

HP3A Special Member Meeting Minutes

Date: Friday, March 13, 2025 **Time:** 6:00 PM

I. Board of Directors (BOD) Members Present:

- a. Tony Hicks
- b. Ray Carrillo

II. Quorum Requirement: 25% (met)

III. Reason for Meeting:

- a. A special member meeting was called on 3/13/26 following a lengthy email discussion between members of the Board of Directors and several homeowners regarding the current status and future of the Association.
- b. Attendance (by lot): 120, 121, 122, 124, 125, 126, 130, 133, 136, 137, 140, 145, 146, 148, 149, 150, 152, 157
- c. Planned agenda Items:
 - i. Nomination and roll-call vote for new board and ACC members
 - ii. Review the Association's financial status
 - iii. Importance of protective covenants and value-added, member complaints about the lack of covenant enforcement.
 - iv. Discussion of Board research into hiring a management company to help organize and execute Association business

IV. Meeting Summary - the Board presented a slideshow for members, which is saved to the Association's website. The presentation can be viewed [here](#) (click to follow the link).

- a. After giving members an opportunity to ask questions of the candidates, the Board conducted a voice roll-call vote of members in attendance:
 - i. Dennis Maier was approved to serve on the Board of Directors
 - ii. Devin Himmelheber was approved to serve on the Architectural Control Committee
- b. **Financial Status:** Tony Hicks provided an overview of the Association's current financial status. (Balance Sheet and Profit & Loss are contained in the slideshow presentation.)
 - i. As of the end of Fiscal Year 2025, the Association had \$35,343.12 in cash reserves.
 - ii. A brief discussion followed as to why the Association needs to retain this balance. The Board responded that responsibilities such as common area maintenance (including repairs to the common use trail or the retention pond, as needed), preparation for Briargate Parkway, and hiring a management company are all potential uses of the reserve funds.

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- c. Multiple issues were discussed that centered on whether the Association is sufficiently meeting its responsibilities.
 - i. Registered Agent: A member raised an issue that the Association may not be registered with the State of Colorado. Board members indicated that due to turnover on the Board of Directors, there was a brief gap, but that this had been resolved prior to the member meeting.
 - ii. Lack of enforcement of the trailer/RV/outdoor storage covenants. Two homeowners on Bannockburn Trail have not been complying with the relevant covenants. One owner stated that he had no intention of complying with the covenant requirement. Other homeowners expressed frustration that nothing was being done about this property, a neighboring lot, and a camper parked along Poco Rd. The Board took an action to address the trailer parking issues on lots along Bannockburn Trail and to research whether the camper parked on Poco Rd is within the boundaries of Highland Park 3. *It was later determined that [Tract 1A](#) (near the corner of Poco and Lochwinnoch) is not a part of HP3 and is not subject to HP3 covenants.*
 - iii. Debris removal after construction. The Board reminded owners that they are responsible for ensuring construction debris, dumpsters, trash, etc., are removed promptly once the home receives its certificate of occupancy. No specific examples were cited.
 - iv. Children's toys, tools, and/or equipment in the front or side yard. The Board reminded homeowners to keep items like this behind the home whenever possible. HP3 is mostly wide-open space, so items like this will be visible from the street no matter where they are placed. The goal of the covenants is for owners to place yard items to minimize their visibility from the main road.
 - v. ATV/Off-road Vehicles Usage: Multiple homeowners complained about noise and property damage caused by ATV/OHV users operating on neighborhood streets, trails, and easements. The Board took an action to follow up and investigate. This issue came up again at the end of the meeting when a homeowner asked for additional assistance in stopping the motorcyclists from damaging their private property along the common-use trail. The Board suggested adding signage and increasing the level of enforcement to see if these would deter OHV/ATV riders from causing more problems.
 - vi. Tampering with our rain overflow pond. The Board reported an anonymous complaint about possible tampering of the overflow pond

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on Bannockburn Trail. However, no specific issue was cited, and nearby residents indicated that the pond did not appear to have been disturbed. The Board will continue to track this, as the Association is responsible for ensuring that the stream flows through HP3 remain unimpeded.

- vii. Delinquent payments of HOA dues, fines, and/or trash fees. Several lots were identified as being in arrears on annual dues, trash fees, or fines. The Board took an action to ensure these are communicated properly to homeowners (written citations), followed by an enforceable lien if not brought up to date. The owner of one lot indicated that they have no intention of paying their dues/trash since the HOA is not in compliance with relevant laws. Other homeowners expressed frustration that one homeowner is getting “free trash service” subsidized by the rest of the community.
- d. Discussion of protective covenants and the importance of HOAs
 - i. There were two, comingled issues being debated in HP3. One is whether we should hire a management company to help the Board, and the other is whether we should have an HOA at all.
 - ii. The Board presented information to homeowners regarding the meaning of covenants and their enforceability (see slideshow). In short, a covenant is a legally-binding contract between homeowners. Homeowners agree to follow specific rules as a condition of buying property in HP3 and agree to have the covenants enforced by a Homeowners Association (HOA). Whether the HOA continues or not, the covenants would remain in place. The HOA is meant to serve as a buffer, ensuring consistent covenant enforcement and avoiding situations that might devolve into homeowners suing one another. The Board acknowledged that, due to Board member turnover and disagreements, enforcement had not been strong enough.
 - iii. Although only a small number of lots participated in the ensuing discussion, two basic perspectives emerged. One perspective is that the Association should be disbanded, citing inconsistent enforcement and the belief that the HOA does nothing of importance other than trash collection. The other perspective is that the Association should remain in place and be strengthened so that covenants are properly enforced, particularly since homes are not built out, and to maintain the community's high-end reputation. A debate broke out over whether homeowners really would “trash” their lots in the absence of an HOA.

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The “for” side argued that the Glideport Rd. neighborhood is an example of what happens when communities disband their HOAs - unpermitted structures, junk yards, and homeowners forced to go it alone. The “against” side argued that HP3 consists of million-dollar homes, and that nobody would “trash” their lots. The “for” side pointed out that we already have people failing to do landscaping, parking multiple trailers on their lots, riding ATVs around the neighborhood, etc. This is with the HOA in place; imagine what would happen if we disbanded it.

- iv. The Board put forward the status of their research into potentially hiring a management company to run the HOA’s affairs, particularly the enforcement of covenants. This would ensure full legal compliance (addressing some members’ concerns) and ensure consistency. There are not enough volunteers willing to help, and those who are willing to help are frequently subjected to written and verbal abuse. Hiring a management company would make running the HOA simpler.
- v. There was major pushback from several homeowners over the prospect of hiring a management company for a community of only 39 homes. Many viewed it as cost-prohibitive (\$50-\$60/mo per lot) and saw insufficient value to justify the expense. The “against” homeowners were more vocal than the “for” homeowners, but some homeowners in the Association feel that a management company would help bring order to the HOA’s affairs and increase the likelihood that people would volunteer to serve on the Board. A third group suggested that getting the Association’s house in order (proper internal management) is the best approach, but acknowledged that the abuse heaped on board members would be an obstacle.
- vi. The discussion above is summarized due to the filibustering, hostility, and (at times) yelling that broke out during the meeting. Ultimately, the Board tabled the idea of hiring a management company, and no vote was taken.
- vii. Much of this discussion was preceded by a long email flame war that broke out among various homeowners and involved Board members. A homeowner moved to remove Tony Hicks from the Board of Directors citing bad conduct by Mr. Hicks. A debate followed. The motion was seconded, but the motion failed to pass following a roll-call vote.

V. Adjournment - the meeting adjourned at approximately 7:30pm.

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Minutes approved by Board vote 5/28/26

A handwritten signature in black ink, appearing to be 'J. H.', located in the upper left quadrant of the page.