

MINUTES OF THE CARRIAGE HILLS PROPERTY OWNER'S ASSOCIATION
BOARD MEETING February 7, 2024

Present: President: Tom Moretti
Vice President: Jim McCormick
Treasurer: Johnnie Buzek
Secretary: Amanda Luchsinger
Director: Bob Leavitt
Director: Mike Wold
Director: Libby Rehm
Director: Sally Parks

Absent: Director David Born
Director Jan Bridge

Meeting called to order at 14.00, February 7, 2024

Minutes of the CHPOA Board meeting of November 17 2023 have already been approved via email and may be entered into the record.

1. **CHPOA finances** (Treasurer Johnnie Buzek). A paper copy of the financial report was circulated. (Addendum A). We have also received \$2,132 from Friends of Carriage Hills donors, which has not yet been assigned to expenses, but which is intended as previously stated for legal fees. Review of data was presented by the treasurer, which does not yet include projected legal fees, as we do not have an amount for that.
2. **Membership:** we have received dues from 92 members thus far, with the new membership fee of \$50, plus some Paypal fee amounts. One check was received for \$30, which Treasurer will address with the payer. President will post a reminder on Facebook regarding dues are expected prior to March 31. In 2023 we had 233 members pay their dues. Last year a reminder was emailed about slash pick-up, which resulted in a lot of payments coming in later in the year, which may be the case this year. If members are late paying their dues, the dues increase to \$60 on April 1, so it is important to remind members to submit dues by April 1. Sally Park wanted to also remind members about the importance of slash pick up regarding wildfire mitigation. VP McCormick would like a strong effort to encourage timely payment dues, including a sign at the entrance to the Carriage Hills Division. Consideration given to a newsletter to remind people, also. President Moretti felt it would be difficult to distribute a newsletter in time for such a dues reminder. It was felt the circulation of a newsletter should be delayed to include additional information regarding the upcoming covenant discussion, given the high cost. **Action item: President Moretti:** Facebook reminder regarding dues with top pin. Additionally, an "email blast" will be sent out once Treasurer Buzek has updated the data base. VP McCormick felt we should thank people for their donations to Friends of Carriage Hills on our media sites and note that we have had good results. Without permission, names of donors will not be disclosed, just the total amount received thus far.
3. **Grant Status for Wildfire Mitigation:** Bob Leavitt. A posting on Facebook was set up to ask about slash pick-up and its importance. We had 20 responses, with positive comments and wanting to continue. **Action item: all Board members:** Director Bob Leavitt asks that we each submit to him a paragraph summarizing why the slash pick up is important to us, to be used as part of the grant

application. Board members are asked to send this via email to Bob as soon as possible. Bob would like to get an hourly rate or some idea of what the slash pick up might cost this year. Discussion of choice of vendor. Since the Adams Tree Service invoice of 2023 has hours of work listed, as well as cost per load for the dump fees, that could be used as an estimate base to present to other vendors. Discussion about how to differentiate paid members slash piles from others, which presents considerable difficulty. It was felt that it would probably be best if the vendor chosen would agree to check a list by street. Should we not receive a grant, we might ask for volunteers with trailers to pick up the slash. Slash would be taken to a Boulder County site for slash depositing. If we have mandatory dues next year, we should be able to afford the slash pick up without the grant. We are only able to attain a grant 2 out of 3 years. VP McCormick suggested consideration of a discussion about slash pick up at the annual meeting, and we could put the suggestion on Facebook, also. Director Wold brought up the question of liability if homeowners perform these tasks. Sally Park remembered that an actual dumpster was previously used one year, which was then hauled away. Bob Leavitt noted that the dumpster fills very quickly, and a chipper/shredder might also have to be used. A new vendor would have also to chip the slash, otherwise too many trips to the dump have to be made. Libby Rehm asked that as we publish the slash pick up, we also emphasize that no commercial slash can be included. We have emphasized to the membership recently that 2023 was the last year for picking up non-paid-up member slash.

4. **July Annual Meeting date:** July 9th was agreed upon, if possible, starting at 6.30 pm. **Action Item: President Moretti** will reserve a bigger area at the Recreation Center, with anticipation of adding covenants around mandatory dues, covenant violations and penalties, resulting in more attendance.
5. **Discussion of summer activities**, including the community garage sale. VP McCormick questioned the value of garage sales to Carriage Hills. President Moretti explained that it is a good “sense of community” creation opportunity. Chair for this event (takes place in June, agreed that June 14 and 15 are likely dates), needs to advertise, including placement of an advertisement in the local newspaper, and set up signs. Sally Park and Amanda Luchsinger will co-chair. The initial announcement will need to be presented early May. Non-members are not allowed to be included in any advertising related to the event. Discussion of potential hazardous waste disposal event. President Moretti will ask the county to see if they would be willing to participate in an event of this type, just to see if there is any potential. Spring Newsletter announcing events will probably go out shortly after resolutions regarding covenant changes are decided upon, if the Board approves. Suggestion of weeds/trash clean up around Scotts Ponds as a community volunteer event. Generally organized by neighbors around the Pond. Discussion of community picnic but would need a shelter, such as those provided by the Recreation Department on the lake. Dates suggested were August 10, 17, 24, time around 3 pm, **Action item: President Moretti** will call the Recreation Department about availability of the shelters.
6. **Legal Representation:** President Moretti has been in contact with attorney Aaron J. Goodlock in Denver, firm Orten Cavanagh Homes & Hunt, LLC, which specializes in Homeowner’s Association Law. Rates were presented and types of engagement, either retainer model (\$250 per month regardless of use of the firm, which gives you a discount on hourly services and flat fee services, free calls and emails,) or a simple hourly billing rate, which may engender a lot more expense in the long run. The state of Colorado has enacted regulations known as “CCIOA Laws” that apply to homeowner associations, which don’t apply to us, as we were established prior to those being instigated. However, starting mandatory dues might bring CHPOA under those rules, although there is a dues fees threshold which we would probably not reach. President Moretti would like to have the attorney join a tele-meeting with the Board regarding pursuing a contractual

relationship. The attorney would only represent the Association as an entity and not any individuals. **Action Item: President Moretti** will telephone attorney Goodlock regarding setting up the tele-meeting with the Board. We will have need of an attorney if we go ahead with covenant changes and resolutions. The association will be required to agree to provide full disclosure to the attorney. Board agreed to consideration of paying the charges for an hour of the attorney's time, if needed. We will have a motion to approve if that becomes necessary. Discussion about which filings would be included in the Carriage Hills Association, and that decision would be based on attorney input. Johnnie Buzek expressed some concerns about whether there is really going to be a majority in favor of mandatory dues. President Moretti explained that this was just an investigation of possibilities. It may be that the only change to the Covenants would be mandatory dues, but he clarified that all of these discussions would depend on the outcome of legal input.

7. **Proposed signage:** President Moretti would like a sign at the entry to Carriage Hills that refers to the fact we are a covenant community, since some residents are not even aware of the fact that we have covenants or believe that covenants are never enforced. VP McCormick suggested "Welcome to Carriage Hills, a covenant-enhanced community." VP McCormick also listed topics for signs, including "Pay your dues before April 1st", annual picnic, garage sale. We need to purchase signs/sandwich boards. President Moretti asked that VP McCormick send out an email with the suggested signs for the Board to comment on. Motion was made by President Moretti to have another sandwich board purchased, with two signs made regarding paying of dues before April 1st, with costs of up to \$300. Seconded by Bob Leavitt, unanimously approved.
8. **Review of Covenant Resolutions around Nuisance.** President Moretti noted that we cannot have any covenant changes around ADUS or lot usage. Libby Rehm presented a draft resolution clarifying CHPOA covenants and was thanked for her hard work by the Board. We are trying to add clarity to EXISTING covenants and not change covenants. Example discussed regarding chicken coops. We have a covenant saying these are not allowed, which we cannot change at this point. A question for the attorney is whether long-term, ignored violators of the existing covenants can be grandfathered in, if we begin enforcing covenants.

Architectural Guidelines Clarification, presented by Jim McCormick. **Fencing:** As presented, Board agreed with the recommendations. The statements presented are trying to set standards so that the architectural committee can use them to advise residents, with some latitude. **Building surface colors:** recommendations for natural appearing color palette, with greens and browns for paint, siding, doors and roofs. Libby Rehm brought up the recommendations of the Fire Department for fire resistant materials for the 5 feet adjacent to the house or any structure. **Solar Photovoltaic Panel installations:** recommendation for roof top rather than ground-based panels. All require architectural committee review. Sally Park suggested adding a statement about wildlife impacts. Discussion regarding impact on neighbors of poor aesthetics and light reflection from solar panels. Jim McCormick will send the board members a copy of the review with suggested revisions.

(Sally Parks requested that all emails topics start with CHPOA so that she can see that it is not junk email.)

Nuisance: (Libby Rehm) a draft document regarding resolution clarification was presented. Discussion of what is permissible and how to set up the document. The resolutions need to be tied to a specific covenant, with an effort to make sure that they are applied to the different filings (horse covenants are different in different filings, for example.) Plan is to replace the current resolution clarifying nuisance with a new resolution (and the same for the resolution regarding architectural guidelines.) The Resolutions are clarification of how the CHPOA will interpret the covenants. Johnnie Buzek commented that Resolutions are not a legally binding document,

although the covenants are; however, we will have the question of legally binding confirmed. A suggestion was made to simply put a footnote on the resolutions linking them to the appropriate covenant/filing with some specificity. Resolutions are a statement of how the Covenant is interpreted by the Board and are intended for guidance. Mike Wold asked that the Board Members have a chance to digest the document and send suggestions to Libby. We can email Libby our thoughts and comments and then return for either a work group or a separate Board meeting to discuss and decide on the actual Resolutions. Board agreed with this plan. President Moretti reminded us that all of these proposed Resolution clarifications would need to be assessed by the attorney. After the Board members send their initial comments, Libby will revise her document, and tie the Resolutions to the covenants, and will then send it to all Board members, and we can then plan for a working session for detailed discussion. VP McCormick pointed out that this document can be referenced if we move towards the covenants actually being changed. Some of Libby's content may be placed in the next newsletter as "highlights" with a reference to the website for more details. Board agreed that fire mitigation needs to be included under nuisance. **Action Item: All Board members** please promptly send initial comments to Libby Rehm regarding initial Nuisance Resolution Clarification draft as presented at the meeting.

Motion to adjourn meeting per President Moretti. Meeting adjourned at 1651.

Submitted by

Amanda Luchsinger, Secretary, February 7th 2024