

AGENDA
Country Club Heights HOA Board of Directors Meeting
Aug.17, 2023

1. Call to Order: Kyle
2. Quorum:
 - a. Members in attendance:
 - i. Kyle Dickson - President
 - ii. Mike Daniels – Vice President
 - iii. Gene Dreher - Treasurer
 - iv. Linda Weiland - Secretary
3. Purpose of meeting:
 - a. To introduce our financial statement as dated 7/1/23, and discuss YTD and EOY projections and estimated reserves.
 - i. Introduce proposal to increase annual dues by \$100 per lot in fiscal year 2024 in order to continue to build a reserve fund irrigation system (pumps) replacement while continuing to maintain our current level of budget surplus.
 - b. To discuss a phone conversation I had with [redacted], the owner of a home at 764 Continental Court re. a request from [redacted], a local realtor and prospective renter, who is interested in renting the home and using part of it as a short term rental.
 - i. In short, the owner 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.
 - c. To review our CCRs and Bylaws as regarding the issues of 1) short term rentals, and 2) authorization of expenditures by the board of directors (budgeted vs. broad authority to act...)
 - d. To discuss and learn about any state laws that apply to our HOA or to the homeowners or renters that reside in Country Club Heights.
 - i. HB22-1137 effective June 3, 2022
 1. Update collections policy
 2. Update enforcement policy
 3. Update conduct of meetings policy
 - ii. Colorado Common Interest Ownership Act (CCIOA) HB38 "Responsible Governance Policies" at Colorado Revised Statutes (C.R.S.) 38-33.3-209.5 in whole (9 policies).
 - iii. Other provisions of CCIOA pertaining to our HOA dependent upon our date of incorporation.
 1. I suggest forming a committee to review our compliance
 - iv. Colorado Revised Non-profit Corporation Act (CRNA)
 - e. To discuss my consultation with an HOA attorney regarding amending our Association's declarations to prohibit Short-Term Rentals, and other recommendations and services available.
 - i. The firm of Karp.Neu.Hanlon as represented by Wilton Anderson is willing to provide services to:
 1. Achieve minimum compliance with Colorado state law regarding HOA governing documents by including Responsible Governance Policies provisions of the CCIOA act in our documents. Cost: \$1500.00
 2. Prepare and amend our declarations with a provision to prohibit STRs. Cost: ~\$3000

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3. Guide us through to membership vote process to approve the amendment against STRs. Cost: Up to \$2000 plus expenses
4. Other services and related fee of our choosing
- f. To discuss the rights and means available to us as a Board to adopt policy changes or revisions to maintain regulatory compliance, and the authority to seek legal counsel or authorize payment for representation or advice.
 - i. Council insists that the BOD has the authority to hire legal services and authorize expenditure for legal expenses as part of its broad authority to act, and that such authority is supported by law (see opinion letter).
 - ii. Our declarations state “The Board of Directors and the members shall operate within the budget approved at the annual meeting; expenses above and beyond this level must be approved by a special meeting.”
 1. Note that the projected expenses under consideration do not go “above and beyond” our budget reserves.
 2. Shall we ask for (or impose) a special assessment for legal expenses?
 - a. I suggest not because I believe it will have a negative impact on the vote to prohibit STRs.
 - iii. Do we need to hold a special meeting of the membership to proceed with amending the declarations to prohibit Short Term Rentals?
 1. I believe we should have a special meeting
 - a. To authorize the BOD to seek amendment to our declarations re. STR prohibition.
 - b. And amend the budget to authorize a line item for associated legal fees?
4. To discuss and vote on the adoption of Responsible Governance Policies as required by state law, and approve payment for associated services and expenses from our 2023 operating funds. (Recommendation of the president)
 - a. I suggest formation of a committee to compare our existing documents to the Responsible Governance Policies to ensure that there are no conflicting terms.
5. To discuss a recent requirement of all Colorado HOAs to provide notice to members of the newly formed HOA Task Force. (see printed Act)
6. To assign or seek members to follow up on any proposed next steps.
7. To schedule a follow up meeting of the Board of Directors, and/or Committee(s), or the membership as needed.
8. Close meeting