

## **HPHOA 2021 ANNUAL MEETING**

May 24, 2021

The HPHOA Annual Board Meeting was called to order by Ken Riley at 7:05 pm on Monday, May 24, 2021 via Zoom Video Conference due to the Covid-19 gathering restrictions. Michael Park provided instructions and rules of engagement regarding the format of the meeting.

### **ATTENDANCE**

Ken Riley - President  
Michael Park - Vice President  
Victoria Young - Secretary  
Steven Helm - Treasurer  
Sabrina Brown - Architectural Committee Chair

26 homeowners were in attendance with 27 represented by proxy which met the 25% quorum requirement of 40 homeowners.

### **OPENING REMARKS & BOARD INTRODUCTIONS**

Ken opened the meeting by welcoming the community to the Zoom call and invited the Board members to introduce themselves along with their role and responsibilities on the Board.

2020 Annual Meeting minutes were approved by HPHOA members.

### **ELECTION OF BOARD MEMBERS**

Ken reported that he and Steve Helm would be leaving the board this year. Both Michael Park and Victoria Young will remain on the board serving in their roles through 2022. Connie Dueker and Deirdre (Deedee) McCormack, in conjunction with her spouse Terry Hillman, have volunteered to become members of the board serving in the roles of Architectural Committee Chair and Treasurer respectively. No other nominations were brought forth. The proposed board would be:

President - Sabrina Brown  
Vice President - Michael Park  
Secretary - Victoria Young  
Treasurer - Deirdre McCormack  
Architectural Committee Chair - Connie Dueker

HPHOA members approved the nominations for the new board members. Connie and Deedee introduced themselves to the community.

## **ANNUAL REPORTS**

### **President's Report: Ken Riley**

Unusual year with Covid. There were no in-person meetings, parties, neighborhood clean-up, dinners, or get-togethers. This past weekend was the first gathering at the neighborhood clean-up where over 40 people attended. Ken remarked that everyone was happy to meet one another and talk!

The main focus of the board this year was the city of Colorado Springs new ordinance that impacted zoning for single family homes. The ordinance that was passed indicated that accessory dwelling units and suites could be used for long-term rentals unless prohibited by HOA covenants. The Board took a survey of homeowners and, with 120 responses, over 90% of homeowners wanted to continue our HOA's ban on short-term rentals and long-term rentals on unit/accessory dwellings. The Board then spoke to attorneys with Altitude Law and learned that the Association's current covenants were outdated, having been written in 1987. As state and federal laws have changed, the lawyers recommended updating our governing documents. Due to the overwhelming community response, the Board elected to move forward with changes. The Board's goal in the update was to maintain the spirit of the existing covenants and not make any gross changes to the intent of the original covenants as the association was founded and established.

Wildfire mitigation continues. The HPHOA is Firewise community rated. We maintained two chipper runs last year with over 800 hours of fire mitigation work done in the community. Last weekend was the neighborhood clean-up, with 40 participants involved in the chipper service, and over 350 hours of fire mitigation recorded already this year.

### **Recognition**

Dimitri Kostin - worked over 80 hours of fire mitigation over the last several months. Ken thanked Dimitri for all his effort.

Sabrina and Will Brown - during the neighborhood clean up last weekend, led a group of homeowners to clean up the ravine, taking it to a new level. They had a large crew which they split in half, with one group picking up trash and slash from the ravine, and the other group working on the face of the ravine taking out dead ground fuel. Thanks to their leadership and the entire crew, it not only looks better but is safer!

Tony Tonioli - took over the fire mitigation role after spending 10 years as the Association's president. He served in the role of overseeing the fire mitigation program for an additional 10 years until his retirement this year. Tony is one of the primary reasons we are involved with the city as one of the first two associations to become actively involved with wildfire mitigation and grants over the past 20 years.

HOA Board - Ken expressed his gratitude to what he described as an absolutely outstanding board this year. Noting in particular:

- Michael (Vice President) - great work in the park, tree trimming, fixing contractor maintenance issues, overseeing the snow removal service and fixing the trash service issues.
- Steve (Treasurer) - has normalized the accounting process across the board, done our budgets, had all collections done before 1st of april (record!) this year.
- Victoria (Secretary) - has taken over the creation of an accurate working owner's database, allowing us to publish the directory regularly, and manages the website seamlessly.
- Sabrina (Architectural Committee Chair) - handled what likely was a record year for applications, in addition to covenant enforcement which took a major focus this year. Currently, we have 3 major covenant enforcement actions ongoing that have required engagement with attorneys in dealing with those actions. In addition, she has handled several minor actions, and likely dealt with more enforcements now than ever in the Association's history.

Ken announced that his 8 years as president of the Association will be over at the end of the meeting. He has enjoyed his time and enjoyed serving our community. Many members expressed gratitude for Ken's leadership and years of service to the community.

### **Vice President's Report: Michael Park**

Micheal reported there have been two main themes he has focused on this year. First, in landscape maintenance, he competitively shopped for maintenance companies looking at 3 different options. Decided to rehabilitate the relationship and update our contract with our current maintenance company clarifying our expectations. The maintenance company oversees the area of the entrance of Oak Hills Drive, the park, the ravine, and the steps on the trail in the neighborhood. Michael is pleased with the relationship and the service they are now providing.

The second focus has been the trash service and the difficulty of GFL with the acquisition of Bestway. As it stands now we are sticking with GFL based on their high-touch service and the feedback from our community. Michael was given direct access to the General Manager of GFL, though he asks homeowners to reach out directly to GFL if there is a miss or an issue, and follow up with Michael if needed.

Moving forward, Michael reported there are 3 projects that will be coming including maintenance on irrigation systems in the park that need to be updated, reducing irrigation requirements in the common areas and entrances to our neighborhood, and supplemental plantings in the park and Oak Valley Drive entrance.

## **Treasurer's Report: Steve Helm**

Steve explained we have 3 working funds: the general fund includes the daily, monthly, and annual general payments, the capital fund which includes capital improvements, and the private drive fund which is funded solely by private drive homeowners to maintain those drives.

### Financial Summary as of April 2021

General Fund/Operating Fund: \$59,141.33

Capital Fund: \$62,864.69

Private Drive Fund: \$103,970.80

Total: \$225,976.82

Funds are currently invested in a money market through ENT.

Steve reported a shortfall ~\$7000 based on attorney fees and snow removal. The Board will look into offsetting this shortfall from the operation fund working capital.

Steve thanked the Board and shared that he enjoyed his time working on the Board.

Ken shared that the Board does not expect any significant dues increase as a result of the overrun. He thanked Steve for his leadership in the treasurer function and commended him for doing a great job.

Ken also explained that a capital/reserve fund is necessary when an association owns assets (park, landscaping, trails, gazebo, irrigation, tennis court, playground, etc.). About every 5 years the association obtains an assessment of these assets, their estimated lifespan, and the estimated cost of replacement. Based on these estimates they establish a cost profile which goes out about 20 years. The goal is to ensure we will not have to ask for a special assessment. The key is to pay attention to the Surplus (Shortfall) line and the percentage at which we are operating. In our case, we're running 70-90%. Ken stated operating at 70% or higher means the probability of a special assessment is very low. The Private Drive Reserve Fund operates in the same manner with the biggest issues being asphalt replacement and overlays.

## **Secretary's Report: Victoria Young**

Victoria reported that the homeowners should have all received a digital copy of the Member Directory. If anyone did not receive a copy or if they would like to make any changes, please contact her. Also, Victoria asked homeowners that have renters in their home to please share their contact information as well. An updated Directory will be sent out as new neighbors join our community.

The HPHOA website can be accessed at [hunterspointhoa.com](http://hunterspointhoa.com) and is full of useful information such as Board contact information, architectural request forms, annual newsletters, and board meeting information and minutes.

Victoria thanked Ken and Steve for their service, and stated that it has been an honor to serve with them.

### **Architectural Committee Chair's Report: Sabrina Brown**

Sabrina reported they are beginning to see some applications come in as they prepare for the busy season. The biggest request from the architectural committee is to please submit applications. The majority of work going on in a yard (new deck, repainting, new landscaping, xeriscaping, etc.) likely needs approval from the committee. It's a very easy and quick process with responses typically within one week. The application can be found on the website and submitted either online or printed and emailed.

The committee has had a very busy year with covenant enforcements and is currently dealing with 3 properties with significant violations and including fines in some cases. The committee does annual or semi-annual walk-arounds to keep our yards, homes and neighborhood to the high standards and property values that we all enjoy.

### **BYLAWS VOTE: Ken**

To approve new bylaws requires the vote of  $\frac{2}{3}$  of the membership present at a meeting or by proxy. We sent bylaws one month ago to all homeowners asking for any comments. We have not received any significant recommended changes. The Board is recommending we approve the bylaws.

One member asked how strong these new Bylaws would be in protecting our community. Ken responded that we are working with the leading HOA attorneys in the state - Altitude Law in Denver. They are very good and have put the language in place that he believes will protect our community. The Bylaws changes include those that will bring us in line with current state law.

Another member asked if the Board will have the authority to remove a tenant from a home that is not complying with HOA guidelines. Ken stated it would have to be a very unusual circumstance for the Board to take that kind of action, for instance, a tenant deciding to perform illegal acts in their home and the homeowner not responding to the issue. The Board may then have to get involved.

The vote to approve the Bylaws passes unanimously at 43-0.

## **ARTICLES OF INCORPORATION VOTE: Ken**

The Articles of Incorporation are a reflection of what is in our covenants and Bylaws. Homeowners also received a copy. There are no significant changes in our Articles of Incorporation. The Board recommends that we approve the Articles of Incorporation.

The vote to approve the Articles of Incorporation passes unanimously at 49-0.

## **COVENANT UPDATE: Ken**

All members have received a draft copy of the covenants. The Board tried very hard to maintain consistency with the existing covenants. Major changes aside from meeting state law have to do with banning commercial growing and distribution of marijuana, banning short-term rentals and long-term rentals on accessory suites or units.

To approve, the covenants require a  $\frac{2}{3}$  vote from all members (106 members must vote). The Board will be mailing out ballots in the next few weeks and sending via email. Each homeowner can determine which method they would like to use to vote. Votes can be returned via neighborhood drop box, US mail, or email.

Ken asked that all homeowners please vote and vote early.

## **OPEN FORUM**

Ken restated his enthusiasm for the direction of the new Board of Directors, and feels they are the most qualified Board the community has had.

Sabrina shared that Ken, in addition to his 8 years of service as president, has overseen the entire covenant rewrite and thanked him on behalf of herself and the Board for his service and support.

The meeting was adjourned at 8:12 pm.

## **Participants (26 Accounted)**

1. Ken Riley - 1640 Stoney Point
2. Michael Park - 1626 Oak Hills Drive
3. Steven Helm - 2190 Oak Hills Drive
4. Kent & Victoria Young - 2550 Oak Hills Drive
5. Sabrina Brown - 2025 Hunters Point Lane
6. Chris & Connie Dueker - 2560 Oak Hills Drive
7. Randy Zombola - 1665 Summit Point Ct
8. Sheila Johnson - 2020 Hunters Point Lane
9. Amber Meyers - 1990 Squire Ridge Ct
10. David & Erin Merboth - 2275 Oak Hills Drive
11. Nase Case - 1990 Oak Hills Drive
12. Jon Ullmann - 1665 Pinnacle Ridge Lane
13. Paul & Kim Woods - 1765 Oak Hills Drive
14. Doug & Jenny Helm - 2140 Oak Hills Drive
15. Maureen Biggers - 1915 Oak Hills Drive
16. Frank & Denise Pallas - 1940 Squire Ridge Court
17. Larry & Mary Ellen Schaad - 1670 Pinnacle Ridge Lane
18. Terry Hillman & Deedee McCormack - 2530 Oak Hills Drive
19. Bill & Nancy Galloway - 1856 Oak Hills Drive
20. Stu & Tanya Lark - 1655 Stoney Point Court
21. Nancy Waggoner - 2535 Oak Hills Drive
22. Richard Couch - 1730 Pinnacle Ridge Lane
23. Dimitri & Katerina Kostin - 1660 Pinnacle Ridge Lane
24. Ric Chura - 1950 Oak Hills Drive
25. Carole Bartholomew - 2150 Oak Hills Drive
26. Becky & Brian McFarland - 1775 Pinnacle Ridge Lane

## **Proxies (27 Accounted)**

- |                                |                          |               |
|--------------------------------|--------------------------|---------------|
| 1. John D Morris               | 1710 Pinnacle Ridge Lane | Ken Riley     |
| 2. Johnnie and Gloria Toniolli | 1675 Oak Hills Dr        | Ken Riley     |
| 3. Robert Powers               | 1985 Oak Hills Dr        | Sabrina Brown |
| 4. Bryan Unsell                | 1980 Hunters Point Lane  | Sabrina Brown |
| 5. Bill Trask                  | 1995 Chateau Point Court | Michael Park  |
| 6. Eric Magnuson               | 1618 Oak Hills Dr        | Ken Riley     |
| 7. Carol Lubell                | 1975 Oak Hills Dr        | Ken Riley     |
| 8. Steven Luebert              | 1675 Stoney Point Court  | Ken Riley     |
| 9. Shelley (Charles) McBride   | 2075 Oak Hills Dr        | Ken Riley     |
| 10. Dave and Nancy Winkler     | 1665 Stoney Point Court  | Ken Riley     |
| 11. James Patton               | 1720 Oak Hills Dr        | Ken Riley     |

12. Robert Nuttleman	1770 Oak Hills Dr	Ken Riley
13. Ray M and Nancy B Nunn	1625 Pinnacle Ridge Lane	Ken Riley
14. Nora Hollister	1940 Hunters Point Lane	Ken Riley
15. John and Marcy Almy	2570 Oak Hills Dr	Ken Riley
16. Jerry Henderson	2360 Oak Hills Dr	Ken Riley
17. Roy Meadows	2265 Oak Hills Dr	Ken Riley
18. Howard L Hungerford	1650 Stoney Point Court	Ken Riley
19. Anya Wynne	1680 Stoney Point Court	Ken Riley
20. Bill Wright	1675 Summit Point Court	Ken Riley
21. Tom and Terri Davis	2510 Oak Hills Dr	DeeDee McCormack
22. Jane Delaney	1975 Hunters Point Lane	Ken Riley
23. Edward M McCord	2505 Oak Hills Dr	Ken Riley
24. Jim and Marion Moore	2520 Oak Hills Dr	Hillman/McCormack
25. Robert Prether	2440 Oak Hills Dr	Ken Riley
26. Karen and Tim Groves	7260 Oak Valley Dr	Ken Riley
27. Frank and Deona Bluestein	1775 Oak Hills Dr	Michael Park

**Proxies Received and In Attendance (2 Unaccounted)**

1. Robert Biggers	1915 Oak Hills Dr	Ken Riley
2. Terry Hillman	2530 Oak Hills Dr	Ken Riley