

Highland Park 3 Homeowners Association
Annual Meeting
December 6, 2022
7:00 PM
Minutes

- I. Call to order : 7:00pm
- II. Proof of notice, Introductions, Quorum:
 - A. The Board identified the several mechanisms used to notify members of the meeting. The strong attendance (20 lots) was cited as evidence that the communications were largely successful. The Board explained that some mailing did not reach owners but homeowners did a good job reaching out to the Board when they did not receive their packets. Notifications and all documents were posted on the hp3a.org website 3 weeks ahead of the meeting. Homeowners were also contacted by email (several times) using the email addresses on file with the Association and a Google calendar invitation was also sent out.
 - B. The Board thanked the community for great response today and through the year.
 - C. Tim Cerniglia (Board President) introduced the Board and ACC members in attendance.
 - D. The quorum requirement for the meeting is 25% of lot owners which is 10 lots. The attendance sheet records 17 lots represented in person and online and three lots represented by proxy for a total of 20. The quorum requirement was met.
- III. Review of Minutes of 2021 Annual Meeting:
 - A. Although there were several initiatives proposed in 2021, several did not proceed due to excessive costs. We did get community trash in place, were able to orchestrate three community mowing dates, and started an HP3A Facebook page with two Facebook groups.
 - B. No dues increase. A homeowner asked when and how dues will be billed. John Christiansen (Treasurer) stated that he will be sending electronic invoices via email. Trash service will be added to the dues for those homeowners using Waste Management for trash collection.
 - C. The cost of Waste Management next year is \$135 which is a significant cost savings the Board was able to secure for members. The trash policy was briefly described along with the basic procedure for setting up service. A homeowner from Lot 128 stated that she was having difficulty getting her trash service set up. The Board took an action to follow up with her to help after the meeting. A homeowner from Lot 152 asked a clarification about recycling, and the Board confirmed that recycling is the homeowner's responsibility. The HP3A trash service is only for regular trash.
 - D. There were CCIOA Statute updates in May which required us to hire an attorney to update the covenants to help which impacted the budget and the available time of Board members to pursue other initiatives. The Board expects the policy updates (and associated costs) to ramp down in 2023 with just regular monthly reachback support to Moeller-Graf for most of 2023. The attorneys provide the Board with additional support resolving policy and covenant disputes. The cost of the attorneys is billed monthly as a flat rate with add-ons for things like document reviews or violations letters. The contract is for 12 months, so the community is not bound to a long term relationship.
 - E. Explanation of proposed covenant changes. The rationale was provided to homeowners in their packets prior to the meeting. The Board provided examples of why the changes were brought forward.
- IV. Treasurer's / Financial Report 7:09
 - A. Year to date financials: Briefed the 2022 budget which is quite simple. Noted that the hiring of legal support was not in the budget, but was an emerging requirement during the

year that the board responded to (CCIOA statute changes). A question was raised about auditing and if the HOA is regularly audited. The answer is “no” the HOA is not regularly audited. However, HOA members are permitted to request an audit at their expense.

- B. 2023 Budget: Briefly reviewed the 2023 budget which includes legal support. No questions. Christine Mohr (VP) motioned to approve. John Christiansen seconded. The budget was approved unanimously by voice vote of the members.

V. Old Business 7:17pm

A. Covenant compliance issues:

- 3 issues
 - Dirt pile being moved; discussion and clarification of “Debris”. The homeowner was frustrated that they did not receive an affirmative response from the ACC. The ACC felt like their concerns were being addressed and did not realize the homeowner was looking for a more specific response. They worked things out to everyone’s satisfaction at the meeting.
 - Culvert and driveway construction completion. The homeowner has a contractor and the Board noted that the driveway had been recently staked for concrete pour. The Board reminded homeowners that they are required to install a paved driveway that meets covenant requirements and should budget for this as part of their construction.
 - Site access across other properties. A homeowner’s contractor was using another homeowner’s driveway and lot, as well as another lot, to regularly access the build site. Due to heavy use and the dry weather conditions, the traffic damage to the turf was significant. The homeowner and builder agreed to stop using the driveway to access their property, to rake out the tire tracks, to reseed the damaged turf, and that they would immediately install a culvert and driveway to access the lot.

B. Meter readings (2022): 7:26pm

- Christine spoke on Meter Reading collections which are February 28th and October 31st.
- Members were instructed to take a picture of the meter reading on those dates and email to Info@HP3A.org

C. Mowing update:

- John Described the mowing process and how he will notify members.
- Question about Noxious weeds and letter and areas missed by the contractor (Teague). Although there are occasionally errors made, the price of the mowing and the contractor’s willingness to fix mistakes still makes it a great deal (\$50/acre or \$125/lot).
- In prior meetings the Board was asked to consider running the mowing for the entire community, then billing the owners. The Board decided it does not want to get into the landscaping business, but will continue to facilitate.

D. Trash collection:

- Tim talked about policies posted on website and to email us for HOA Account # and further instructions.

E. New Association policies

- Posted on Website. There are policies for trash, mowing and water meter reading. Members were encouraged to review the policies.
- The Board tabled approval of the sign policy due to the added workload caused by policy and covenant legal reviews. The draft sign policy has been posted on the website since last summer, and the Board will take it up at a future meeting in 2023. Moeller-Graf also recommended we adopt a sign policy.
- The Board has a follow up meeting next week with Moeller-Graf to review their recommended changes to existing policies.

VI. New Business

A. Covenant changes (voting) :

- 7:41pm Tim ran through the items and directed those meeting remotely where to find them on the website.
- Depending on how many ballots we receive in advance, the Board may or may not complete the tallying of votes during the meeting
- A homeowner from Lot 155 asked for the criteria to pass the covenant changes. The Board stated that the quorum requirement had been met (25% of lots), and so the voting would require a simple majority of Lots present at the meeting to pass each covenant change. Since 20 lots were represented, a covenant change would be approved with 11 votes.

- Should any or all of the covenant changes be approved, the next step will be to file the changes with El Paso County Clerk and Recorder using the original covenants as the reference document. The old covenants would be taken down from the website, re-scanned to include the changes, and then re-uploaded so that all covenants would be contained in a single document.
- Since several members attended online, the Board agreed to give them until close of business on 12/13/22 to return any outstanding ballots. The Board will post the voting results afterwards. Tim asked John (Secretary) to maintain scanned copies of the ballots for future reference. (i.e., should a future resident demand proof that the covenant changes were voted on and approved appropriately)

B. Board President (voting)

- Bernadette Guthrie submitted her name for the position of Board President being vacated by Tim Cerniglia. Members were queried several times to determine if there were other interested candidates. There were not. Christine Mohr nominated Mrs. Guthrie and John Christiansen seconded. Bernadette Guthrie was unanimously approved as President by a voice vote of the members.

C. ACC Approval

- Two board members, Mike Mohr and Clint Guthrie, were appointed to 6 month temporary positions last summer. Both were nominated to continue officially on the ACC for 3-year terms.
- Christine Mohr nominated both, Rebecca Ure (member) seconded, and both were approved unanimously by voice vote of the members.

VII. Owners Forum

- A. Lot #128 Waste management bin delivered in December. Need to check invoice as she said they did not ask for an account number
- B. Current List of lots and owners Requested and to request owners for permission to list that information. Possibly a shared google doc. Due to privacy concerns, the Board is limited as to what it can share without homeowner permission. The Facebook groups were cited as possible ways for HP3 owners to connect socially, and Tim took an action to add links to those pages on the Association web site.
- C. Nextdoor website for crime awareness.
 - 1. Ray Carillo worked on it and found out that we are blocked from creating one
 - 2. Tim will make sure the social media links are posted
- D. Light on roundabout on Lochwinnoch in HP2 is out and requested to fix
 - 1. Tim Notified group we are not a part of that maintained area
- E. Tim informed attending members about where to find the website information about Briargate Pkwy proposed to be built (www.briargate-stapleton.com). Encouraged people to post their concerns.
 - 1. Group Discussion of concerns and knowledge they have about the road being built.
- F. Tim asked the ACC if they would like a centralized email address to make communications easier similar to info@hp3a.org. Clint Guthrie said that it might be helpful, but wasn't sure. Tim took an action to contact the web hosting company and find out if there is a cost to adding the additional email address and to follow up with the ACC.
- G. Lot 155 had questions about submittal of Landscape to ACC
 - 1. Advised to submit drawing by ACC, even if the design is minimal. A drawing helps the ACC evaluate the proposal.
 - 2. Tim pointed out that the owner should consider future plans as well, such as a fence, so that they do not need to keep going back to the ACC if their plans do not change.

VIII. Adjournment : The meeting was adjourned at 8:38pm by voice vote with the Board's gratitude to members for a successful and productive meeting.