



## Board of Directors Meeting

August 25, 2022 Minutes

- I. **Call to Order** - The meeting was called to order at 6:04 p.m. Present were Board Members John Eckhardt, Darius Baer, Jarvie Worcester, Martin Lear, Dave Kremer, Anna Navarro, and Brandon Culter. Shannon Torgerson, Randy Chambers, and David Prieto with Cherry Creek HOA Professionals (CCHP) were also present. Jacqueline Satterwhite of Waste Connections was present.

Homeowners present were Aniket Vidya, Brad Walker, Chad Cheek, Jesse Copland, Charlene Hamlet, Dawn Garner, Heath Griscavage, Tess Pace, Janet Raymer, Kat Moriaty, Nathan Rini, Judy Therond, and Steve Y.

- II. **Agenda Changes/Additions** - There were no changes to the agenda.

- III. **Open Forum** - Jesse Copland and Judy Therond expressed concern and frustration over the ACC review process. Nathan Rini indicated he would like to change the rules on allowed fences. It was noted there are no current guidelines other than what was included in the original Design Guidelines. Brandon indicated he heard the Town of Superior put fence guidelines on the back burner for the time being. Brad Walker asked if the Association is now being managed by Associa as Randy's LinkedIn profile indicates he is employed there. John indicated he is employed by Cherry Creek HOA Professionals and that he doesn't use LinkedIn.

Potential ACC members were introduced and given a few minutes to explain why they want to serve on the Committee.

Aniket Vidya requested a waiver of the fine assessed to his account due to holiday lights not being removed in a timely manner, explaining they were installed for a series of religious holidays that fall from September to November annually.

- IV. **Presentation - Waste Connections - Composting Options with Jacqueline Satterwhite** - Jacqueline Satterwhite of Waste Connections was in attendance to discuss composting options for the Rock Creek community, noting she should have a draft contract at the end of October.

- V. **Marshall Fire** - The Board discussed the email about a private corporation requesting the Association send a broadcast email about their event connected with the Marshall Fire. The Board declined to send out the broadcast email since it is a private company and not associated with the Association or Town of Superior.

- VI. **Consent Agenda**

- A. Meeting Minutes - Following discussion, upon a motion made by Brandon, seconded by Darius and, upon vote, carried 6-0-1 with Anna abstaining, the minutes from the July 28, 2022 Board meeting were approved as presented. The minutes from the August 11, 2022 working session will be provided at the September Board meeting.

## **VII. Management Company Issues**

### **A. Action Items Due**

- 1. New ACC/Manager Dashboard/Reporting Proposal - The Board noted it does not feel the Action Item List confirms what is or is not being completed for the community.
- 2. New "Manager's Playbook" - The Board briefly discussed the Manager's Playbook and noted they expected it to be more flushed out than a table of contents based on previous discussions.
- 3. Smartwebs Clean Up - The Build Tab in Smartwebs has been cleaned up through the 1st quarter of 2022. Discussion ensued regarding the requirement to have owners confirm completion of approved ACC projects.

### **B. CCHP**

- 1. Review Role of Manager at RCHOA/CCHP - Discussion was held regarding accountability of the manager and support staff assigned to Rock Creek.

### **C. Board**

- 1. Review Expectations for Manager/Management Company from RCHOA - The Board presented its concerns and expectations to those in attendance and would email the document to CCHP for further review.

## **VIII. Manager's Report**

### **A. Standing Items**

- 1. **Violations** - Shannon provided the Board with an update regarding outstanding violations.
- 2. **Dashboard** - The existing dashboard was reviewed.
- 3. **Financials** - Following discussion, upon a motion made by Anna, seconded by Dave and, upon vote, carried 6-0-01 with Darius abstaining, the financials for the period ended July 31, 2022 were accepted.

## **IX. ACC Committee**

- A. Application Statuses/Summary Report - Application Status and a summary report was provided.
- B. ACC Committee Composition Discussion - Following discussion, upon a motion made by Brandon, seconded by Anna and, upon vote, carried 6-0-01 with John abstaining, Tess Pace and Heath Griscavage to the ACC.

## **X. Old Business**

### **A. Events**

1. August Event Update - Per the written report provided by Event Creations, approximately 700 people were in attendance for the final movie of the year.
2. Oktoberfest Chick-Fil-A Mascot Request - The Board discussed the request by Chick-Fil-A to have their mascot in attendance at Oktoberfest and decided to decline the request feeling it would be better to have the mascot in attendance at the movie nights in 2023.

**B. Policy Review**

1. Deck Policy - It was noted the Deck Policy needs to be signed and uploaded to the website.

- C. 2023 Budget** - The Board will finalize the 2023 budget at its September 29, 2022 Board meeting.

**XI. New Business-**

- A. Third-Party Inspections Proposal** - The Board discussed having a former manager provide inspection services to the community to fill the gap with CCHP's services.

- B. Amendment to CCHP Management Agreement** - The Board discussed the amendment to CCHP's Management Agreement but declined to take action.

- C. HOA Vote Now Renewal** - Following discussion, upon a motion made by Darius, seconded by Dave and, upon vote, unanimously carried, the Board approved the HOA Vote Now Renewal at a cost of \$1700.

- XII. Adjournment to Executive Session-** The meeting was adjourned at 9:58 pm to discuss legal matters.



## Board of Directors Meeting Special Budget Meeting

October 13, 2022 Minutes

- I. **Call to Order** - The meeting was called to order at 6:02 p.m. Present were Board Members John Eckhardt, Darius Baer, Martin Lear, Dave Kremer, Brandon Culter, and Anna Navarro. Sabrina Lopez and Kevan McDonough with RowCal were also present.

Homeowner, Sharon James, was present.

- II. **Agenda Changes/Additions** - There were no changes to the agenda.
- III. **Open Forum** - Sharon James discussed an unpaid balance. She was advised that since this was a budget meeting to submit her concerns by email to the Board.
- IV. **Management Company Replacement** - Kevan McDonough, Transition Manager, RowCal discussed the transition from CCHP to RowCal. CCHP had been very cooperative. He discussed the mailing that would go out to all the homeowners. Board provided feedback.
- V. **Old Business**
  - A. **2023 Budget** - The Board discussed the 2023 budget. Since RowCal's management fee included all printing and postage costs, those line items, 6140 and 6145, were zeroed out. \$10,000 was entered into Line 6111, Administration, to account for costs due to House Bill 22-1137. The Board approved the budget with expenses in the amount of \$793,860.84 with a new assessment in the amount of \$283.
- VI. **Adjournment to Executive Session**- The meeting was adjourned at 7:50 pm to discuss legal matters.



Board of Directors Meeting  
Thursday, September 29, 2022; 6:00 p.m.  
Google Hangouts Meet: [Sign-Up Online](#) (Website)

- I. Call to Order
- II. Agenda Changes/Additions
- III. Open Forum
- V. Marshall Fire
  - A. Rebuild Statuses
- VII. Management Company Replacement
- VI. Consent Agenda
  - A. Meeting Minutes
    - i. August 11, 2022 Working Session
    - ii. August 25, 2022 Board Meeting
  - B. Financial Statements
- VIII. Managers' Report
  - A. Violations
- VIII. ACC Committee
  - A. General Application Statuses/Summary Report
- IX. Old Business
  - A. 2023 Budget
- X. New Business
  - A. Association Sponsorship Opportunity Request; Sponsorship Policy
- XI. Adjournment to Executive Session

In executive session the board may discuss:

  - (1) matters pertaining to employment or management
  - (2) consultation with legal counsel
  - (3) investigation of criminal misconduct
  - (4) matters legally protected from public disclosure
  - (5) matters which would violate individual privacy if disclosed
  - (6) discussion of communication with legal counsel



Board of Directors Meeting  
Thursday, October 27, 2022; 6:00 p.m.  
Google Hangouts Meet: Sign-Up Online (Website)

- I. Call to Order
- II. Agenda Changes/Additions
- III. Open Forum
- V. Marshall Fire
  - A. Rebuild Statuses
- VII. Management Company Transition Updates
- VI. Consent Agenda
  - A. Meeting Minutes
  - B. Financial Statements
- VIII. Managers' Report
  - A. Violations
- VIII. ACC Committee
  - A. General Application Statuses/Summary Report
- IX. Old Business
  - A. 2023 Budget (already voted, on 10/13/2022)
  - B. Waste Connections: Compositing
  - C. Annual Meeting
- X. New Business
  - A. Events Contract 2023: Event Creations, Contract + Exhibit A
  - B. Association Sponsorship Opportunity Request; Sponsorship Policy
  - C. Legal Firm Request - Sundance Hills HOA
  - D. 2023 Trash Removal Waiver Request for Damaged Homes
- XI. Adjournment to Executive Session  
In executive session the board may discuss:
  - (1) matters pertaining to employment or management
  - (2) consultation with legal counsel
  - (3) investigation of criminal misconduct
  - (4) matters legally protected from public disclosure
  - (5) matters which would violate individual privacy if disclosed
  - (6) discussion of communication with legal counsel

Rock Creek HOA- Special Meeting  
Thursday, January 13, 2022  
Meeting Minutes

- I. **Call to Order-** The meeting was called to order at 6:05 PM. Present were Board Members John Eckhardt, Diane Marsella, Anna Navarro, Brandon Culter, Darius Baer and Jarvie Worcester. Dani Esch from Cherry Creek HOA Professionals (CCHP) was also present.

There were 65 homeowners in attendance.

- II. **Welcome/Introductions-** John Eckhardt gave an opening statement.

III. **Homeowner Forum-**

- a. **What are the covenant requirements for exterior design? Is the HOA looking for additional help?** Discussion to be held later in the meeting.
- b. Per Town of Superior and County, Rock Creek is last on the list for Superior for debris cleanup.
- c. Cleanup could take 6-18 months.
- d. Guidance is coming from the Town of Superior and County regarding code updates.
- e. The HOA is only responsible for the Architectural side of the rebuilds, everything else is in the hands of FEMA, the Town of Superior and Boulder County.
- f. The Town is attempting to coordinate with the HOA to obtain pre-approved builders.
- g. Homeowner request: Architectural approvals be consistent to new builds and homes not affected, that the HOA is open through this process with no executive sessions. The covenants tie hands on what HOA can or can't do.
- h. **What are the guidelines/rules on cleanup?** The Town of Superior and County are handling the cleanups. Clarification should go through the Town. The fire debris is hazardous material and cleanup must be done correctly. A permit will be needed for private cleanup or through the Town/County.
  - i. A homeowner volunteered services with an architectural background.
- j. **Will the HOA be lenient to those homeowners who do not have the financial resources to do a private cleanup and will be waiting for the coordinated debris schedule?** Yes
- k. The Town has lots of information for cleanup and permitting. The HOA can do the Architectural but not the other items. Recommend homeowners attend Town meetings for guidelines and permitting.
- l. **Can the Declarations be changed to cut out rules and regulations?** The Board will not take on a declaration change at this time.
- m. **What is the process for roof replacement/repair?** Submit ACC Request
- n. Expressed concern for the violations and fences during the pandemic. Does not want similar situation.
- o. Home values will increase due to new homes. Homeowners want to cleanup, rebuild and move on. The Board should make it easy for homeowners.
- p. HOA is in position/opportunity to expedite and create policies, work with Town and Builders for pre-approved plans. Find a way to make this easier for homeowners.
- q. Homeowner suggestion: put a moratorium on code enforcement.
- r. A homeowner asked the HOA to change the way things are done. Encourages Board to make things easier and put "quick fixes" into place and let homeowners help so things get done quickly and easy.
- s. John and Dani clarified the fences are allowed to be put back up without a request if there are no changes.
- t. Homeowners do not want to submit ACC request until guidelines are given. Do not want to spend money on design to have it get denied. Builders need to know what HOA rules are prior to design start.

Rock Creek HOA- Special Meeting

Thursday, January 13, 2022

Meeting Minutes

- u. A homeowner stated their beginning ideas for possible rebuild.
- v. **Is the Board open to recommendations regarding rebuild parameters?** Further discussion on this question. Open to discussion and feedback.
- w. Homeowners may have to build smaller homes due to construction cost and insurance benefits.
- x. Building codes and permitting are through the Town and County, they are looking at codes and fire resistance.
- y. Board question: **How fast do the homeowners need the HOA to move?** There was a request for guidance in 3 weeks or sooner.
- z. Homeowners must have debris removal first but can work on cleanup and design at the same time. RCHOA is not at the top of the coordinated cleanup list, but homeowners need flexibility to do some things on their own. Some homeowners may not be able to afford to rebuild and may have to clean up the lot and buy elsewhere.
- aa. A homeowner volunteered to talk to designers and give the HOA a list of possible changes. They requested a "Top-10 do's and don'ts" to start.
- bb. It was clarified that HOA does not have to do with debris cleanup. The HOA can insist a lot be cleaned and can give a timeline for cleanup. There is a concern that cleanup is done properly, the Town/County will have more rules on this.
- cc. There was a request for the HOA to work with the Town/County/State to help homeowners. There are too many meetings with different entities.
  - i. The Town is putting together workflows and progress and should be assigned a representative that will work with Rock Creek.
- dd. The Board is working out the Covenant mandated harmony with the remaining homes and what that would look like with updated Town/County codes.
- ee. The HOA needs to be collaborative with the Town and homeowners.
- ff. The Town is responsible for how close the home can be to the lot line. If there are items in covenants that outline designs, please send out an itemized approved list for designers to begin design.

**IV. Board/ACC Discussion**

- a. Considerations:
  - i. Expedition of applications.
  - ii. Eliminating application hurdles.
  - iii. Establish a short list of allowed/not allowed.
- b. **Other Comments**
  - i. Dan Kellog is actively speaking with Town to establish a relationship. All items being discussed are already on the table.
  - ii. The HOA is listening to homeowner concerns. A lot depends on Town's decisions. HOA is at the bottom, below County/Town jurisdiction.
  - iii. ACC will provide guidelines for rebuilds to help a smooth process.
  - iv. Dan was approached by a trustee independent from the ACC. Not sure if Town will have working groups. Reached out to Richmond Homes to come in, at the Richmond Board for discussion.
  - v. There are no restrictions regarding which builder a homeowner can choose.
  - vi. The HOA was approached by Coal Creek Ranch to share ideas and information.
  - vii. Coal Creek also reached out to Richmond. Richmond does not have any records; they delete after 10 years. There are brochures from the models that will be sent to the Town's building department.
  - viii. The homes that were destroyed were Richmond homes.
  - ix. If the homeowners know their home model name, the building department would have some information.



Rock Creek HOA- Special Meeting

Thursday, January 13, 2022

Meeting Minutes

- x. ACC members requested feedback on building the same homes or different. Some homeowners have discussed downsizing due to funding. Some may wish to go bigger.
  - xi. The County Building Codes may require different building materials. Siding and roofing ideas are similar to surrounding/previous but depend on codes.
  - xii. It may be helpful to send homeowners the current state of covenants. The HOA. needs to establish revised/acceptable standards for process so homeowners can move forward with a clear set of rules and pre-approved/rejected plans, materials and colors.
  - xiii. Many homeowners are concerned about being under-insured. Homeowners may not be able to have clean-up done and are struggling with rebuilding. May need to go smaller. Frank- only given 24 months of housing. In position to do cleanup themselves as Rock Creek is last on list- cannot wait for fema or Town/County.
  - xiv. If there are questions on fences, homeowners are to contact the manager.
  - xv. Frank and Paula Lee volunteer to be part of the working group.
  - xvi. Homeowners could provide input on the group.
  - xvii. Basement apartments would not be allowed per zoning, not a multi-family community.
  - xviii. Boulder County and the Town of Superior are working together to make the open space safer.
- c. Board Closing Discussion:
- i. A small working group of the Board, ACC and Volunteers is a good idea to establish lists, work with the Town and collect cleanup and build information. Max 10 people in the group, with all items passed through board with approval.
  - ii. *John Eckhardt moved to establish a Rebuild Working Group consisting of Board Members Brandon Culter, Jarvie Worcester, the Architectural Control Committee and the following homeowner volunteers: Christi Verbeck, Mike Traxler, Eric Austin, Frank Lee and Paula Lee. Jarvie Seconded.* Further discussion regarding a Chair/Coordinator.
  - iii. ***John Eckhardt amended the motion nominating Dan Kellog as the Chair of the Rebuild Working Group. Darius Baer seconded. There was no further discussion. All were in favor.***
  - iv. Dani will send an email blast to the homeowners announcing the establishment of the group and ask for homeowner input.
- V. The meeting was adjourned at 8:25 PM.



Board of Directors Meeting  
Thursday, February 24, 2022

Minutes

- I. **Call to Order-** The meeting was called to order at 6:02 PM. Present were Board Members John Eckhardt, Anna Navarro, Brandon Culter, Darius Baer and Jarvie Worcester. Dani Esch and David Prieto from Cherry Creek HOA Professionals (CCHP) were also present.

Homeowners present were Chad and Trisha Cheek, Dawn Garner, Dave Kremer, Tracey and Mic Leese, Tibor Lukac, Brian Resch, Madison and Helen Sommer, Gloria Urea, and Brad Walker.

- II. **Agenda Changes/Additions-** The subject HOA files/documents was added to new business.
- III. **Open Forum-** There were no items for the homeowner forum.
- IV. **Marshall Fire**
- A. **Working Group Report-** The Group is working on fencing, landscaping and hardscape policies.
- V. **Consent Agenda**
- A. **Meeting Minutes - *Brandon Culter approved the January 27th regular meeting minutes and the February 9th special meeting minutes with changes discussed. Jarvie Worcester seconded the motion. There was no further discussion. All were in favor.***
- VI. **Managers' Report**
- A. **Violations-** Many homeowners unaffected by the fires are leaving waste receptacles and making outside changes without HOA approval. Many fences are still in dis-repair. ***John Eckhardt motioned to resume enforcement of the CC&R's for all homeowners except violations caused by the fire. Darius Baer seconded the motion. There was no further discussion. All were in favor.***
- B. **Dashboard-**The Board was provided with the phone call and email stats for CCHP.
- C. **Financials**
- 1. December 2021 and January 2022 Financials-** David Prieto stated that the HOA was in line with the budget expenses for 2021. The HOA has more cash on hand than this time last year. Anna Navarro had some concerns regarding the legal expenses.
  - 2. 2022 Assessment Collection-** The 2022 Assessments are due March 1. Some homeowners have pre-paid their assessments. A better report will be given at the March meeting.
  - 3. FDIC Insurance-** Alliance Bank offers an Insured Cash Sweep (ICS) account which holds funds over the FDIC insured amount into different banks/accounts. The interest rate is lower, but all HOA funds will be insured. Funds will be available at all times. ***Brandon Culter motioned to open the ICS***

*account. Darius seconded the motion. There was no further discussion. All were in favor.*

- D. **Board Vacancy-** One application was received to fill the vacancy. Dave Kremer gave a short speech regarding his desire to serve on the Board. **Jarvie Worcester motioned to appoint Dave Kremer to fill the Board vacancy with a term ending November 2023. Darius Baer seconded the motion. There was no further discussion. All were in favor.**

VII. **ACC Committee**

A. **Application Statuses/Summary Report**

1. **Fire-Related-** There are 3 preliminary rebuild applications and a handful of minor repairs or replacements for fire related items.
2. **Non Fire-Related-** 23 applications were submitted in January. 21 were approved. The average review time was 11 days.
3. **Committee Vacancy-** The committee is still taking applications for homeowners to serve on the architectural control committee.

VIII. **Old Business**

- A. **Storage Unit-** The storage unit will be completely emptied by the end of March. Dani will be cleaning items that can be salvaged and storing them at the Aurora office.

B. **2022 Events**

1. **Sponsors-** The Board mentioned Premier Members and King Soopers as sponsors for the events.
2. **Safety-** The Town of Superior has cleared parks for use. Many parks are being utilized. Event Creations will schedule with the Town for the events.
3. **Movie Nights contract-** The Board discussed food, possible additional costs and the cancellation policy. **Brandon Culter motioned to approve the movie nights contract as presented. Anna Navarro seconded the motion. There was no further discussion. All were in favor.**

- C. **Holiday Lights Contest-** The last vote for the holiday contest will be submitted and the winners will be announced via email.

IX. **New Business**

- A. **STR Application-** The Board discussed the application for 933 Grays Peak Dr. with the homeowners. **Brandon Culter motioned to approve the application subject to conditions. Jarvie Worcester seconded the motion. There was no further discussion. All were in favor.**

- B. **HOA Files/Documents -** Brandon will review the files and documents in the HOA drive, archive, re-organize and clean-up so that the drive is easily navigated.

- C. **2020 Audit-** This item was postponed for future discussion.

- D. **Late fee waiver request-** A homeowner requested late fees be waived.

X. **Adjournment to Executive Session-** The meeting was adjourned at 8:12 to discuss legal matters, delinquencies and homeowner private matters.

**Anna Navarro motioned to decline the request for late fee waivers for account number RCM28949, Brandon Culter seconded the motion. All were in favor.**

Executive session was adjourned at 8:50 PM



## Board of Directors Meeting

July 28, 2022 Minutes

- I. Call to Order** - The meeting was called to order at 6:00 p.m. Present were Board Members John Eckhardt, Darius Baer, Jarvie Worcester, Martin Lear, Dave Kremer and Brandon Culter. Shannon Torgerson and David Prieto with Cherry Creek HOA Professionals (CCHP) were also present. Stephane DuPont of the DuPont Law Firm was also in attendance.

Homeowners present were Dawn Garner, and Tianyang Wang.

- II. Agenda Changes/Additions** - There were no changes to the agenda.

**III. Open Forum** -

Martin Lear was in attendance to introduce himself as a candidate for the vacant board seat.

Tianyang was in attendance to discuss the open violation for his property on Marble Lane. The Board asked questions about the violation and indicated they would make a decision and get back to him through Management.

- IV. Vendor Interview - Stephane DuPont of DuPont Law Firm** - Stephen DuPont was in attendance to interview for the position of general counsel for the Association. The Board asked several questions and learned more about Stephane's firm.

**V. Marshall Fire** -

- A. Rebuild Working Group Report** - This report will fall under the ACC report moving forward.

**VI. Consent Agenda**

- A. Meeting Minutes** - Following discussion, upon a motion made by Darius, seconded by Brandon and, upon vote, carried 4-0-1 with Dave abstaining, the minutes were approved as presented.
- B. Violation Report** - The violation report was provided as part of the dashboard.
- C. Manager's Dashboard** - Shannon noted she is working to update the dashboard with relevant and timely information. This will be presented to the Board at the August meeting.
- D. Financial Statements** - The Board scheduled a working session to review the financial statements with Management on August 11 at 6:00 p.m.
- E. 2022 Assessment Collection** - This spreadsheet was not updated as it is unclear where the information was pulled from.

**VII. ACC Committee**

- A. Application Statuses/Summary Report - This information will be provided as a part of the new dashboard for the Board at the August meeting.
- B. ACC Committee Composition Discussion - The Board requested a broadcast email be sent out requesting volunteers for the ACC.
- C. Decks, Patio, Pergola and Gazebo Guidelines Policy - Following discussion, upon a motion made by Brandon, seconded by Darius and, upon vote, unanimously carried, the Board adopted the Decks, Patio, Pergola and Gazebo Guidelines Policy as amended.
- D. Support Needs - CCHP committed to having a member of staff in attendance at the next and future ACC meetings.
- E. Superior Rising Outreach - The Board discussed having a member of the Committee attend Town Hall type meetings as part of the Superior Rising outreach and approved Dan to attend.

## **VIII. Old Business**

- A. Events
  - 1. Events Update - Per John, about 470 people were in attendance at the July 15 movie night with perfect weather. The final movie night is scheduled for August 19.
  - 2. Vendors draft contract - The Board tabled discussion on the Public Vendor at Association Events Policy noting it is overly complicated with a lottery if more vendors express interest than there is space for.
- B. Policy Review
  - a) Exterior Finishes - The Exterior Finishes policy was tabled. Brandon will provide the correct version for consideration.
- C. Opal Lane Compliance - The Board discussed this matter and requested the owner be sent a letter requesting the bushes removed and replaced with those that will provide height and privacy for neighboring homes. The Board also requested the owner be sent a letter to remove the additional fence pickets placed on the backside of the fence as wasps are building nests between the pickets.
- D. Insurance Renewal - Following discussion, the Board determined that it is in the Association's best interest to remain with American Family for the required insurance.
- E. 2023 Budget - The Board will review the budget in detail at the working session scheduled for August 11, 2022 at 6:00 p.m.
- F. HB22-1137 Policies - Conduct of Meetings, Covenant Enforcement and Collection Policies - Following discussion, upon a motion made by Jarvie, seconded by Brandon and, upon vote, unanimously carried, the Board adopted the amended Conduct of Meetings, Covenant Enforcement and Collections Policies as drafted. It was noted these were amended to comply with the requirements set for in House Bill 22-1137 which becomes effective on August 10, 2022.
- G. Newsletter - The Board determined no newsletter will be sent out as the information provided isn't timely. If there is news, it can be sent out via broadcast email.

**H. Manager Transition** - An interview with Randy Chambers has been set with the Board for August 3, 2022.

**IX. New Business-**

**A. Board Vacancy** - Following discussion, upon a motion made by Dave, seconded by Brandon and, upon vote, unanimously carried, the Board appointed Martin Lear to the vacant seat.

**X. Adjournment to Executive Session-** The meeting was adjourned at 9:06 pm to discuss legal matters.



## Board of Directors Meeting

Thursday, January 27, 2022

Minutes

- I. **Call to Order-** The meeting was called to order at 6:02 PM. Present were Board Members John Eckhardt, Diane Marsella, Anna Navarro, Brandon Culter, Darius Baer and Jarvie Worcester. Dani Esch from Cherry Creek HOA Professionals (CCHP) was also present.

Homeowners Adam Marrapode, Ann Dixon, Aruna Banwasi-Tholakapalli, Benjamin Chao, Brad Walker, Carl Uteri, Chad Cheek, Charlene Hamlet, Chris Lacis, Dan Kellogg, Dawn Garner, Devon Scott, Hillary Kellogg, Jana Coady, Jenna Iszler, Joseph Kaptur, Julie Marks, Kat Moriarty, Kimberly Owens, Laird Verbeck, Warren Archer, Weston Williams, and Yongwei Yang were also present.

II. **Open Forum-**

- A. Brad Walker commented on the avigation easement lawsuit with Jefferson County and the antennae policy.
- B. Chad Cheek had questions regarding the Master Plan and assessment for those who lost their homes.

III. **Marshall Fire (6:30)**

- A. **Working Group Report-** Dan Kellogg, Rebuild Working Group Chair, read and reviewed the drafted rebuild, roof and exterior finishes policies and answered homeowner questions. The policies will be sent to legal counsel for review.
- B. **Public/Private Partnership-** The Town of Superior is seeking representatives from the HOA's to coordinate a meet and greet with builders.
- C. **Assessment Relief-** Stan Jezierski, the association's attorney, stated that the HOA has an obligation to levy assessments, however there can be leniency on collections. John Eckhardt stated that while the Board would like to be able to waive late fees for those homes which were lost or damaged, the legal advice does not allow. The Board will discuss possible options for donations or reducing those fees.

IV. **Consent Agenda (7:15)**

A. **Meeting Minutes**

1. **October 28, 2021 regular meeting-** *Anna Navarro motioned to approve the minutes from October 28, 2021, Diane Marsella seconded. There was no further discussion. One Board Member abstained, five voted in favor. The motion passes.*
2. **January 13, 2022 special meeting-** *Anna Navarro motioned to approve the minutes from the January 13, 2022 Special Meeting, Brandon Culter seconded, there was no further discussion. One Board Member abstained, five voted in favor. The motion passes.*

B. **E-Vote Ratifications**

1. **Holiday Lights Contest-** *Anna Navarro motioned to ratify the e-vote decision to hold the Holiday Lights Contest, Brandon Culter*

*seconded, there was no further discussion. Two Board Members abstained, four voted in favor. The decision is ratified.*

2. **2022 Events Contract-** *Anna Navarro motioned to ratify the e-vote decision approving the 2022 Events Contract, there was no further discussion. One Board member abstained, five voted in favor. The decision is ratified.*

**V. Managers' Report (7:30)**

- A. **Violations-** CCHP will be monitoring occurring violations until other direction is given by the Board. All violations are currently on hold.
- B. **Dashboard-** CCHP had approximately 1,000 emails in October, 624 in November and 380 in December. CCHP will collect phone call information and update the 2021 dashboard.
- C. **Financials-** The discussion for the December 2021 actuals and 2021 End of Year financials was postponed to the February meeting.
- D. **Board Member Resignation and Opening-** Alex Mikishko submitted his resignation. There is a seat open on the Board of Directors. A notice will go out.

**VI. ACC Committee (7:45)**

**A. Application Statuses/Summary Report**

1. **Fire-Related-** No fire related applications have been submitted.
2. **Non Fire-Related-** 20 applications were submitted in January. The average decision rate is 3 days.  
December- 10 applications were submitted. The average decision rate was 7 days.  
November- 25 applications were submitted. The average decision rate was 15 days.  
October- 62 applications were submitted. The average decision rate was 12 days.

**VII. New Business (8:00)**

**A. 2022 Assessment mailing**

1. **Invoices-** CCHP must get the invoices out by Feb. 15. Due to 2021 feedback, invoices will go out as close to Feb. 1 as possible.
2. **Letter from the Board-** *Brandon Culter motioned to approve the letter as edited. Diane Marsella seconded. There was no further discussion. All were in favor.*
3. **Newsletter-** The newsletter will not be included in the mailing.

- B. Storage Unit - Insurance Claim / Retention-** The items in the storage unit are covered in soot and are not useable. The total of items in the unit may not constitute an insurance claim. CCHP can store items in their offices. *Diane Marsella motioned to clear the storage unit of all items without an insurance claim on the items and cancel the storage unit rental. Darius Baer seconded. There was no further discussion. All were in favor.*

- C. 2022 Events-** The Board requested more information regarding the clearance from the Town for park use.



**D. Holiday Lights Contest-** The board discussed donating the Holiday lights rewards funds or moving forward with the contest. ***John Eckhardt motioned to move forward with the rewards for the holiday lights contest. Anna Navarro seconded. One Board member was not in favor, 2 members abstained, and 3 voted in-favor. The motion passes.***

**E. Election of Officers-**

***President- Brandon Culter nominated John Eckhardt to remain Board President. John accepted. Jarvie Worcester seconded. All were in favor.***

***Vice President- Diane Marsella nominated Brandon Culter as Vice President. Brandon accepted. Jarvie Worcester seconded. All were in favor.***

***Secretary – Brandon Culter nominated Diane Marsella to remain Board Secretary. Diane accepted. Anna Navarro seconded. All were in favor.***

***Treasurer- John Eckhardt nominated Anna Navarro to remain Board Treasurer. Anna accepted. Brandon Culter seconded. All were in favor.***

**VIII. Adjournment to Executive Session-** While the meeting was being adjourned by John Eckardt to executive session at 9:02 PM to discuss legal matters, Brad Walker interrupted and hurled profanity words at the Board President.



MINUTES

- I. **Call to Order-** The meeting was called to order at 6:03 PM. Present were Board Members John Eckhardt, Diane Marsella, Anna Navarro, Darius Baer and Jarvie Worcester. Dani Esch and David Prieto from Cherry Creek HOA Professionals (CCHP) were also present.

Present were homeowners Kat Moriarty, Chad Cheek, Steve Dickey, Valarie Richards, Robert Boutelle, Brad Walker and Janice Lawrence.

- II. **Agenda Changes/Additions-** There were no changes or additions to the agenda.
- III. **Open Forum-**
- A. Kat Moriarty had questions regarding rental units and maintenance responsibility.
  - B. Chad Cheek commented on the design guidelines for rebuilds and had a question about movie nights.
  - C. Steve Dickey had questions regarding the rebuild approval process.
- IV. **Marshall Fire-**
- A. **Rebuild Working Group Report-** The Working Group is investigating fence policy updates and working with the Town on the possible guidelines, manufacturers, materials and fire safety.
- V. **Consent Agenda-**
- A. **February Meeting Minutes - *Darius Baer motioned to approve the February minutes as presented, Jarvie Worcester seconded; There was no further discussion. Four Board Members voted in favor and one abstained.***
- VI. **Managers' Report (6:50)**
- A. **Violations-** 193 violations were opened in March. Fencing violations have not been sent.
  - B. **Dashboard-** Dani reviewed email statistics for February.
  - A. **Financials- *Diane Marsella motioned to approve the February financials as presented. Jarvie Worcester seconded, there was no further discussion. All were in favor.***
  - A. **2022 Assessment Collection-** 80% of homeowners have paid their assessments as of 3/28.
- VII. **ACC Committee (7:30)**
- A. **Application Statuses/Summary Report**
    - 1. **Fire-Related-** There were 6 fire related applications submitted in February and March. 2 were for full rebuilds.
    - 2. **Non Fire-Related-** There were 52 applications total submitted in February. The average response rate was 3 days.

3. **Committee Vacancy/Applications-** There were 2 applications received for the vacancy on the committee, none of the applicants attended the meeting, so the HOA will continue to solicit applications.

**VIII. Old Business (8:00)**

- A. **Events-** The Egg hunt is scheduled for April 9, weather permitting. Signs have been placed. The Board will discuss a meet-and-greet for movie nights.
- B. **2020 Audit-** *Diane Marsella motioned to approve the 2020 audit and taxes as prepared and presented by James Moore and Associates. Darius seconded. There was no further discussion. Four Board members voted in favor, one abstained.*

**IX. New Business**

- A. **2021 Audit and Taxes-** Diane Marsella motioned to hire James Moore and Associates to do the 2021 taxes and audit. Anna Navarro seconded the motion. There was no further discussion. All were in favor.

- X. **Adjournment to Executive Session-** The meeting was adjourned to executive session at 7:14 PM to discuss legal matters and collections. Executive session was adjourned at 8:54 PM.



## Notice of Budget Ratification Meeting and Annual Meeting

It is time for the Annual Meeting of Homeowners!  
This is a great opportunity to be involved in your community.

**The Rock Creek Master HOA Board of Directors hereby requests your participation at the Budget Ratification Meeting and Annual Meeting, which will be held virtually/online via Google Meet on Thursday, November 17, 2022 at 6:00 PM.**

To register to attend, please go to <https://www.rockcreekhoa.com> under the “Home” page and “Events” tab.

**TO FULFILL A QUORUM FOR THE ANNUAL MEETING AND IN ORDER FOR BUSINESS TO BE CONDUCTED, WE MUST HAVE RESPONSE FROM 5% OF ALL UNITS (THAT IS 141 UNITS BY ATTENDANCE OR BY PROXY, AS WELL AS THE PARTICIPATION IN THE BOARD MEMBER ELECTION.)**

*\* If we fail to obtain the necessary quorum, we will have to hold another meeting/vote, which will be time-consuming and costly. \**

**If you cannot attend the meeting, please fill out and return the enclosed proxy by scanning and emailing it to [manager@rockcreekhoa.com](mailto:manager@rockcreekhoa.com) or mailing it to:  
Rock Creek Master Homeowners Association, Inc.**

**C/O RowCal**

**Attn: Sabrina Lopez**

**5995 Greenwood Plaza Blvd, Suite 240**

**Greenwood Village, CO 80111**

*\* Proxies must be in possession of RowCal no later than 12:00 PM on Thursday, November 17, 2022. \**

**Please see the enclosed Agendas. The main topics of discussion shall be:**

**2023 Budget Ratification** – The Board of Directors is proposing an increase of \$19 to the annual assessment for a total of \$283.00. Please see the enclosed proposed 2023 Budget. Please Note: Per CCIOA and House Bill 18-1342, **unless the majority of units veto this budget, the enclosed proposed budget will pass.**

**Board Member Election** – The Board Member Election will be held separately online via Vote HOA Now and ratified at the annual meeting. Please see the following page for voting information.

**Approval of 2022 Annual Meeting Minutes**- The minutes from the 2021 meeting are included in this packet for review.

Sincerely,  
Rock Creek Master Homeowners Association, Inc.



**BUDGET RATIFICATION MEETING**  
**Thursday, November 17, 2022, 6:00 PM**  
**Agenda**

- I. **Call to Order**
- II. **Discussion of proposed 2023 Budget**
- III. **2023 Budget Ratification**  
**(Unless 51% of units veto this budget, the budget passes.)**
- IV. **Adjournment to Annual Meeting**

**ANNUAL MEETING**  
**Thursday, November 17, 2022, 6:15 PM**  
**Agenda**

- A. **Call To Order and Introduction of The Board of Directors and Management Staff**
- B. **Roll Call**
- C. **Proof of Notice**
- D. **Announcement of Quorum**
- E. **Reading and Approval of the 2022 Annual Meeting Minutes**
- F. **Treasurer Report**
- G. **President Report**
- H. **Architectural Committee Report**
- I. **Ratification of Election of Directors**
- J. **Unfinished/Old Business**
- K. **New Business**
- L. **Adjournment**

RCHOA Creek HOA - 2023 Budget

Assessment ---> 2022 \$ 264.00 | 2023 \$ 283.12 | 7.24%

GL Account	2021 Actual	2022 YTD Actual (August)	2022 Budget	Proposed Changes	2023 Budget	% YOY	% Total
<b>Income</b>							
4010 - Regular Assessments	\$ 740,256.00	\$ 725,093.52	\$ 740,256.00	\$ 53,607.00	\$ 793,863.00	7.24%	100.00%
4013 - Sponsorship Income	\$ -	\$ -	\$ -	\$ -	\$ -		0.00%
4015 - Late fees	\$ 11,828.12	\$ 10,910.00	\$ -	\$ -	\$ -		0.00%
4016 - Late Fees Paid to Mgmt Co	\$ -	\$ (10,725.00)	\$ (14,000.00)	\$ -	\$ (14,000.00)	0.00%	-1.76%
4017 - Late fee Interest	\$ 8,628.37	\$ 6,951.90	\$ -	\$ -	\$ -		0.00%
4020 - Fines	\$ 11,400.00	\$ (4,413.86)	\$ -	\$ -	\$ -		0.00%
4025 - Reimbursed Legal Fees	\$ 3,191.00	\$ 6,719.75	\$ -	\$ -	\$ -		0.00%
4026 - Reimbursed Processing Fees	\$ 13,705.00	\$ 11,555.00	\$ 14,000.00	\$ -	\$ 14,000.00	0.00%	1.76%
4030 - Lien Fees	\$ 450.00	\$ -	\$ -	\$ -	\$ -		0.00%
4080 - Transfers to Reserves	\$ -	\$ (15,333.00)	\$ (15,333.00)	\$ 15,333.00	\$ -	-100.00%	0.00%
4090 - Interest Income	\$ 120.41	\$ 74.76	\$ -	\$ -	\$ -		0.00%
4095 - Miscellaneous Income	\$ 500.00	\$ 2,060.00	\$ -	\$ -	\$ -		0.00%
Subtotal Income	\$ 790,078.90	\$ 732,893.07	\$ 724,923.00	\$ 68,940.00	\$ 793,863.00	9.51%	100.00%
<b>Total Income</b>	\$ 790,078.90	\$ 732,893.07	\$ 724,923.00	\$ 68,940.00	\$ 793,863.00		100.00%
<b>Expense</b>							
<b>General and Administrative</b>							
6110 - Management Fees	\$ 86,537.00	\$ 50,950.00	\$ 87,000.00	\$ 81,000.00	\$ 168,000.00	93.10%	21.16%
6111 - Administration	\$ 26.67	\$ -	\$ 1,500.00	\$ 8,500.00	\$ 10,000.00	566.67%	1.26%
6120 - Bank Service Charges	\$ 410.00	\$ 315.00	\$ 500.00	\$ 100.00	\$ 600.00	20.00%	0.08%
6130 - Licenses Permits Filing Fee	\$ 65.00	\$ 20.00	\$ -	\$ 85.00	\$ 85.00		0.01%
6140 - Postage and Supplies	\$ 10,648.36	\$ 2,281.85	\$ 8,000.00	\$ (8,000.00)	\$ -	-100.00%	0.00%
6145 - Printing and Copying	\$ 6,702.77	\$ 3,980.99	\$ 5,000.00	\$ (5,000.00)	\$ -	-100.00%	0.00%
6150 - Legal Fees General	\$ 23,484.00	\$ 41,287.19	\$ 50,000.00	\$ (29,000.00)	\$ 21,000.00	-58.00%	2.65%
6151 - Legal Fees Collections	\$ 3,191.00	\$ -	\$ -	\$ -	\$ -		0.00%
6152 - Legal Fees Airport	\$ 101,930.38	\$ -	\$ -	\$ 25,000.00	\$ 25,000.00		3.15%
6155 - Audit Tax & Accounting	\$ -	\$ 3,100.00	\$ 3,500.00	\$ -	\$ 3,500.00	0.00%	0.44%
6198 - Bad Debt	\$ 160.98	\$ 481.00	\$ 10,000.00	\$ -	\$ 10,000.00	0.00%	1.26%
Subtotal - General and Administrative	\$ 233,156.16	\$ 102,416.03	\$ 165,500.00	\$ 72,685.00	\$ 238,185.00	43.92%	30.00%
<b>Homeowner Activities</b>							
6210 - Annual Meeting	\$ -	\$ -	\$ 4,000.00	\$ (4,000.00)	\$ -	-100.00%	0.00%
6220 - Event Coordinator	\$ 3,380.00	\$ 15,710.00	\$ 16,000.00	\$ -	\$ 16,000.00	0.00%	2.02%
6225 - ACC Projects	\$ -	\$ -	\$ 5,000.00	\$ -	\$ 5,000.00	0.00%	0.63%
6230 - Spring Fling	\$ -	\$ -	\$ 3,000.00	\$ -	\$ 3,000.00	0.00%	0.38%
6240 - Octoberfest	\$ -	\$ -	\$ 11,500.00	\$ 1,500.00	\$ 13,000.00	13.04%	1.64%
6255 - Movie Night 1	\$ -	\$ 13,000.00	\$ 7,000.00	\$ -	\$ 7,000.00	0.00%	0.88%
6260 - Movie Night 2	\$ -	\$ 1,475.00	\$ 7,000.00	\$ -	\$ 7,000.00	0.00%	0.88%
6265 - Movie Night 3	\$ -	\$ 1,475.00	\$ 7,000.00	\$ -	\$ 7,000.00	0.00%	0.88%
6266 - Contests	\$ -	\$ 3,000.00	\$ 1,000.00	\$ 2,000.00	\$ 3,000.00	200.00%	0.38%
6270 - Rescheduled Event Fund	\$ -	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	0.00%	0.13%
6275 - Appreciation Dinner	\$ -	\$ -	\$ 2,000.00	\$ -	\$ 2,000.00	0.00%	0.25%
6285 - Holiday Lighting	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -		0.00%
6287 - Storage Rental	\$ 3,526.00	\$ 1,574.00	\$ 3,745.00	\$ (3,745.00)	\$ -	-100.00%	0.00%
Subtotal - Homeowner Activities	\$ 31,906.00	\$ 36,234.00	\$ 68,245.00	\$ (4,245.00)	\$ 64,000.00	-6.22%	8.06%
<b>Association Communications</b>							
6286 - Website / Other Tech	\$ 4,158.50	\$ 1,827.50	\$ 4,000.00	\$ 500.00	\$ 4,500.00	12.50%	0.57%
Sub-total Association Communications	\$ 4,158.50	\$ 1,827.50	\$ 4,000.00	\$ 500.00	\$ 4,500.00	12.50%	0.57%
<b>Insurance and Taxes</b>							
6410 - General, Property & Liability	\$ 10,490.18	\$ 3,495.18	\$ 5,000.00	\$ -	\$ 5,000.00	0.00%	0.63%
Sub-total: Insurance and Taxes	\$ 10,490.18	\$ 3,495.18	\$ 5,000.00	\$ -	\$ 5,000.00	0.00%	0.63%
<b>Utilities</b>							
6520 - Trash Collection	\$ 462,075.17	\$ 273,209.62	\$ 482,175.84	\$ -	\$ 482,175.84	0.00%	60.74%
Sub-total: Utilities	\$ 462,075.17	\$ 273,209.62	\$ 482,175.84	\$ -	\$ 482,175.84	0.00%	60.74%
<b>Total Expenses</b>	\$ 741,786.01	\$ 417,182.33	\$ 724,920.84	\$ 68,940.00	\$ 793,860.84	9.51%	100.00%



Rock Creek Homeowners Association, Inc.  
Annual Meeting of Members 2021

- I. **CALL TO ORDER**- John Eckhardt called the meeting to order at 6:05 PM.
- II. **INTRODUCTIONS**- John Eckhardt introduced the Board: President John Eckhardt; Vice President Renee O'Shea (not present); Secretary Diane Marsella; Treasurer Anna Navarro; and At Large members Alex Mikishko, Darius Baer and Brandon Culter. John introduced Cherry Creek HOA Pros (CCHP) staff: Manager, Dani Esch; ACC Manager, Lewis Moses (not present); and CEO, David Prieto.
- III. **ANNOUNCEMENT OF QUORUM**- Quorum was established at 367 (12%) member participation by attendance or by proxy.
- IV. **PROOF OF NOTICE**- Notice was mailed to all Homeowners on October 12, 2021, in accordance with the Rock Creek Bylaws.
- V. **READING AND APPROVAL OF 2020 MINUTES**- Reading of the minutes was waived. *Diane Marsella motioned to approve the 2020 minutes as presented. Anna Navarro seconded. There was no further discussion. All were in favor.*
- VI. **HOMEOWNER FORUM**- One member had a question regarding the number of members in the community. There were no further questions or comments during open forum.
- VII. **OFFICERS REPORTS**- John Eckhardt gave the Officers reports:
  - a. **2021 OVERVIEW**-
    - Transition from Grand Manors to CCHP.
    - New Color Book and Paint Policy in progress.
    - New Window Policy located on the website.
  - b. **AIRPORT**-
    - Active lawsuit regarding multiple violations of limitation clauses of avigation easements by Jefferson County.
    - Trial held in October in Boulder County District Court; waiting for verdict.
    - As this is an ongoing legal matter no more information can be disclosed at this time.
  - c. **ACC (RockOn!)**-
    - New state laws; updated Antennae Policy and Satellite Dish. Xeriscape/landscape/artificial turf Policies in progress.
    - Window Policy update was planned and executed.
    - The Color Book and Paint Policy will hopefully be completed in 2022.
    - The Basketball Hoop Policy is a work in progress.
  - d. **HOMEOWNER QUESTIONS/COMMENTS** :
    - There was a question regarding the Antennae Policy.
    - There was a question regarding the ACC, approval time of applications, and the Summit Townhomes request approval.



Rock Creek Homeowners Association, Inc.  
Annual Meeting of Members 2021

- The ACC was acknowledged for their volunteer time and effort.

- VIII. **REVIEW OF PROPOSED 2022 BUDGET-** John Eckhardt and Anna Navarro reviewed the proposed budget and the Board Members answered questions for homeowners. ***The 2022 proposed budget was ratified.***
- IX. **2022 GOALS-** John Eckhardt outlined the goals for 2022:
- a. ACC Policies previously mentioned
  - b. Continuance of events
  - c. Enforcement of tree upkeep
  - d. Clean up of other policies and procedures
- X. **VOTING RESULTS-** Diane Marsella, Darius Baer, and Jarvie Worcester were elected via online election to serve on the Board of Directors for a 3-year term.
- XI. **ADJOURNMENT-** The meeting was adjourned at 7:05 PM





## 2022 Board Member Election

October 31, 2022

Dear Rock Creek Homeowner,

Rock Creek Master Homeowners Association is again utilizing the option to vote electronically using a third-party representative. This is a safe and efficient method to increase participation while saving both time and money.

The ballots will be open from November 7th through Noon, November 17th. The results will be announced during the Annual meeting scheduled for November 17th, 2022 at 6:00 PM.

We require 141 participants in order to elect board members. This does not count toward the Annual Meeting participation, which also requires 141 participants.

Each property with an email on file will receive an email invitation to vote from the community voting site. Please be sure to add [rockcreekmaster@ivotehoa.com](mailto:rockcreekmaster@ivotehoa.com) to your safe sender list/address book so you can participate in the vote. If we do not have your email address on file or you do not receive the email by November 7, 2022, you can still vote online.

Please go to <https://rockcreekmaster.ivotehoa.com/register> and click "Contact Us" to get your code. There is a link to this page located on the Rock Creek Master web page ([rockcreekhoa.com](http://rockcreekhoa.com)) under the "Annual Meeting " tab.

Voting online is easy and quick with these three steps!

1. Receive the email and click the link to go to the voting site (or go to the voting site and enter your code.)
2. Register for the vote by entering your name, email, and creating a password.
3. Make your choices on the ballot and submit When your vote is complete, you will receive both an onscreen confirmation and an email that the vote has been recorded.

The entire process takes only a few minutes - less time than it did to read these instructions!

Sincerely,  
Rock Creek Master Homeowners Association, Inc.  
Board of Directors

# Rock Creek Master Homeowners Association, Inc.

2023 BUDGET RATIFICATION MEETING AND 2022 ANNUAL MEETING

## Proxy

I/We \_\_\_\_\_ owner(s) of

\_\_\_\_\_ (unit address) hereby appoint

\_\_\_\_\_ (Name of Proxy) to act as my true and

lawful proxy; to attend in my name/place/stead at the 2023 Budget Ratification and 2022 Annual

Meeting of the Association or any adjournment and reconvening thereof for the purposes of (check one

box only).

---

Casting the vote of the undersigned for any matters properly before the Members as the Proxy may deem appropriate, in the Proxy's sole discretion.

Or:

Quorum only, No Vote to be Cast. If this box is checked, no vote will be registered for any matter properly before the members, but the Appointment of Proxy shall be counted towards Meeting quorum.

---

Please note that a separate proxy form must be executed for each address owned in the Association.

This Proxy may be revoked only upon written notice to the Association. Unless revoked, this Proxy will terminate automatically upon the termination of my ownership interest in the unit or expiration of 60 days from the date of execution, whichever occurs first.

---

Print Name

Signature

Date

Driver's License number or Rock Creek Account number: \_\_\_\_\_

-----

Please complete and return this proxy by scanning and emailing it to [manager@rockcreekhoa.com](mailto:manager@rockcreekhoa.com) or mailing it to:

**Rock Creek Master Homeowners Association, Inc.**

**C/O RowCal**

**Attn: Sabrina Lopez**

**5995 Greenwood Plaza Blvd, Suite 240**

**Greenwood Village, CO 80111**

*\* Proxies must be in possession of RowCal by 12:00 PM November 17, 2022. \**



## Board of Directors Meeting Thursday, April 28, 2022

### MINUTES

- I. **Call to Order-** The meeting was called to order at 6:06 PM. Present were Board Members John Eckhardt, Diane Marsella, Anna Navarro, Darius Baer, Brandon Culter and Dave Kremer. Dani Esch and Lewis Moses from Cherry Creek HOA Professionals (CCHP) were also present.  
  
Homeowners present were Brad Walker, Janet Raymer, Dawn Garner, Chad and Trisha Cheek, Rebert Boutelle, Carla Sledge and Colleen Callin.
- II. **Agenda Changes/Additions-** The Scouts popcorn sales at the movie was discussed prior to the meet and greet booth.
- III. **ACC Appeal-** A homeowner appealed the architectural denial to install a free standing flag pole.
- IV. **Open Forum-**
  - Colleen Callin had concerns for the fire safety in the Town and requested an update on the fence policy.
  - Brad Walker requested notification and better communication to the homeowners regarding litigation.
- V. **Marshall Fire (6:30)**
  - A. **Rebuild Working Group Report-** The fence policy is still in progress.
- VI. **Consent Agenda (6:45)**
  - A. **March Meeting Minutes-** *Anna Navarro motioned to approve the March minutes as drafted. Diane Marsella seconded the motion. there was no further discussion. 2 Board Members abstained, 4 Board members were in favor.*
- VII. **Managers' Report (6:50)**
  - A. **Violations-** 193 violations were noted in April. Many fence violations remain from 2021.
  - B. **Dashboard-** The Board was provided management statistics for March.
  - C. **Financials-** *Anna motioned to approve the financials as presented. Diane Marsella seconded the motion. There was no further discussion. One Board Member abstained, 5 Board Members voted in favor.*
  - D. **2022 Assessment Collection-** Dani will send an updated collection report to the Board.
- VIII. **ACC Committee (7:15)**
  - A. **Application Statuses/Summary Report-** The committee is now meeting twice per month.
    1. **Fire-Related-** There have been 4 total rebuild requests/inquiries.
    2. **Non Fire-Related-** 62 applications were submitted, mostly for windows, patios and paint. 51 applications were approved, 5 were declined. The average decision rate for March was 10 days.

3. **Committee Vacancy/Applications-** Janet Raymer was the only applicant to attend the meeting. The Board interviewed Janet. ***Diane Marsella motioned to appoint Janet Raymer to the Architectural Committee. Dave Kremer seconded the motion. All were in favor.***

**IX. Old Business (7:30)**

**A. Events**

1. **April Events Update-** Approximately 500 children participated in the egg hunt with 6500 eggs. There were 18 volunteers and one sponsor for the event.
2. **June 17th Movie Night-** The next event is the June 17th Movie Night.
  - a) **Cub Scouts Popcorn Sales-** The Board will have to consult with legal counsel, insurance and the event coordinator regarding non-profit organizations selling. They will also discuss a
  - b) **Board Meet and Greet-** The Board decided not to have a meet and greet at the June 17th movie.

- X. New Business-** There was no new business.

- XI. Adjournment to Executive Session-** The meeting was adjourned at 7:47 to executive session to discuss the ACC Appeal and legal matters.. ***There was a motion and a second to uphold the ACC denial and HOA Policy regarding flagpoles. All were in favor.***



## Board of Directors Meeting

### Minutes

- I. **Call to Order** - The meeting was called to order at 6:04 p.m. Present were Board Members John Eckhardt, Anna Navarro, Darius Baer, and Brandon Culter. Shannon Torgerson and David Prieto with Cherry Creek HOA Professionals (CCHP) were also present.  
  
Homeowners present were Nathan Rini, Dawn Garner, and Robert Boutelle.
- II. **Agenda Changes/Additions** - There were no changes to the agenda.
- III. **Open Forum**- No owner present had anything for discussion by the Board.
- IV. **Marshall Fire** -
  - A. Rebuild Working Group Report- Required setbacks were discussed as Town policy changed from what was originally approved in Rock Creek. Brandon indicated he believes the group can be disbanded as anything else that may come up can be addressed by the ACC. John requested feedback from the Rebuild Working Group before the decision is made. It was reported that a form or spreadsheet is needed for the Town as each home works through the rebuild process.
- V. **Consent Agenda**
  - A. Meeting Minutes - Following discussion, upon a motion made by John, seconded by Brandon and, upon vote, unanimously carried, the Board approved the May 26, 2022 Meeting Minutes as amended by Brandon.
- VI. **Managers' Report**
  - A. Violations - Shannon reviewed the June 2022 violation report with the Board.
  - B. Dashboard - Shannon provided the dashboard report as drafted.
  - C. Financial - Shannon gave the financial report for the period ended May 31, 2022. Anna requested additional information regarding the late processing fee invoices submitted by CCHP in April and May, noting it seems out of line. Following discussion, upon a motion made by John, seconded by Anna and, upon vote, unanimously carried, the Board approved the financial statements for the period ended May 31, 2022 as presented.
  - D. 2022 Assessment Collection- Shannon reviewed the 2022 Assessment collection with the Board.
- VII. **ACC Committee**
  - A. Application Statuses/Summary Report- 57 applications were submitted in May. 38 were approved, 2 were denied, and 8 are pending review. The

average response time is 14 days. Dawn Gardner indicated the Committee is working with builders for those properties that must be rebuilt to ensure the new homes blend with the overall feel of Rock Creek.

**VIII. Old Business**

**A. Events**

1. Events Update - There were lots of people in attendance at the June movie night. The July movie night is scheduled for July 15, 2022 when The Greatest Showman will be shown.
2. Vendors draft contract - The Board moved further discussion about the draft Vendor contract to the July 30, 2022 Board meeting.
3. Policy Review
  - a) Exterior Finishes - It was noted the incorrect policy was sent to the Board by legal. Brandon will send the correct policy for review.
  - b) Tree - Following discussion, upon a motion made by John, seconded by Brandon and, upon vote, unanimously carried, the Board approved the Tree policy as updated.
4. Opal Lane Compliance - It was noted this home has been sent to counsel for review and opinion as to what can be done to obtain compliance.

**IX. New Business-**

- A. Insurance Renewal - Only one renewal proposal has been received to date. Management will obtain additional proposals for review by the Board at the July 28, 2022 Board meeting.
- B. 2023 Budget - The Board is requested to schedule a working session with Management to review the draft budget for fiscal year 2023.
- C. HB22-1137 - The Board and Management discussed HB22-1137. Discussion and a vote on the required amended policies is to take place at the July 28, 2022 Board meeting. The Board is requested to send questions and concerns to Shannon for consideration by Counsel prior to the meeting.
- D. Compost - The Board provided approval to Darius to hold informal discussions with Waste Connections regarding composting.
- E. Newsletter - The Board provided several topics for the newsletter and will provide feedback once the draft is provided.
- F. Manager Transition - David Prieto discussed transitioning the community to a new manager as Dani's last day was June 30. More 2-way communication between meetings is requested. The Board requested involvement in the hiring process and would like to see a manager that is highly organized, empathetic and professional in all dealings with the community. David will provide his thoughts to the Board via email prior to the next meeting.

- X. Adjournment to Executive Session-** The meeting was adjourned at 7:59 pm to discuss legal matters.





## Board of Directors Meeting

### Minutes

- I. **Call to Order (6:00)**- The meeting was called to order at 6:06. Present were Board Members John Eckhardt, Jarvie Worcester, Anna Navarro, Darius Baer, Brandon Culter and Dave Kremer. Dani Esch with Cherry Creek HOA Professionals (CCHP) was also present.

Homeowners present were Nathan Rini, Brad Walker, Chad cheek and Dawn Garner.

- II. **Agenda Changes/Additions**- The item “Events Update” was added to new business.
- III. **Open Forum**- Chad Cheek had concerns regarding a builder guideline on elevations.
- IV. **Marshall Fire**-
- A. **Rebuild Working Group Report**- The Town and Group are working with each other regarding permits and are implementing checklists to ensure compliance. Policy changes were discussed.
  - B. **Exterior Finishes Supplemental Changes**- *Brandon Culter motioned to approve these policy changes pending legal review. Jarvie seconded. There was no further discussion. All were in favor.*
  - C. **Tree Policy**- *Brandon motioned to approve the tree policy pending legal review. Anna Seconded the motion. There was on question regarding enforcement. There was no further discussion, all were in favor.*
- V. **Consent Agenda**
- A. **Meeting Minutes**- *Brandon motioned to approve the April Meeting Minutes as drafted, Dave Kremer seconded the motion, 5 Board members approved, one abstained.*
- VI. **Managers’ Report (6:50)**
- A. **Violations**- CCHP will give this update via email. The Board was disappointed. that no details were provided for April or May by the Manager.
  - B. **Dashboard**- CCHP will give this update via email. The Board was disappointed in the presentation of the report by the Manager.
  - C. **Financial**- *Dani gave the financial report. John Eckardt motioned to approve as presented. Anna Navarro seconded. There was no further discussion. All were in favor.*
  - D. **2022 Assessment Collection**- Dani gave the review of 2022 Assessment collection. The Board requested a few more details for the next meetings as the numbers presented did not match.
  - E. **Resignation of Diane Marsella** - Diane Marsella resigned effective 5/13. A call for a volunteer will be sent to the community with notification of the new policies, a newsletter will be drafted as well.
- VII. **ACC Committee**



**A. Application Statuses/Summary Report-** 82 applications were submitted in April. 75 were approved, 3 were denied, and 4 are pending review. the average response rate is 7 days.

**VIII. Old Business**

**A. Events**

1. **Events Update-** The Easter Egg hunt was a success. Movie choices were given. *John Eckhardt motioned to approve Spiderman for June, The Greatest Showman for July and Sing 2 for August movie night. Dave Kremer seconded the motion. There was no further discussion. 5 Board Members were in favor and one abstained.*
2. **Vendors draft contract-** *Darius Baer motioned to approve the contract pending legal review. Dave Kremer seconded the motion. All were in favor.*
3. **Scouts Request-** *Dave Kremer motioned to approve the Scouts group to sell popcorn for the July and August movie night, Darius Baer seconded the motion. There was no further discussion. All were in favor.*

**IX. New Business-**

- A. **Opal Lane Compliance-** The Board discussed a home on Opal lane that may not be in compliance with an architectural stipulation.
- B. **Composting-** Darius Baer requested that the topic of composting be added to the next meeting.

**X. Adjournment to Executive Session-** The meeting was adjourned at 7:32 pm to discuss legal matters.