

MHPOA Board Meeting March 3rd , 2021 via Zoom

Called to order: 7:00 pm

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

Action Items for Next Meeting

1. Post a reminder to cast votes via Nextdoor mid to late March – *Assigned to Caity*
 2. End of March – Ballot Committee to begin phone calls and emails – *Assigned to Kathy (head), Brigitte, and David*
 3. Moving additional monies over to MHPOA Reserve account to bring it to \$20,000 – *Assigned to Caity Leeds*
 4. Write-up yearly newsletter – *Assigned to Caity*
 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. Send an update request to USFS regarding shooting near homes – *Assigned to Keith*
 7. Contact potential new board members – *Assigned to Caity, Josh, and Chip*
 8. Work up lien documentation for Board approval – *Assigned to Josh*
-

1) Covenant Revision Mailing

- a. Covenants were mailed mid-February at time of meeting we had received 18 ballots back. 9 in favor of revision and 9 against.
- b. The president gmail account has received emails with questions particularly asking why people could not vote on individual measures instead of voting on the entirety of the document. Josh has explained to each community member that has asked this question that this is how the covenants must be voted on per the requirement to record at the County.
- c. The Board discussed reaching out to community members to explain directly the changes that are being made, indicating that the Board is in favor of these revisions, and encouraging members to vote.
 - i. Josh and Kevan raised concerns about reaching out directly community members as the action of the Board putting together and mailing the covenant revision should be enough to indicate Board support
 - ii. Kathy, Keith, Brigitte and Chip indicated that we should ensure that the community – especially those not actively involved in attending annual meetings – understand why these revisions came about and answer any specific questions community members may have
 - iii. In the end, by majority vote of the Board, that community members should be contacted directly. Kathy Moran volunteered to head this committee. Brigitte and David said they would assist.

- iv. Caity will post something to Nextdoor to remind members to get it back as soon as possible

2) Update on USFA regarding shooting along the forest road in the area near residences

- a. Keith sent approved letter to Katie Donohue, Director of the Forest Service, on Feb. 4th. She promptly responded, stating that she had forwarded the letter to the appropriate division for review.
- b. Keith will ping them again as it has now been a month

3) Members for 21-22 MHPOA Board

- a. Paul Drouin had expressed interest in the past – Caity will contact
- b. Ron Nickelson – Chip will contact
- c. Mike and Kathy Staudte – Josh will contact
- d. Reminder – 5 members as large per by-laws – we will have two openings

4) Discuss Changing the Fiscal Year

- a. This topic has come up for several years as our current fiscal year – Sept 1st to August 31st does not account for prior year invoices particularly for road work which is consistently one of our largest expenses per year
- b. Caity proposed to options that would allow a more inclusive fiscal year of either August 1st to July 30th or moving it to follow a calendar year January 1 to December 31st
 - i. Note with August first option was that our annual meeting is so close to this date, turn around may not be enough to allow community members to pay their dues on time
- c. The Board asked Caity what would be best – she indicated a calendar year and this made sense to the Board Members
- d. To make this change happen it was discussed that we would request \$50 by August 31st, 2021 (a prorated amount to cover the 4 months until we reach the new fiscal year) and then request \$150 by December 31st which would then start the new assessment due each year.
 - i. Any change of a fiscal year will cause a transition and the Board feels this will be the easiest way to make the transition as easy as possible
 - ii. We will put this notice in the newsletter as the newsletter acts as the reminder of yearly dues
 - iii. This would be a change to our By-laws which do need to be voted on at the annual meeting per the following paragraph and therefore potentially would not be in effect until 2022-2023:
 - 1. These By-Laws may be altered, amended, or repealed, and new By-Laws may be adopted by a majority vote of the members in good standing at any annual or special meeting of the Association or by mail ballot. Any alteration, amendment, or repeal of any part of these By-Laws shall be included in the notice of the meeting, and the existing phrasing along with the modification shall be included in the notice of the meeting for the inspection of members.

5) Discussion of Liens and Foreclosures for severely delinquent properties

- a. There is one property that has not paid assessments in almost 30 years. We put a lien on the property in 2013 but have not renewed and it is now delinquent in property taxes

- b. HOA liens are only good for 2 years in CO and therefore need to be renewed – cost to record a lien against a property is \$21.
- c. Board approved to move forward with placing liens on properties that are 3 fiscal years or more – there are 5 in total.
- d. In regard to foreclosure, all were in agreement that we would need to talk to an attorney in order to find out exactly the process – cost – and what MHPOA would do with a property as we have never owned land before.
 - i. Brigitte indicated that she sits on another HOA board for another property she owns and they have an attorney that she recommends and will forward the name to us. Keith also knows an attorney from the Chamber that we should talk to as well. Kathy mentioned that it is common to discuss our needs with different attorneys – basically interview them – and make a decision based on those conversation NOTE – we had an attorney who retired and have not retained counsel since

6) Treasurer’s Report

- a. During the last meeting, Keith mentioned that at the Annual Meeting, some community members indicated they would like a different format for the treasurers report – using financial statements such as a balance sheet and profit and loss statement
- b. Since last meeting, Caity and Keith have worked to put these documents together for approval.
- c. Caity presented to the Board the new documents and Board voted to implement and begin using these statements to replace the old treasurer’s report format.
- d. Things to note – as we are a cash basis organization, we do not report liabilities even though all community members have been invoiced. We will include this information as a note at the end of the balance sheet with the total still waiting on.
- e. Past Due vs. Delinquent lots: per current covenants a lot is not delinquent until they are a full fiscal year behind in their dues – Example: assessment was owned August 31 2020 a property owner does not become delinquent until Sept. 1 2021 when the Board could move to lien the property. Caity indicated that she is going to start to divide these out as Past Due – lots that are within the current fiscal year but have not paid and delinquent lots that can have liens placed on them

7) General Improvement District Update:

- a. Currently, GID has \$35.00 from property taxes. As Chip indicated, this is pretty typical for this time of year and the County is multiple weeks behind
- b. Caity asked the GID Board if they feel we will utilize the \$10000 set aside this year as it was not fully used last year and this was one main reason for increasing assessments and Chip does think that will be used but more to come in June when the gear up for the late summer work begins

8) Architectural Control Committee Update

- a. 3 projects discussed:
 - i. Solar Panels at 1124 Pine Tree Dr which is not necessary for approval but appreciated homeowners reaching out to make sure they could
 - ii. 544 Meadowview submitted building plans which have been approved by the ACC on 2/24

- iii. A potential purchaser for a vacant lot reached out to the ACC in regards to what they were hoping to build which was an RV garage with a small apartment upstairs and outside was going to be sheet metal. ACC did not approve this plan as it does not fit the minimum of 800 feet on the ground floor, the exterior were not the three aesthetics that the community has – wood, stone or glass
- b. Butch asked if the ACC mentions to new home builders about the culvert requirements and Keith said they do but it does come down to the County and them signing off on the CO
- c. Keith mentioned that right now there are only 2 members of this committee and would like to have a third if anyone knows of a community member that would be interested. They do not need to sit on the Board

Old Business:

Kathy asked is there was any update from the mailing to the property owners flying the “Don’t Tread on Me Flag” – Josh indicated that the letter went out but there has been no response. Kathy appreciated the Board’s actions in sending the letter to the property owner- as it demonstrates consistency by the Board in responding to homeowners that display messages in ways that violate the covenants. She and others on the Board also expressed disappointment in the property owner’s unwillingness stop flying flags that are in violation of the covenants.

New Business:

Keith let the Board know that he has moved all the acc emails from his personal account to the acc gmail account creative so we have a central place for them to be housed and preserved for the future

Meeting Adjourned at 8:45 pm

Notes respectively submitted by Caity Leeds on March 8, 2021