson, President:**

Matt asked for volunteers on Trash Day and for help in monitoring who is dropping off trash – for members only. He also mentioned that fencing in the wood chipping area would help keep metal and trash out of the woodchipper.

#### **Jodi Woodruff, Director:**

Jodi was looking into management companies as well but the cost would be prohibitive. She is investigating management software instead and will give an update at the next meeting.

#### **Quorum Status Report: Matt Johnson, President**

Matt called on Ward Thorne to report if a quorum had been reached. A quorum constitutes 84 votes. Ward stated the POA had received 123 votes. Matt Johnson received 104/123 votes in favor of, Yvonne Loop received 106/123 votes in favor of, Sue Marconi received 106/123 in favor of, Jodi Woodruff received 106/123 in favor of, and Warren Gold received 2/123 in favor of. Matt Johnson, Yvonne Loop, Sue Marconi and Jodi Woodruff were voted in as directors. Warren Gold did not earn a majority vote as a write-in and was not voted in as a director. The 2025 proposed budget passed with 105/123 in favor or.

### **3 Minute Member Talks:**

Various members signed up to voice their concerns and opinions and question the Board and/or the Attorney. These topics included questions on how long updating the covenants would take, how are the new declarations/use restrictions/covenants to be decided, do we even need to update the bylaws and covenants, will “grandfathered” properties be impacted, how can we get all the roads maintained on a rotating basis, how do we get enforcement on abandoned vehicles or trailers in the community, and what can best be done about the speeding through our community at the expense of our roads.

Karyn stated that non-members are still under our existing covenants and that the board is looking into where the “grandfather provision” came from. Yvonne stated that the Board with the help of the Covenant Committee has already started the process of looking at, defining, amending, removing, or adding to our bylaws. They are close to giving this final documentation to the Attorney. She plans to send out the first batch of letters on November 1, 2024. The letters will be reminder letters for covenant concerns.

The Attorney addressed the issue of whether to update our bylaws or not. Ms. Ashley stated that there are new laws and covenants required by law. This is also an opportunity to come together and decide what we want our community to look like now and in the future. Every association has Declarations and Use Restrictions. The Use Restrictions need to be in the Declarations to enforce them. The Board is structuring this through the Covenant Committee. The Board will approve the drafts and then send them to the Attorney. Once the Attorney draws up the final documentation, she will send it back to the Board to review. Once the Board approves the final documentation, the Board will then send it to the members (by mail 60 days to review and vote or an in-person meeting is only 50 days to review and vote). The Final documentation must be approved by 67% of the members. This allows for discussion as to what to remove, amend or add to achieve the 67% approval of members. It was evident that there was little disagreement about wanting to protect the condition of the community’s roads, stop the speeding throughout our community, get the roads maintained regularly, have a more equitable sharing of costs throughout the community so that there is benefit to all.

**Adjournment of the Meeting:** Called by Matt Johnson, President. Karyn Thorne, Treasurer first approved, Director, Katherine Wickline, Seconded.