

MHPOA Board Meeting January 6th, 2021 via Zoom

Called to order: 7:05 pm

Attendees: Josh Leeds, Kathy Moran, Caity Leeds, Keith Pearson, Brigette Delisa, Butch Lundstedt, Chip Sproul, Kevan Davidson and David Batey

Action Items for Next Meeting

1. **Add language to covenants that clarifies the Board's longstanding interpretation of definition of "signs" in the covenants – Assigned to Josh Leeds**
 2. **Printing and mailing revision of covenants – Assigned to Josh Leeds and Caity Leeds with assistance from other Board members**
 3. **Send letter to property owner flying "Don't Tread on Me Flag" – Assigned to Josh Leeds**
 4. **Moving additional monies over to MHPOA Reserve account to bring it to \$20,000 – Assigned to Caity Leeds**
 5. **Write up canned message templates to send to local real estate firms and those inquiring about purchasing homes providing specific notice that our covenants prohibit short term rentals – Assigned to Kathy Moran**
 6. **Request from surrounding property owners to add name to USFS letter from MHPOA and send letter – Assigned to Keith Pearson**
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1) Covenant Revision

- a. Prior to meeting, Covenant revisions had been reviewed and approved by Board members
 - i. Josh researched printing covenants which includes 15 pages plus cover sheet. Board would like to have used local print shop, but cost is double the amount of going with an online print shop. Approximate cost is \$200 for printing 150 packets. Mailing will be approximately \$300. Board approved moving forward.
 - ii. Caity Leeds mentioned we had not set aside specific funds in the current budget for this additional printing and mailing cost for this fiscal year, but since we did not spend as much in roads this past year, there are funds available to utilize for this expense.
 - iii. We do not typically add a return stamp, but we do include a return envelope.
- b. Josh reminded the Board, after a question was posed by David Batey in regards to notarizing the ballots, that each ballot does need to be notarized.
 - i. Josh has become a Colorado notary and can offer this service at the Annual Meeting for those in attendance. The Town of Estes Park also provides free notarizing services with an appointment
 - ii. We do not want this process to take 3 years to get back 84 votes which is what happened in the 1990s to get back 84 votes. As a reminder, no response is a no vote. Each lot counts for one vote – only need one of the owners to respond.

- iii. The Board discussed a grass roots campaign – each of the Board members reach out to who they know in the community and encourage them to submit their vote in a timely manner. As well as putting a reminder notice in the annual newsletter
- c. As the meeting moved to discussing signs, flags, banners, it was decided we should clarify what MHPOA define as a sign and it was suggested the best way to do this is to include in in the revision of the Covenants. Josh will be adding same language as CCIOA uses
- d. Additional cost of recording new covenants – the 15 pages plus each ‘yes’ vote (which is a requirement) can range of upwards of \$500+. This is something to remember as new budget is proposed in March 2021.

2) Text Message from Company that Provides Home Management Services

- a. Kathy Moran received a text message from an individual looking to purchase a home with intent of short-term rentals
- b. Discussion was had in regard to how to handle these inquires moving forward. Decided best option was to send return message via text or via mailing if that is how the inquiry is received letting all parties know that currently – short term rentals need to go through appromovement process with the county and MHPOA will be putting to a vote “no short term rentals” in our upcoming covenant provisions.
- c. Also determined it was a good idea to send letters to realtors in town and welcome messages to new owners.

3) Policy on signs/flags/banners

- a. Supplemental meeting was held to discuss a banner being hung at property at Pole Hill and Meadowview drive. During that meeting it was discussed that past Boards have interpreted “signs” to include banners, flags, etc. other than the US Federal Flag and Gold Star flags and we should and will continue to interpret this part of current covenants as such. A phone call followed that meeting to the property owner and requested banner be taken down – owner complied with request
- b. Another incident occurred with a flag being flown and a discussion was had on how to proceed. To be consistent, a letter will be written to this property owner with similar request to not fly their flag as it is not the US Federal Flag. Keith had written up a statement for the previous incident. He will forward this to Josh to be sent.
- c. This discussion lead to the question of, how do we want to best communicate this restriction to the community. Is this a By-law? Is this something we just note and move forward with? Should there be a procedure? We want to ensure consistency with how we handle complaints. David and Keith brought up that by-laws currently do not have any other restrictive power listed in them. Currently covenants do already list that the Board can reasonably interpret and act on each of its restrictive covenants as long as the Board is consistent.
- d. It was mentioned that we do need to be careful about not “picking and choosing” causes when it comes to this covenant. To ensure this does not happen, any neighbor complaint, because any sort of letter to a property owner will ONLY be sent based on

neighbor complaint, we will respond to with similar request for compliance of the covenant

4) Proposed letter from the Board to the USFS regarding shooting along the forest road in the area near the residences

- a. Keith Pearson brought to the Board a proposed letter that could be sent to the Director of Forest Service with request for further restrictions on shooting near our community as well as putting up clarifying signage along the road concerning shooting. He, along with other members of the Board indicated that this has been a concern for a while now and wish to take some action to ensure safety of our property owners. Prior to meeting Kathy Moran wanted her name as well as a few other concerned property owners added to letter as well
- b. Board approved this letter coming from Keith as a member of the Board, as well as initiating speaking to other neighbors to see if they would like to add their names to it as well.
- c. It was suggested by Chip, that potentially USFS could set up designated shooting areas away from homes. Also discussed was sending a copy of the letter to WildSide Tours that frequent the area with jeep tours. The intent is to get more people requesting this change to ensure the safety of all that utilize the forest area and surrounding homes.
- d. The letter does mention that MHPOA and neighbors could help with the cost of signage Signage – Caity asked if Keith or others knew the cost of the signage. Keith said that is an unknown, but in past experiences, the USFS covered the cost of signs and is hoping they will do that again in this instance.
- e. Board voted and unanimously approved this letter coming from Keith as a member of the Board, as well as initiating speaking to other neighbors to see if they would like to add their names to it as well.

5) Mailbox expansion - additional boxes – Is this still an active item for MHPOA

- a. Caity recapped discussions with current contracted mail carrier company she had 2 years ago. Goal at the time was to get up to 166 boxes and assign property with the box. Not property owner to a box. Thought is that each lot would then have a box, when property is sold it moves with the land, not the owner. Some issues, other than cost, is that MHPOA is not the only community that utilize the cluster boxes and other HOA did not seem interested in helping with the cost.
- b. Reminder: two additional cluster boxes had been added in the last two years. After those were added, all boxes were supposed to be re-keyed and reassign to align with the side of the community that property falls. This has yet to happen
- c. Complaints have been almost non-existent since more boxes were added – other than the usual issues of mis-delivered mail.
- d. Board decided to wait on additional cluster boxes until more community members had issues.

6) Do we have other MHPOA residents interested in a Director-at-Large position for next year's board?

- a. This is the time of year that current Board needs to identify potential Board members for next year. The following names were mentioned: Ron Nickelson; Paul Druin; Kathy or Mike Staudte
- b. Current Board needs to reach out to them and see if they have any interest

7) Treasurer's Report

- a. Caity went over Quarter 1 Fiscal Year Report.
 - i. Reminded that road work was technically for last year but as usual came in post -end of FY so needs to be reported this year
 - ii. Check was cut late to Ravencrest for use of their space for annual meeting in July – also needs to be reported this year
- b. These issues brought up the idea of changing the fiscal year to one that aligns itself with when our bills are due.
 - i. Options: June 1 to May 31st or July 1 to June 30th Moving fiscal year – when should it be?
 - ii. If we approve how will we look at assessments for this year knowing that community members budget and we would be asking for assessments earlier
 - 1. Ask forgiveness in this one instance and offer a grace period?
 - 2. Put to Treasurer to think if this is worth it and offer suggestions for next meeting
- c. Reserve account is close to hitting the goal of 20,000. Treasurer was approved to move the additional money over to this account to reach that goal sooner than next year
 - i. Question if we should stop adding money from assessments and allow account only to gain through interest accrual. Brigitte brought up objections to this, mainly because we have not gotten to years worth of expenses yet, so why stop adding funds. This question led to the discussion of what this account was set up to do and mainly is supposed to be used as a gap in case emergencies, like road wash out, happen and we need cash fast – the idea being that community members would need to replenish it within a year or two. Also of note, even if we decide to stop adding to it for the upcoming year, we could always decide to add more in future years.
 - ii. We agreed to think on this more before we determine if we should stop adding to it and discuss at further meeting
- d. Keith brought up that one community member requested at Annual Meeting that MHPOA finances should be put into a Balance sheet format as it is more understandable to the public. Requesting to see expenses ; outlining assets and liabilities. Caity is open to changing the format but mentioned her inexperience with such documents and that we do have reports that already outline our income and expenses as line items, but it is not what is put out to the community when a report is generated. Caity will reach out to Keith for more direction on how to improve the current format
- e. Treasurer report was put to a vote for approval – all voted to approve.

8) General Improvement District Update:

- a. Chip has told County he will stay on the Board for another 4 years
- b. No complaints have come to the GID Board or the MHPOA Board in regards to this past years road work

- c. Going back to discussion on Reserve Account, Chip did mention that as part of the GID, the GID board can borrow the money from GID if there is a massive snow storm to help plow
- d.

9) Architectural Control Committee Update

- a. No new requests from September
- b. Josh asked if new property owners of 544 Meadowview who delivered a trailer to the property have been in talks with the ACC
 - i. Per Keith – he has spoken to the old contractor for previous owners and has been told who new contractor is and that they are planning on building and have purchased the storage container still on the land, but there has been no contact from the new owners to the ACC directly
 - ii. Keith will get in touch to ensure they know the process
 - iii. Caity and Josh mentioned it does not appear anyone is staying on the land at the current time

With no new business to discuss, meeting was adjourned at 8:40 pm.

Notes respectively submitted by Caity Leeds on January 9, 2021