

Country Club Heights HOA: 44 Years Strong



**In the year 2024 –
What's happening today?**

2024 Country Club Heights HOA Annual Meeting

Current Issues:

- Adoption of Responsible Governance Policies
- Short Term Rental Amendment
- Reserve Funds
- Annual Dues
- Budget
- Disclosures



In the beginning:...

Our Association was created “to protect the value and desirability of the real property... be binding on all parties... and inure to the benefit of each owner.”

These are the principles that guide us,
Plus a lot of rules and laws...

The members of the Board are obligated to this purpose, and to the law.

- In short, we comply with our Declarations to *maintain the value and desirability of the neighborhood* for everyone's sake.
- Overall, and together, we've done a good job.
- But not all homeowners associations did as well.
- During the last few years, the Colorado State Legislature has stepped in to protect the rights of owners and establish mandates for HOA boards and managers.
- They have made more laws...

A Job Well Done



Colorado Common Interest Community Act (CCIOA)

July 1, 2022

CCIOA changed the game for HOA's across the state. This Act defines the rights of homeowners in an HOA, partly by establishing very specific requirements of governance. It originally applied mostly to associations formed after 1992.

But starting in 2022, the law was retroactively applied to pre-1992 associations as well. It now governs us too.

Our governing documents no longer comply with the law.

Responsible Governance Policies

- The Act specifically requires all HOA's to adopt Responsible Governance Policies.
- The RGPs consist of 9 policies that supersede any conflicting terms in our governing documents.
- The association must develop new rules and regulations that comply with the guidelines of the RGPs.
- We have retained a qualified law firm to help us, and expect results in time for the Annual Meeting.

The 9 Responsible Governance Policies are:

1. Reserve Fund Policy
2. Association Records
3. Covenant and Rule Enforcement
4. Code of Conduct/Conflicts of Interest
5. Conduct of Meetings
6. Collections of Unpaid Assessments
7. Adoption of Rules, Policies, Procedures or Guidelines
8. Dispute Resolution
9. Compliance Policies

Short-Term Rental Amendment

- The Board of Directors is seeking community member input to help us decide whether or not to pursue an amendment to our Declarations to prohibit short term rentals in our neighborhood.
- Short Term Rental use of a property is defined as any rental contract, paid occupancy, or advertising for rent of a home or any part of a home for a period of less than 30 days.
- Any proposed amendment shall prohibit short-term rental use entirely, with no consideration for precedent, restrictions or conditions of use.

Why are we talking about this now?

- A resident has expressed a desire to use a portion of a home as a short-term rental unit, and has inquired about the Association's policies and rules on the matter.
- Based on past experience and recent comments by some community members, the Board believes that a majority of members remain concerned about protecting the value and desirability of the neighborhood, and promoting the safety and welfare of residents by prohibiting short-term rentals in the neighborhood.
- We don't have rules regarding Short-Term Rentals because there were no such things in 1980. No one imagined their potential impact on a community. But today we know STRs can alter the look and feel of a neighborhood, and affect the quality of life for neighbors. We are one community, it shouldn't matter who's house is involved. We can amend our covenants if enough of us want to.
- But we don't want the issue to become contentious between neighbors. We are asking for a vote, by secret ballot, to instruct us to pursue amending our declarations, or not. After that, everyone will have time to consider their final decision before a special election is held.

Facts about Short-Term Rental Law in Colorado

- Colorado State Law:
 - Acknowledges the right of a homeowner to rent out their home or a portion of it for short term occupancies.
 - Prevents the banning of short term rentals based on restrictions in HOA documents such as “for residential use only”, “single family residence”, “use for commercial purposes.”
 - Permits prohibiting short term rentals only if the declarations clearly state as such, and that such restrictions run with the title to the land. [Our covenants are “silent” on the issue.]
 - Specifies the procedure for adopting such restrictions, defines voting rules, and mandates that a 67% super-majority of members vote in favor of the amendment.

Professional / Legal Services are needed:

- The Board has consulted an attorney regarding the process of amending the declarations. *The estimated cost is approximately \$3500.00 plus expenses.*
- They also offer advice and active guidance through the process to help assure a successful effort. This would cost an additional \$1500 to \$2000. For now, the Board has agreed that we can administer this part of the process on our own without compromising our fiduciary responsibilities or the results.
- However, legal counsel is necessary to meet our duty to represent membership professionally and responsibly, to ensure that our Declarations will stand up to legal challenges, and to protect our members and officers from litigation against us.
- *In short, the price to attempt to amend our declarations is significant, and a 2/3 majority is not guaranteed.*

Next Steps by the Board

- We need a vote on whether to pursue an amendment or not. Shall we budget money to pay for the legal services?
- We will conduct a vote at the Annual Meeting seeking “approval to pursue amending the Declarations to prohibit short-term rentals and to expend the necessary funds for legal services and expenses.” Voting will be by secret ballot, and a simple majority decides.
- We will then call a vote to approve the 2024 budget.
- If the vote to pursue an amendment to ban STRs passes;
 - We will post related articles on the website for your study, provide official notice of the election, detailed language of the proposed amendment, voting instructions and a ballot.
 - Any official vote on a final amendment will be by a special election, by secret ballot, at a later date. The motion will need 67% approval (22 votes) to pass.

Next Steps – by You – Our Community

- Every member should research the pros and cons of the short-term rentals in the neighborhood, and decide how they will vote on the final amendment.
- Talk to your neighbors.
- Bring your questions and thoughts to any board member.
- Helpful information about the pros and cons of short term rentals in a community and Homeowners Association law can be found on our web site at: <https://www.country-club-heights-hoa.org>.

Vote:

“Shall the Association prepare an amendment to the Declarations to prohibit the rental of a home, or any part of a home, for any period of less than 30 days, and pay for the associated legal expenses and other costs from Operating Funds.”

The final amendment will be decided by a Special Election at a later date.

A YES vote approves the motion.

A NO vote denies to motion.

NAME	ADDRESS	Number of Votes	Present at Meeting Y / N	Proxy	Present at Meeting Y / N	Recorded Vote (If not by Secret Ballot)	
						Yes - For	No - Against
Abeloe, Ron and Terri	764 Continental Court	1					
Aiken, Steve and Linda	747 Continental Drive	1					
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		32			Vote Tally		
QUORUM REQUIREMENT:		(Calculate required attendees, including proxies present)	11	QUORUM ATTAINED: YES / NO			

The Benefits of Reserve Funds

- “SURPRISE” Special Assessments put a strain on an Association’s homeowners and its board members.
- Our goal is to never need a special assessment!
- Future expenses for replacement or repairs are never unexpected, they are inevitable.
- In fact, CCOIA stipulates that every association must consider them. Our Declarations authorize reserve funds, and Responsible Governance Policy requires compliance.
- Having adequate reserves ensures that maintenance is not deferred, and helps stabilize budgets and cash flows.

The Benefits of Reserve Funds

- Just like saving for retirement, starting early and staying the course pays off. For instance, starting today, a regular investment of \$2500 per year for 10 years at a 3% APR could grow to \$29,500. The cost to us? \$25,000. It works out to only \$6.50 per month from each homeowner, instead of having to ask for \$900 extra from everybody later.
- It's similar for the fence. We have studied this. To replace it today we would need \$45,000. That's \$1400 per household. Twenty years from now the same work could cost \$70,000. Everyone would be on the hook for \$2,500. If we start saving now, we can avoid that whopping expense for a cost of only \$6 per month each. We pay nothing out of pocket later, and \$24,000 of the cost is covered by appreciation.
- The Board recommends an increase in dues to help fund an annual reserve investment, for a price increase of only \$100 a year, to avoid the scenario of needing to ask for even more money later on.
- It lowers our risk of needing special assessments, and it makes sense.

Reserve Funds Update: Pumps

- The 2023 Budget called for establishing a Reserve Fund to save for future irrigation pump replacement or repair costs.
 - We met our goal to save \$5000.
 - We anticipate significant future upgrade costs. Our water supply will be regulated sooner or later, or people will choose water-friendly landscaping, and we will need to upgrade to modern pumps.
 - In 2014 we voted to build a reserve fund of \$20,000, but couldn't do it. Same thing just two years ago. The need is clear. Its not a matter of if, but when. We are getting a late start.
 - We plan to seek estimates, and we will refine our savings goals after getting more information.
 - The Board recommends targeting \$2500 each year to build up this fund.

Fencing Reserve Fund Study:

- The Board has prepared a Reserve Fund Study for the fence.
 - Our Fence Committee sought competitive bids for replacement of the wooden sections of the fence along 27 Road.
 - The average bid came in at about \$45,000.
 - The cost of replacing wooden fencing has averaged 7.5% annual inflation since 2020, far more than most goods. It has surprised many HOAs.
 - Assuming a 20-year remaining life span we will need to save approximately \$2,500 per year. (\$70,000 future value assuming only 3% inflation and APR)
 - The Board recommends annual deposits of \$2,500 to a reserve fund for the fence.

2023 Budget Review

All-in-all, we did OK in 2023, in that we ended the year with more cash than we started with.

In truth, we spent more than we forecast – primarily on legal expenses (which were not planned) and on pump repairs.

We still met our goal to set aside \$5000 in a Reserve Fund.

We expect high legal and pump expenses again in 2024.

Let's review our financial statement for 2023.

2023 Comparative Financial Statement

				Variance		Variance
				Favorable	Budget	Favorable
		2023	2022	(Unfavorable)	2023	(Unfavorable)
Beginning Operating Bank Balance		18,511.16	18,026.12		18,511.16	
Income						
	Dues	17,600.00	17,600.00	-	17,600.00	-
	Other	-	275.37	(275.37)	-	-
	Transfer Fees	500.00	1,000.00	(500.00)	-	500.00
	Interest	9.90	2.97	6.93	-	9.90
	Total Income	18,109.90	18,878.34	(768.44)	17,600.00	509.90
Expenditures						
	License/ Admin Fees	58.87	-	(58.87)	-	58.87
	Legal Fees	2,250.00	-	(2,250.00)	-	2,250.00
	Electric (Grand Valley Power)	4,383.01	4,738.55	355.54	4,600.00	216.99
	Water (Grand Valley Water Users Assoc)	1,539.08	1,530.86	(8.22)	1,650.00	110.92
	Insurance (State Farm)	1,499.00	1,408.00	(91.00)	1,500.00	1.00
	Fence Repairs	-	-	-	-	-
	Landscape/Weed Control	476.00	849.60	373.60	850.00	374.00
	Pump Repair	3,770.43	8,161.29	4,390.86	1,500.00	(2,270.43)
	Repairs - General	-	-	-	-	-
	Pump Replacement	-	-	-	5,000.00	5,000.00
	Winterize Common Irrigation System	1,855.00	1,705.00	(150.00)	1,750.00	(105.00)
	Website	201.90	-	(201.90)	-	(201.90)
	Office Supplies/ Misc.	332.66	-	(332.66)	-	(332.66)
	Total Expenditures	16,365.95	18,393.30	2,027.35	16,850.00	5,101.79
Net Operating Cash Addition (Loss)		1,743.95	485.04	1,258.91	750.00	993.95
Transfer In (Out) To Investment/Savings Acct		(5,000.00)	-		-	
Operating Account Bank Balance at 12/31		15,255.11	18,511.16		19,261.16	
Beginning Investment Account Balance		-	-		-	
	Transfers In (Out)	5,000.00	-		-	
	Interest Income	19.10				
Ending Investment Account Balance at 12/31		5,019.10	-		-	
Total Cash Balance at 12/31		20,274.21	18,511.16		19,261.16	

Variances

- One home transfer +\$500
- Pump repair costs \$1800 higher than projected
- \$2250 unplanned legal expense
- Net expenses exceeded budget by \$4500
- Operating Fund ending balance \$1750 more than start of year
- Transferred \$5000 to new Reserve Fund account as planned
- End-of-year Operating Fund balance decrease of \$3500 after transfer to Reserve Fund
- Total cash assets increase of \$1745

Budget Considerations for 2024

- Continue annual reserve fund deposits to reduce the likelihood of special assessments down the road
 - \$2500 for Fence Reserve Fund
 - \$2500 for Pump Reserve Fund
- Build new piping at the pump house, new relief valve and foot valve, and rebuild one pump. (\$2000 est.)
- Replace one irrigation pump (\$5,000 est.)
- Plan for legal expenses this year to pay for amending our Declarations
 - Short-term Rental Amendment (\$3,500 + expenses, if approved)
 - Out-of-date policy updates to Declarations (unknown cost)
- Offset some expenses by volunteer labor (~\$1,600 savings for weed control & pump maintenance). In fact, we have saved several thousand dollars by sweat equity to help keep our repair cost down and our dues low.
- The Board recommends increasing dues to \$650. (\$100 per household)

Annual dues: Why we should want to pay more.

- The full increase is less than the amount we plan to invest into Reserve Funds over time. We are paying ourselves!
- A special assessment would be even more expensive.
- Its harder for most people to come up with hundreds of dollars on short notice, than just \$100 more once each year in May. That breaks down to \$8.33 per month.
- We will benefit from compound growth. We get money for free, and a hedge against inflation.
- Reserve funds are expected by lenders and realtors, and likely soon to be mandated by law. Inadequate reserve funding can affect home values and lender approval.
- It's time...
 - We have kept our costs as low as we could, but we are facing some higher costs this year.
- Let's take a look at the 2024 Budget Proposal

2024 Budget Proposal

			Variance		Variance			
			Favorable	Budget	Favorable	Budget		
Operating Funds:	2023	2022	(Unfavorable)	2023	(Unfavorable)	2024		
Beginning Operating Bank Balance	18,511.16	18,026.12		18,511.16		15,255.11		
Income								
Dues	17,600.00	17,600.00	-	17,600.00	-	20,800.00		
Other	-	275.37	(275.37)	-	-	-		
Transfer Fees	500.00	1,000.00	(500.00)	-	500.00	-		
Interest	9.90	2.97	6.93	-	9.90	10.00		
Total Income	18,109.90	18,878.34	(768.44)	17,600.00	509.90	20,810.00		
Expenditures								
License/ Admin Fees	58.87	-	(58.87)	-	58.87	53.00		
Legal Fees	2,250.00	-	(2,250.00)	-	2,250.00	4,000.00	Pending Auth.	
Electric (Grand Valley Power)	4,383.01	4,738.55	355.54	4,600.00	216.99	4,600.00		
Water (Grand Valley Water Users Assoc)	1,539.08	1,530.86	(8.22)	1,650.00	110.92	1,540.00		
Insurance (State Farm)	1,499.00	1,408.00	(91.00)	1,500.00	1.00	1,600.00		
Fence Repairs	-	-	-	-	-	-		
Landscape/Weed Control	476.00	849.60	373.60	850.00	374.00	250.00	Self-performance	
Pump Repair	3,770.43	8,161.29	4,390.86	1,500.00	(2,270.43)	2,000.00		
Repairs - General	-	-	-	-	-	250.00		
Pump Replacement	-	-	-	5,000.00	5,000.00	5,000.00	Buy new pump	
Winterize Common Irrigation System	1,855.00	1,705.00	(150.00)	1,750.00	(105.00)	1,855.00		
Website	201.90	-	(201.90)	-	(201.90)	217.00		
Office Supplies/ Misc.	332.66	-	(332.66)	-	(332.66)	100.00		
Total Expenditures	16,365.95	18,393.30	2,027.35	16,850.00	5,101.79	21,465.00		
Net Operating Cash Addition (Loss)	1,743.95	485.04	1,258.91	750.00	993.95	(655.00)		
	20,255.11					14,600.11		
Transfer In (Out) To Investment/Savings Acct	(5,000.00)	-		-		(5,000.00)		
Operating Account Bank Balance at 12/31	15,255.11	18,511.16		19,261.16		9,600.11		
Reserve Funds:								
Beginning Investment Account Balance	-	-		-		5,019.10		
Transfers In (Out)	5,000.00	-		-		5,000.00		
Interest Income	19.10							
Ending Investment Account Balance at 12/31	5,019.10	-		-		10,019.10	N/I Int.	
Total Cash Balance at 12/31	20,274.21	18,511.16		19,261.16		19,619.21	\$ (655.00)	
Budgeting Notes:								
1) I think it is important to try to continue to fund our reserve fund at present levels. I propose listing the Fence and the Pumps seperately. We already have a Reserve Fund Study for the fence. Replacement of the wood sections is estimated to be \$70,000 in 20 years.							Plan for \$2500 deposit this year	
2) Purchase new pump this year. Irrigation & Pump Committee shall begin study of System Upgrade Proposal, including permitting, easement rights, excavation, electrical service and Grand Valley Water piping modification costs, VFD pump purchase and installation costs, and new building construction. Study target date: end of 2024.							Plan for \$2500 deposit this year	
3) Legal expenditures in 2024 subject to vote of Membership to amend Declarations to prohibit short-term rentals.								

Vote:

“Vote to approve a recommendation by the Board to increase the annual dues to \$650 per lot.”

A YES vote approves the motion.

A NO vote denies to motion.

NAME	ADDRESS	Number of Votes	Present at Meeting Y / N	Proxy	Present at Meeting Y / N	Recorded Vote (If not by Secret Ballot)	
						Yes - For	No - Against
Abeloe, Ron and Terri	764 Continental Court	1					
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		32			Vote Tally		
QUORUM REQUIREMENT: 1/3 of members	(Calculate required attendees, including proxies present)	11		QUORUM ATTAINED: YES / NO			
"Majority" requirement:	# Present/2 + 1 =						

Vote:

“Vote to approve the proposed 2024 Annual Budget as submitted by the Board of Directors”

A YES vote approves the motion.

A NO vote denies to motion.

NAME	ADDRESS	Number of Votes	Present at Meeting Y / N	Proxy	Present at Meeting Y / N	Recorded Vote (If not by Secret Ballot)	
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QUORUM REQUIREMENT: 1/3 of members	(Calculate required attendees, including proxies present)	11		QUORUM ATTAINED: YES / NO			
"Majority" requirement:	# Present/2 + 1 =						

Annual Required Public Disclosures

You should have received instructions to access the information listed below with your notice of the Annual Meeting. Any information that was finalized at the annual meeting, or anything that was changed, will be published online and/or delivered by email. Please make sure your “official mailing address” and email address on file is correct, and submit an authorization form to receive Association communications by email.

Disclosures:

Provide required Public Disclosures to home owners (within 90 days after end of each fiscal year) in accordance with CCIOA 38-33.3-209.4 (2) and in accordance with subsection (3):

- a. The date on which the fiscal year commences: Jan 1st;
- b. The operating budget for the current fiscal year;
- c. A list of the association’s current assessments, including both regular and special assessments;
- d. Annual financial statements, including any amounts held in reserve for the fiscal year immediately preceding the current annual disclosure;
- e. The results of the most recent available financial audit or review;
- f. A list of all association insurance policies, including but not limited to, property, general liability, association director and officer professional liability, and fidelity policies. Such list shall include the company names, policy limits, policy deductibles, additional named insureds, and expiration dates of the policies listed;
- g. All the association’s bylaws, articles, and rules and regulations;
- h. The minutes of the executive board and member meetings for the fiscal year immediately preceding the current annual disclosure, and;
- i. The association’s responsible governance policies adopted under section 38-33.3-209.5.
- j. Website address: <https://www.country-club-heights-hoa.org>

Our HOA policy: We will post public information on the association website, send selected information by email, and/or deliver by first class mail or hand delivery selected information (including the URL of the Association’s web site) and provide the physical address of the association’s “principal place of business” at which a binder of this information is maintained.

- a. For this purpose the association’s principal place of business shall be the home address of the President. The association does not have an accessible public location for the display of postings. If you want to get copies of the notice and included documents please call to arrange an appointment.

Kyle Dickson
2693 Wilshire Court
Grand Junction, CO 81506
Phone: (707) 362-0653

Provide, within 90 days, disclosure of any changes to the:

- a. Address of the Association
- b. The association’s Designated Agent

Designated Agent:
(for year 2024)

Kyle Dickson
2693 Wilshire Ct
Grand Junction, CO 81506

Thank you for your
time and attention.

Remember that a lot of information is
available on our web site:

<https://www.contry-club-heights-hoa.org>

Please call any board member if you have a
question or concern.

