

**HPHOA BOARD MEETING**  
**November 17, 2022 | Colorado Springs Fire Station 18**

**CALL TO ORDER**

The HPHOA Budget Meeting was called to order by Sabrina Brown at 7:01 pm on November 17, 2022.

**ATTENDANCE**

- Sabrina Brown – President
- Gary Jordan – Vice President
- Deirdre A. McCormack – Treasurer
- Connie Dueker – Architectural Committee Chair
- Dimitri Kostin – Secretary
- Tom Bowman – Homeowner
- Paul Woods – Homeowner
- Frank Bluestein – Homeowner
- Carlos Carillo – Homeowner
- Terry Hillman – Homeowner
- Carmine Naccarelli – Homeowner
- Greg Dalton – Homeowner Proxy
- Ken Riley - Homeowner

**BUDGET RATIFICATION DISCUSSION**

- Sabrina opened the meeting and explained the purpose of the meeting was to discuss the 2023 budget. Previously, she received questions from a few homeowners since sending out the proposed budget last month and prepared answers to the questions already asked. These questions and answers are listed at the end of the meeting notes.
- Question on the snow removal line item concerning the common areas. In the past, the sidewalk along Oak Hills Dr. in the area adjacent to the intersection with Trappers Glen Ct. did not get cleared by the contractor quick enough. More than often, the homeowners took care of snow removal after the storms. Sabrina noted that Gary was responsible for scheduling snow removal work this winter season. With respect to sidewalks the city regulation did not leave any flexibility; we must clear sidewalks within 24 hours after the end of a snowstorm. Consequently, the Board reserved budget for the snow removal in the common areas.
- Ken Riley inquired about snow removal from non-private cul-de-sacs and if the Board could find any city-approved contractor willing to provide such service. Sabrina answered that unfortunately the Board could not find any city-approved contractor that would sign up for this.
- Received multiple questions on the budget for the covenant enforcement.
  - The inability to find a volunteer for the covenant enforcement role within our community came as a surprise to some homeowners. Sabrina noted that we have had enough people willing to review improvement applications, to do walk-arounds, to serve on the Board. However, we had not had enough people to follow through on violations. The companies under consideration are willing to follow through.
  - One concern shared by the attendees was the potential that an external company hired for the covenant enforcement would disregard individual differences between the properties and could even be or feel incentivized to log more violations. Ken noted that the existing design standards should still stand; and that there is the option of a waiver in exceptional cases. Connie added that we all value the quality of life in Hunters Point; we bought in and wanted to keep that quality. Sabrina concluded that the objective was to make the community better while removing the personal relationship burden.

- o With respect to new walk-around schedule and ways of communication, Sabrina anticipated a consistent schedule over the winter and growing months. The new state law requires at least two different communication channels for everything from pre-violation and above. PayHOA is to serve as the primary communication channel.
  - o There was a question whether the companies considered for the enforcement role were insured and bonded. Carlos Carillo asked if we could fire such company if we were not happy with the service. Sabrina responded that we should re-evaluate the contract after the first year. Whoever we hired would have to re-bid then.
- Sabrina and Deedee answered a few questions on PayHOA and the association's website <https://www.hunterspointhoa.com>. While there may be an appearance of redundancy, and, occasionally, some information may be duplicated, the PayHOA portal and the association's website serve different purposes.
  - o The PayHOA portal is an "internal" service for the homeowners. It facilitates the communications as well as serves as the depository of documents for each individual property. We already use PayHOA for reviewing of improvement applications. In January of 2023 we all should receive invoices for the annual dues via PayHOA. So far, about 25% of the properties have been online accessing their PayHOA records.
  - o The website has an external angle. It is for prospective homeowners and even more so for their realtors. E.g., some of the documents posted on the website are needed for closings.

### **BUDGET RATIFICATION VOTE**

- As the budget ratification discussion neared its end, the question of a vote for the budget proposal came forth. Ken Riley noted that the Board had already approved the budget for 2023. The meeting did not need to re-approve or re-confirm; the meeting could only veto the budget. Sabrina asked if anyone had objection to the HOA budget for 2023. There were no objections.

### **ADJOURN**

The budget ratification meeting was adjourned at 8:03 pm on November 17, 2022.

## APPENDIX | PREVIOUSLY ANSWERED QUESTIONS

- Q: Why is this expense absolutely necessary now during a time of increasing HOA costs and record inflation? My understanding is you have personal experience in covenant enforcement for the HOA in the past, so bottom line what has changed with covenant compliance within the HOA that justifies us and our neighbors paying for any of this?

A: It is the Board's responsibility to ensure all positions and responsibilities are filled by a qualified individual or resource. At this time, we do not have a willing and qualified volunteer to fill the Covenant Enforcement role. The Board has sent numerous requests for volunteers, which included notice a management company would be required if this role was not filled.

This is not a new challenge. The Board has sent similar notices over the last 10+ years looking for volunteers with little interest from homeowners.

Additionally, the demand on the Covenant Enforcement position has increased significantly over the last few years, with more homeowners who disregard the covenants and design standards. This is a continued tax on our volunteers, and we are not staffed for the demand. Furthermore, we have seen unwarranted behaviors towards our volunteers in this role, which make living amongst those HOA members uncomfortable.

The Covenant Enforcement role should be filled by an individual or entity that allows the Board leadership to remain an unbiased party in the event a homeowner requests a waiver or hearing. There are several HOA members with covenant enforcement experience, but none are willing to fill the role given the time commitment required and the treatment received from fellow neighbors.

- Q: The board is hiring a management company to find covenant violations, so naturally the company will be incentivized to find violations to justify their contract. So how are you and the board going to prevent this from unintentionally becoming a harassment program?

A: The management company will be in place to fill the Covenant Enforcement role. Not unlike a volunteer would be, they are in place to help maintain covenant compliance in our community. They will work closely with the Board to ensure the communication style and sentiments are in line with The Board's voice and goals. The end goal is to find and encourage compliance, keeping communication lines open with homeowners and working together to find resolutions.

The Board is and will remain aware of the properties that have compliance issues and will have complete oversight of all work done on behalf of the HOA.

- Q: What are the specific covenant enforcement duties that are being contracted out? Is the contractor's scope of enforcement duties any different than what the Architectural Committee has done for the last 2 years? How will any covenant violations the contractor reports be handled differently than today?

A: Just as our previous Covenant Enforcement volunteers have done, the contracted management company will follow the HOA Policy Letters to enforce our Hunters Point HOA Covenants and Design Standards.

Our current policy letters are in revision with the HOA attorneys to bring them inline with the new State Legislation passed in June 2022: HB22-1137. These new laws require additional steps, therefore more time and effort, when enforcing covenants. (For example, violations resulting in fines now require the homeowner is notified using two forms of trackable communication.)

With the exception of the policy letter changes required by the new State Legislation, the covenant enforcement responsibilities, duties and communications will remain consistent with

previous years.

- Q: How can all homeowners be confident that board members and those owners assisting the board be held to the same standards and process for reporting violations by the contactor (e.g. no preferential treatment)?

A: Utilizing a management company for covenant enforcement should help remove any perceived inconsistencies or bias in covenant enforcement. Despite some opinions, previous enforcements have been conducted with every intent to be unbiased and will continue as such.

- Q: Why is it that hiring some organization has more power than our volunteer board?

A: Contracting a management company has nothing to do with having more or less power than the Board of Directors. The management company works for The Board and HOA, not The Board for the company. They will maintain the covenant enforcement responsibilities only, at this time. The covenant enforcement role is the most difficult to fill, keep filled and/or find a candidate willing to fulfill and follow through.

- Q: Who will the contracted management company report to on the board?

A: The management company will report to The Board. They will work closely with the Architecture Committee and President. They attend monthly board meetings and provide monthly reporting and itemized invoices.