

# Country Club Heights HOA Board of Directors Meeting Minutes

August 15, 2023

The meeting was called to order by Kyle at 7:10 pm. In attendance were:

Kyle Dickson - President

Mike Daniels - Vice President

Gene Dreher - Treasurer

Linda Wieland - Secretary

The Agenda, as prepared by Kyle, can be found at the end of the minutes.

Per our Agenda:

## Financial

- We reviewed our financial statement as of 7/1/23 and discussed out YTD and EOY projections and estimated reserves. Some questions were raised as to the low electric expenditure as of 7/1/23 and uncollected dues in the amount of \$500.00. Gene said the delinquent dues have been collected and will check on the electric bill. Our EOY cash operating balance is projected to be \$17,600 as of 7/1/23. This includes an expenditure for consultation and lawyer's fees that will be addressed later in the minutes.
- To continue to build a reserve fund for the irrigation system replacement while continuing to maintain our current level of surplus, a motion was made by Kyle to increase our general dues of \$550.00/year by \$100.00 to \$650.00/year. This was seconded by Gene and passed with a unanimous vote.
- There was also a discussion of increasing our Transfer Fee to \$1000.00. This proposal was tabled for further discussion. Each board member was asked to do some further research into the matter and come to the next meeting with suggestions.

## State Law -HB22-1137

- All HOA's in Colorado must be in compliance with this statute. We are not. As of June 3, 2022 HB22-1137 became effective law. Our collections policy

needs to be updated. Our enforcement policy needs to be updated as well as our conduct of meetings policy.

#### Colorado Common Interest Ownership Act (CCIOA) August 9, 2022

- This act covers “Responsible Governance Policies“ (9 policies) that we must incorporate into our HOA by-laws. There are other provisions that might apply to us dependent upon our date of incorporation.
- Kyle has consulted with Wilton Anderson, an attorney with Karp,Neu,Hanlon, who will provide services to achieve minimum compliance with the Colorado State Law regarding HOA governing documents by including Responsible Governance Policies provisions of the CCIOA Act in our documents for a fee of \$2000.00.
- A motion was made by Kyle, and seconded by Mike, to engage the services of Wilton Anderson to bring our documents into compliance with Responsible Governance Policies. Much discussion transpired as to our obligation and responsibility as a Board to stay in compliance with Colorado law and our ability to approve the expense to do so within our annual budget.
- It was also suggested we form a committee to review compliance.

#### Short- Term Rentals

- Kyle discussed a phone conversation he had with Ron Abeloe, the owner of 764 Continental Drive, regarding a request from Ana Noriega, a local realtor and prospective renter, who is interested in renting the home, living in the upstairs and using the basement as a short- term rental. Mr. Abeloe is unwilling to restrict his or his tenant’s use of the property, and in fact is willing to authorize her to act as his agent to apply for a city permit and act as a property manager. Ms. Noriega has rented the property.
- We have no provisions in our Covenants to prohibit Short-Term Rentals. We would have to amend our Covenants per Colorado law to add a restriction.
- Kyle consulted Wilton Anderson as to the process and cost necessary to change our amendments per Colorado law. Kyle was invoiced a consultation fee of \$625.00 for this service (\$250.00 plus \$375.00). A motion was made by Mike to re-imburse Kyle and seconded by Linda.
- To prepare and amend our declarations with a provision to prohibit Short - Term Rentals will cost \$3000.00.

- After much discussion as to the pros and cons of hiring an attorney, it was decided that we need to hear from the homeowners of Country Club Heights as to whether they want to permit Short-Term Rentals or prohibit them, and are they willing to hire Mr. Anderson if the decision is to amend our By-Laws to prohibit Short-Term Rentals. It was determined we have the funds to do so.
- A motion was made by Kyle and seconded by Mike that a Special Meeting be called to approve the process and expenditure to prohibit Short-Term Rentals.
- The CCHHOA Board of Directors will meet on September 12<sup>th</sup> at 7 pm. To develop an agenda for the Special Meeting and develop a ballot. Kyle requested that Board familiarize themselves with the 9 Common Interest Ownership Policies.
- Wilton Anderson offered his services to guide us through the membership vote process to approve an amendment against Short-Term Rentals. This could cost up to an additional \$2000.00 plus expenses. Linda had strong objections to this and concerns as to what these services actually included and were they necessary. She felt no further expenditures should be incurred until we find out the wishes of the CCH homeowners are in regards to Short-Term Rentals.
- The only expenditure authorized at this meeting was re-imbursement of Kyle's consultation fee and the \$2000.00 to achieve minimum compliance with Colorado State Law regarding HOA governing documents by including Responsible Governance Policies provisions of the CCIOA act in our documents.

#### HOA Task Force

- The recent requirement of all Colorado HOA's to be informed of the newly formed HOA Task force was discussed and it was determined that the information regarding this Act will be forwarded to all homeowners of CCHHOA by the Secretary.

The meeting was adjourned by Kyle at 9:15 pm.

Minutes Respectfully Submitted By:

Linda Wieland

Secretary, CCHHOA