

ROCK CREEK MASTER HOMEOWNERS ASSOCIATION BOARD MEETING MINUTES

CALL TO ORDER

The Rock Creek Master Homeowners Association Board Meeting was held on January 26, 2023, at 6:00 p.m. The meeting was held virtually via google meeting. Board Members present were John Eckhardt, Anna Navarro, Brandon Culter, Darius Baer, David Kremer, Jarvie Worcester and Martin Lear. Sabrina Lopez, CMCA, AMS represented RowCal Management. Also present was Stan Jezierski, Association Attorney.

AGENDA CHANGES/ADDITIONS – There were none.

OPEN FORUM

There was discussion from those owners present on fencing and assessments.

CORRESPONDENCE

Account DENRCHOA73945 Airbnb Concerns - Owner of Airbnb was present and provided her position to the board. The board thanked her for attending the meeting and responding to the notice. The board determined that there will be no change to the current Short Term Rental Agreement, and they will allow them to continue under the agreement.

Account DENRCHOA74338 Request for Waiver - Owner not present. The board reviewed the request. A motion was duly made by Anna Navarro, seconded by Darius Baer and unanimously carried to accept \$370 paid in full by the owner and all other late fees to be waived to bring the account current.

Account DENRCHOA72969 Request for Waiver – Owner not present. The board reviewed the request. A motion was duly made by Dave Kremer, seconded by Jarvie Worcester and unanimously carried to waive \$39.62 in late fees.

Account DENRCHOA72687 Request for Waiver – Owner not present. The board reviewed and noted that assessments cannot be completely waived, however trash and recycling services are being credited to those homes not using this service as it relates to the Marshal Fire.

Account DENRCHOA73478 STR Application – Owner was present to discuss his STR request. A motion was duly made by John Eckhardt, seconded by Jarvie Worcester and unanimously carried to deny the short term rental application as presented.

MARSHALL FIRE

Rebuild Statuses – The rebuild status spreadsheet was linked to the agenda for the board’s review.

CONSENT AGENDA

A motion was duly made by Jarvie Worcester, seconded by Dave Kremer and unanimously carried to

accept the following items: October 27, 2022 Board Meeting Minutes, October 13, 2022 Board Meeting Minutes, November 2022 and Year End Financial Statements for 2022 and the 2021 Draft Audit.

MANAGERS REPORT

The management report was presented to the board. The board identified some additional items they would like to see included in the report. There was a question on prior violations and if they are being followed up on. It was noted that prior management violations could not be continued where they left off on as we do not have their database to do this. However, they would be restarted under our management, unless they were already with the attorney. After further discussion, the board had identified that they had different expectations on this, which will be further reviewed with the RowCal team.

ACC COMMITTEE

The Architectural Committee was not present. A report from SmartWebs was provided for the boards review. The board had some comments on additional items they would like to be reported on verbally indicating that the report provided to the board for their review was not enough as the owners could not view the report.

OLD BUSINESS – None

NEW BUSINESS

Waste Connections - Discussion with owners and Association Attorney regarding waiving fees for specific services such as the trash and recycling for those owners not using this services as they are not in their homes still due to the Marshal Fire. A motion was duly made by Dave Kremer, seconded by Jarvie Worcester and unanimously carried to waive the trash and recycling fees for those homes that have been affected by the Marshal Fire and are not using this service upon request by the owner.

Waste Connections Contract Renewal in 2024 – Discussion about renewal with Waste Connections in 2024. They are working on some quote options to include composting. Board to decide if they would like to take this out to bid or remain with Waste Connections.

Fire Resistant Fencing Options – Trish Cheek presented on fencing options that are fire resistant. The floor was open to discussion. Many members provided their input on fencing and that they would like to have fire resistant fencing options. The board would like to form a committee to begin looking into options for fencing again. Volunteers were Trisha Cheek, Brandon Culter, Jarvie Worcester, Darius Baer, John Heckman, Thom O'Connor and Yael Beirkatz. John Eckhardt noted that the ACC is willing to help as well. A motion was duly made by John Eckhardt, seconded by Jarvie Worcester and unanimously carried to create a fence committee. Such committee is responsible for proposing fire-wise fencing options to the board. The city will be contacted to see if they are willing to join in on the discussion with the committee.

Association Services Documents – Association attorney was asked to review the bank document before signing.

Event Planning and Update – Event Creations has provided dates for the events planned this year for confirmation by the board along with the movie night agreement and invoice. The board reviewed and agreed on the dates provided. The association attorney was asked to review the movie night agreement before signing.

Officer Elections – A motion was duly made by John Eckhardt, seconded by Darius Baer and unanimously carried to keep all officer positions the same.

EXECUTIVE SESSION

The board adjourned the general session to enter into an executive session at 8:36p.m. The board discussed collection matters and reviewed those matters with the attorney. The board would like to receive monthly status reports from the attorney moving forward.

During the executive session the board reached a decision as they exited the executive session the vote was ratified as follows: A motion was duly made by Jarvie Worcester, seconded by Darius Baer and unanimously carried to pursue a receivership against Account DENRCHOA72642.

ADJOURNMENT

With no further business to conduct, a motion was duly made, seconded and unanimously carried to adjourn the meeting at 10:36 p.m.



Board of Directors Meeting

February 23, 2023 Meeting Minutes

- I. **Call to Order** - The meeting was called to order at 6:00 p.m. Present were Board Members Darius Baer, Anna Navarro, John Eckhardt, Brandon Culter, Jarvie Worcester, Dave Kremer, and Martin Lear. Danielle McDonough and Brad Farnham were present from RowCal. Also present was Stan Jezierski, the association's attorney.

There were homeowners present for the meeting.

- II. **Agenda Changes/Additions** - There was one addition to the agenda, for conversation around covenant violations added under the Managers' Report.
- III. **Open Forum** - There was general discussion from owners present on the following topics:
1. Short term rentals
 2. Fencing
 3. "Thank you"'s to the Board of Directors and ACC committee members volunteering their time and energy given for the community
- IV. **Homeowner Correspondence - Time Sensitive/Board Input Needed** - A homeowner presented an STR application for the Board to review and vote on.
- V. **Marshall Fire** - Rebuild Statuses – The rebuild status spreadsheet was linked to the agenda for the board's review and general questions were answered.

The Fences Committee has been meeting twice weekly to explore options to bring possible fire safer fencing options to the Board of Directors for review. They will work towards a recommendation, and provide supporting documentation on why the recommendation was decided upon.

- VI. **Consent Agenda** - A motion was duly made, seconded, and unanimously carried to accept the following items: January 26, 2023 Board Meeting Minutes and the January 31, 2023 financial statements.
- VII. **Manager's Report** - The management report was presented to the Board of Directors and routine questions were asked and answered.

The Board of Directors discussed the historical violations from the previous management company, and how we store that historical information. RowCal will work with Smart Webs to pull all historical violations and to review those

that remain open, progressing them in the association's violation enforcement policy.

VIII. ACC Committee - The Architectural Committee was not present. A verbal report was provided to the Board of Directors on timing, statuses, etc.

IX. Old Business

The Waste Connections Contract is coming due for renewal. The Board of Directors has asked Management to review the contract for competitive pricing, and to explore the options of bidding out this service for the community.

The agreement for the vendor who hosts Movie Nights, SpaceFarmer, was reviewed.

X. New Business

RowCal presented a plan for proactive management solutions. This included how to improve services for both Rock Creek homeowners, the Board of Directors, Committee members, and service providers.

RowCal presented three Community Manager candidates to the Board of Directors for review. General questions and feedback was provided. They will work on bringing on a team member to service the neighborhood in the next 30 days.

XI. Adjournment to Executive Session- The board adjourned the general session to enter into an executive session at 8:36p.m. The board discussed collection matters and reviewed those matters with the attorney. The board would like to receive monthly status reports with a breakdown of the balances owing from the attorney moving forward.

XII. Adjournment - With no further business to conduct, a motion was made, seconded, and unanimously carried to adjourn the meeting at 10:36 pm.

"Dear Rock Creek Homeowners,

The Board of Directors will be holding a community town hall style meeting to discuss potential modifications to the HOA's existing fence policy that would potentially allow homeowners to opt for more firewise options.

The intent of this meeting is to gather feedback, ask questions, and have a general discussion among the membership as a whole. A final vote on any possible policy change would take place at a regular Board meeting in the near future.

This special meeting will be held virtually via Google Meets on Thursday, March 23rd at 7:00pm. If you are interested in attending, please click the link [here](#) and fill out the form for your invite to be sent to you directly.

If you are unable to attend the meeting or would like to share feedback outside of the open forum, you are welcome to reach out to Manager@RockCreekHOA.com."



Board of Directors Meeting

Thursday, April 6, 2023; 6:00 p.m.

Google Hangouts Meet: Sign-Up Online (Website)

- I. **Call to Order:** Call to order at 6:05PM, Those in attendance included Board Members: Darius Baer, Anna Navarro, John Eckhardt, Brandon Culter, Jarvie Worcester, Dave Kremer, and Martin Lear arrived at 6:15PM. Danielle McDonough and Vincent Gennarelli from RowCal were present as well as Stan Jezierski, the association's attorney.
- II. **Agenda Changes/Additions** - There were no additions or changes made at this time
- III. **Introduction to Vincent** - Rock Creek's New Community Manager! - Vincent was introduced to the community and commented for a brief moment.
- IV. **Open Forum**
 - A. Homeowners were present to ask questions. Many homeowners expressed their desire for metal fencing.
 - B. One homeowner brought up the topic of Xeriscaping and how that is implemented in the community
 - C. Another homeowner commented on Trash Collection and Composting.
- V. **Homeowner Correspondence** - Time Sensitive/Board Input Needed
 - A. One home was addressed, specifically in regards to if the ACC had addressed their request yet, and they had.
- V. **Marshall Fire Rebuild Statuses** – The rebuild status spreadsheet was linked to the agenda for the board's review and general questions were answered. The board then requested that the Management company begin to track for sale homes and homeowner plans.
- VI. **Consent Agenda**
 - A. Meeting Minutes 02/27/23 Approved by Darius seconded by Martin
 - B. February 2023 Financial Statements Approved by Anna Seconded by Darius
- VII. **Managers' Report**
 - A. Management Summary/Report - The Management summary and report was linked for the board to review
 - i. The Board had some requests for the RowCal Management to implement moving forward in their next summary report.
 - B. Violations Update
 - i. SmartWebs Historical Violations & Plan - There was discussion surrounding how to digest this material and go through it. The management team was asked to upload it to Google Drive, and email it to the board.
- VIII. **ACC Committee** - The ACC was not present at this meeting and the board discussed the timeliness of ACC requests. The board confirmed that the ACC is continuing to review ACC requests in a timely manner. The Management commented on the most recent meetings and the types of requests we have recently been seeing.
- IX. **Old Business** - The topics discussed included the new Waste Connections bid as well as Fences.
 - A. In addition to reviewing the new Waste Connections bid from the current vendor, a bid from Waste Management was presented.
 - B. The Board discussed the favorability of metal fencing in the community and generally favored the idea.

- X. **New Business** - There were comments on the Easter Egg hunt and upcoming events. Additionally, the board discussed general upkeep of homes and decided to send out a general reminder email to the community.
- A. Policy Review & Discussion on Need for Policies - The board did not reach this part of the agenda and chose to move this to next month's meeting

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, April 27, 2023; 6:00 p.m.
Google Hangouts Meet: Sign-Up Online (Website)

- **Call to Order at 6:01PM All members present including: John Eckhardt, Brandon Culter, Anna Navarro, Jarvie Worcester, Dave Kremer, and Martin Lear. Additionally, Stan Jexierski, the association's attorney and Vincent Gennarelli the association's manager were present.**
- **Agenda Changes/Additions -**
 - **Fence conversation, Policy, Update, and Vote has been moved to here:**
 - The board of directors gave a brief summarization of the proposed policy. After some discussion, the board decides to narrow down material options for firewise fencing. The policy maintains the old wooden fence policy and incorporates more firewise fencing options.
 - President John Eckhardt moved to amend the current fence policy, the board voted, and unanimously voted to pass the amendment.
- **Open Forum**
 - Homeowner commented on Fence decision and gives their appreciation
 - Another homeowner commented on Fence decision and gives their appreciation
 - Homeowner comments on a recent theft in the community
 - Homeowner asks clarification question regarding Firewise fencing and the city
 - Homeowner asks ACC update question
 - Darius requested that the manager follow up with a specific home regarding a trash waiver.
- **Homeowner Correspondence - Time Sensitive/Board Input Needed - No Agenda Items**
- **Fences - Policy Recommendation & Vote**
 - Moved to top of the agenda
- **Marshall Fire**
 - Rebuild Statuses & Updates on For Sales
 - The manager linked the status sheet to this agenda for the Board to review. Additionally, there was commentary on where the Community was at with rebuilding vs selling homes.
 - The board requested that the Manager follow up with homeowners
- **Consent Agenda**
 - Meeting Minutes from 04.06.2023 Jarvie motioned to approve, but later withdrew. The board has requested that the minutes become more detailed prior to approval. These have been pushed to the next meeting for approval.
 - March 2023 Financials - The provided financials by the management company had variances. The manager provided a summarization of the corrected financials, however these could not be approved and have been pushed to the next meeting for approval.
 - The board again emphasized that they wanted detailed notes.
- **Managers' Report**
 - Management Summary and Report - there was a document linked here. The board felt that the information lacked detail and requested further detail not only be presented but also uploaded into the google drive.

- Darius requests that the manager log and track problems initiated, in progress, and resolved through email and call log.
- **ACC Committee**
 - ACC Review and Recommendation
 - General Application Statuses/Summary Report - There was an ACC review update linked here showing the ACC promptly reviewing ACC applications.
 - The board requested that the manager add roll call to this
 - The board requested that the manager also add in average approval days.
- **Old Business**
 - Waste Connections Contract and Updates - The board reviewed and discussed the revised Waste Connections bid. They felt that there was ambiguous language conflicting with terms of the contract. They requested that the manager review and verify.
- **New Business**
 - Website Updates
 - The board requested that the manager update the website with all recent meeting minutes and management information.
 - Manager received approval to draft a new website in draft mode for the board to review.
 - Policy Discussion on Need for missing Policies
 - Violation Fining and Notice Policy
 - Collection Policy
 - Rules and Regulations
 - The board declined the initial proposal given by the manager stating they felt that they had everything they needed already. The manager stated that he would have the former manager connect with them as she had additional clarification ability that he did not.
 - Fence Committee Access - the board discussed whether or not the fence committee still needed all of their access to Google drive, the email, etc. - Brandon motioned to remove access, Martin seconded the motion. 6 board members in favor, 1 board member had left the meeting by this time.
- **Adjournment to Executive Session**

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- (6) discussion of communication with legal counsel



Board of Directors Meeting
Thursday, May 27, 2023; 6:00 p.m.
Google Hangouts Meet: Sign-Up Online (Website)

- I. **Call to Order at 6:03 PM.**
 - A. Members present included John Eckhardt, Anna Navarro, Brandon Culter, Jarvie Worcester, Martin Lear, and Darius Bear. Dave Kremer joined intermittently as he could via phone. From RowCal, Both Manager Vincent Gennarelli and CXO Danielle McDonough were present along with the Association's Attorney, Stan Jezierski.
- II. **Agenda Changes/Additions**
 - A. There were no additions or changes to this agenda.
- III. **Open Forum**
 - A. Homeowner Ian Brogden commented on the new fencing policy. In his experience it is difficult to obtain the specific approved fence style and color. He stated that there was an issue with needing a minimum quantity.
 - B. Board Member Jarvie Worcester responded that based on experience with the fence committee that he thought the community would have enough people to be able to purchase the quantity needed and was disappointed that this was a concern.
 - C. Board Member Brandon Culter also commented on this - he is disappointed that the quantity that needed to be ordered was an issue. He too believed similarly to Board Member Jarvie's comment.
 - D. Homeowner Ian Brogden advocates for city and state involvement and grant involvements
 - E. Board Member John Eckhardt is thankful it was brought to the Board's attention.
 - F. *The open forum ended at 6:09PM*
- IV. **Homeowner Correspondence - Time Sensitive/Board Input Needed**
 - A. There was nothing to bring to the Board's attention at this time.
- V. **Marshall Fire**
 - A. Rebuild Statuses & Rebuild/For Sale Data - There were links to the rebuild status spreadsheet for the board to review. Additionally, the management had created a document to share the general overall feedback received regarding whether or not homeowners were planning to rebuild or sell - it was ultimately determined that the majority of homeowners were rebuilding and less were selling, but still a significant amount were indeed selling.
- VI. **Consent Agenda**
 - A. Meeting Minutes from 04.06.2023 - Jarvie Worcester motioned to approve the minutes and were seconded by Anna Navarro, 6 were in favor, 1 not present.
 - B. Meeting Minutes from 4.27.23 - Jarvie Worcester motioned to approve the minutes and were seconded by Anna Navarro, 6 were in favor, 1 not present.
 - C. March 2023 Financials - Anna Navarro motioned to approve the financials and Martin Lear seconded, 5 in favor, 1 abstain, 1 not present.
 - D. April 2023 Financials - Anna Navarro motioned to approve the financials and Martin Lear seconded, 5 in favor, 1 abstain, 1 not present.
 1. Financial Highlights (Created by Manager) - A document was linked to this agenda providing significant highlights to the current and recent month's financials. This provided clearer insight to the board on how the financials were laid out.
- VII. **Managers' Report**
 - A. Management Summary and Report - A document created by Management was linked here including the quantity of phone calls, emails, action items, and other tasks completed by management. Additionally, this detailed collection status updates showing a significant increase in collections (income) from March to April's fiscal months.

1. Management Summary & Report Detail - Another document was linked here for the Board to review. It included individual details of each action item created, completed, and executed by the Management member.
- B. Call and Email Log - Linked here, was a log of all emails and calls sent and received by the management member for the board to review the data and timeliness of the manager's effectiveness.

VIII. ACC Committee

- A. ACC Review, Application Status Updates, and Summary Report - Linked to this document here, was a general ACC review. In this document and during this time, the Board discussed the effectiveness of the ACC and deemed that the 18 day average for approval needed to be slimmed down to roughly 2 weeks or less. The board asked management to check in with some of the ACC members.

IX. Old Business

- A. Waste Connections Contract and Updates - Linked here was the new proposal for Waste Connections. The Board agreed that this was a great bid opportunity but worried about being locked into a 5 year contract without being able to opt into community-wide composting in the future if Waste Connections were to ever offer it (as they currently do not). The management was advised to reach out to Waste Connections and Eco Cycles to see what stipulations could be added to the bid to ease this issue.
- B. Xeriscaping Policy Update - General discussion about the new law passed surrounding Xeriscaping policies and HOA's in the State of Colorado. Stan, the association's attorney, commented on it as well. The board agreed that Management and the Association's attorney needed to work together to revise the current policy promptly for review at the next meeting.
- C. Cub Scout Application - Linked here was the cub scout application for Cub Scouts to sell popcorn at the upcoming movie nights. There was a motion to approve by jarvie Worcester and it was seconded by Brandon Culter, all in favor, none opposed.

X. New Business

- A. Website Updates
 1. Meeting Minutes have been Updated - Linked here was the website for the Board to review the new minutes that had been updated to the website. Brandon asked for management to update the ACC specific page of the website to make it easier to view, read, and access.
 2. Branded Policies - Linked here were the management member's updated policies. Proposed by management, policies had been rebranded and reformatted. The board generally accepted and liked this idea. The management member suggested revising some of the current policies and laid out a future plan for how to execute a revision.
 3. June Newsletter - Here, linked the upcoming Summer newsletter for the Rock Creek HOA. It included a spring drink recipe, friendly reminders, and links to our most used resources. The board asked for a non-alcoholic beverage alternative to be included in the newsletter along with a small typo correction.
- B. Violation discussion
 1. When to send Violation Letters VS Courtesy notices - Advisement for Management - The board agreed that moving forward, in an effort to log and keep track of all violations, excluding trash cans, all violations will receive a certified letter from management along with a courtesy email. The email template was to be drafted the Friday following this meeting and sent to the Association's attorney for review.
- C. Movie Night Movie Selection - The board voted on movies for the upcoming community movie nights, selecting Wakanda Forever, Dolittle, and Soul, in that order.

D. The Meeting concluded around 8:15PM

XI. Adjournment to Executive Session

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Board of Directors Meeting
Thursday, July 27, 2023; 6:00 p.m.
Google Hangouts Meet: Sign-Up Online (Website)

- I. **Call to Order at 6:06PM.**
 - A. Members present included John Eckhardt, Anna Navarro, Brandon Culter, Martin Lear, Dave Kremer, and Darius Baer. Additionally, from RowCal management CXO Danielle McDonough, Director of Management Brad Farnham, and Manager Vincent Gennarelli were present.
- II. **Agenda Changes/Additions**
 - A. **ACC Interest form** - Linked here was an interest form to send to membership that was added to the agenda after it had been sent to membership by management. It was approved by the Board of Directors to be sent out to the Homeowners. It was advised by the board that next time it should be put under the ACC section.
- III. **Open Forum**
 - A. **Homeowner Chip:** Thanked the board for their volunteership and time. Encouraged the board to continue to fight on the airport noise. Encouraged more communication from the HOA board.
 - B. **President John:** Commented that because it is an ongoing legal issue, the Board of Directors cannot disclose information at this time and emphasized if they disclose to one they must disclose to all.
 - C. **Homeowner Brad:** Brought up additional litigation.
 - D. **Homeowner Alison:** Discussed more plane frustrations.
 - E. **Homeowner Sarah:** Echoed similar comments on frustrations of the airport noise.
- IV. **Homeowner Correspondence - Time Sensitive/Board Input Needed**
 - A. **1162 E Riverbend Appeal** - Tree Violation
 1. Manager Vincent took time to represent the homeowner in reference to their appeal regarding not currently having a planted tree in their front yard.
- V. **Marshall Fire**
 - A. Rebuild Statuses - Linked here for the Board to review was a spreadsheet on the current rebuild progress of the Rock Creek homes.
 1. Two Home Rebuilds Submitted this month
 2. Four Home Rebuild Updates Submitted this month
 - a) The board has requested that we send out physical letters to homeowners with plots to further understand their desires for rebuilding or not. Seek approval on cost.
- VI. **Consent Agenda**
 - A. Meeting Minutes 7.06.2023, Vote - Darius motioned to approve as written, seconded by Anna, all in favor none abstain. One not present.
 - B. June 2023 Financials, Vote - Anna motioned to approve as written and seconded by Martin. All in favor with none abstaining. One not present.
 1. Financial Highlights (Created by Manager) - Linked here was a financial highlights document for the board of directors to review documenting expenditures for the month.
- VII. **Managers' Report**
 - A. Management Summary and Report - Linked to this document here was a management summary and report created by the management company showing an overarching picture of the management team's actions this month.
 1. Management Summary & Report Detail - Linked here is the above document but in further detail, further explaining action items and fiscal responsibilities of the community.

2. RowCal Meeting - During this time, the Board of Directors and the RowCal team discussed the necessity of the The Board and the RowCal team to meet to iron out some topics together.

VIII. ACC Committee

- A. ACC Review and Status Update - Linked here, was a quick update to the ACC committee, how quickly applications are being approved (around 14 days), and the types of projects being seen recently.

IX. Old Business

- A. Waste Connections Contract and Updates - Linked here was the Waste Connections Contracts and updates. The Board of directors briefly commented on where we were in process with it and what needed to happen to continue the process including sending it to the Association attorney and having final signatures.
- B. Xeriscaping Policy - Linked here was a rough draft of the new Xeriscaping policy that Vice President, Brandon Culter had created with the Association's Attorney. There were many comments made on this document including narratives surrounding "how deep" one should get into the specifics from Treasurer, Anna Navarro along with suggestions from ACC member Dawn Garner. President John Eckhardt asked management to send a reminder email on this the following day.

X. New Business

- A. Movie Night Update, From event planner
 1. At this link, one could find a small update from the Association's event planner showing an update on the most recent, successful movie night for Rock Creek.
- B. HB 23-1105 - Task Force Policy
- C. HB 23-1233 - Electrical Charging at Multi-family Buildings
- D. SB 23-178 - Xeriscape
 1. Linked above were three new policies in HOA management. Both manager Vincent Gennarelli and Vice President Brandon Culter commented on specifics and how they related to the Association.

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ROCK CREEK MASTER HOMEOWNERS' ASSOCIATION, INC.

John Eckhardt, President
Anna Navarro, Treasurer
Martin Lear, Member at Large
Darius Baer, Member at Large
David Kremer, Member at Large
Jarvie Worcester, Member at Large

BOARD OF DIRECTORS MEETING MINUTES August 31st 2023

CALL TO ORDER – The meeting was called to order at 6:03pm with all Board members present, except Brandon. Brad, Jason, and Ken from RowCal and Stan, legal counsel was also present in conjunction with 12 homeowners.

HOMEOWNER FORUM

MARSHALL FIRE REBUILD STATUSES

- a. Spreadsheet review – Standing item for Board.
 - a. Check Vincents items for an update and to review the process.
 - b. Checking for any issues for any homeowners' applications for rebuild.
 - c. Per Johns knowledge there aren't any issues at the meeting.
 - d. Property on Ajax court will require the attention of the Board as it will need Board approval as it goes outside of the parameters.
 - i. Follow up with the Board at the next meeting.

APPROVAL OF PRIOR MEETING MINUTES – 7/27/23

- a. On a motion noted and seconded, The Board moved to approve the July meeting minutes. One abstention. No opposition - 5-0-1

FINANCIAL REVIEW

- a. The action item for management is to review financials and notate highlights for the BOD.
 - i. Tabled for next month's agenda.

VIOLATION UPDATE

- b. Confirmed closed violations are truly resolved* Review process as it should follow the enforcement policy.

ACC COMMITTEE REPORT

- a. ACC Updates were reviewed outlines actions taken during the month of July.

OLD BUSINESS

- a. Waste connection contract was signed.
 - a. The manager did meet with Vendor to express frustrations with service with the Board.
 - b. The board's request is to communicate with the vendor bi-weekly to ensure services are adequate.

- b. Xeriscaping Policy Vote
 - a. The Board discussed the Xeriscaping Policy and any language that may need to be added or removed to provide clarity to any potential ambiguity.
 - i. On a motion policy approved as written with a modification with the 80% to include language to specify period of allowance for plant to grown. Motion seconded by Anna; Motion passed vote passed unanimously.

NEW BUSINESS

- a. Movie night update
 - a. 600 people attended all positive next event is October 7th at Purple Park
- b. Mailing Costs to be reviewed between management and the Board.
- c. 2024 Draft Budget
 - i. The Board discussed the overall review for the budget and timelines for finalization.
 - ii. September and October to finalize the budget for the Annual Meeting set for November.
- d. ACC candidates
 - i. Introduction and reasons for interest in joining the ACC team.
 - ii. Jay Goodman, Kate Geer, Victoria Pane
- e. Action items for management
 - i. ACC
 - a. Touch base with the ACC Committee Chair to see how they are feeling and if anyone would like to step off the committee, pulse check.
 - b. 2 meetings a month so contact me for the next meeting.
 - c. 2 seats available.
 - d. Meet with Dan and Dawn
 - e. Next ACC meeting is 9.12.2023 6:00 pm mountain time.
 - f. The Community Manager is to respond to ACC requests.
 - ii. Expectation Document from BOD and RowCal to each other to assure alignment.
 - iii. Action item added to produce new budget.
 - a. Export the 2023 budget from the system and send it to the Board. Review event coordinator expense and then. Need to get the actuals for all columns. Need to get it over to the Board. The Board needs to have the draft budget no later than the 15th of September.
 - b. Action item to review costs of addendum charges and reason for costs. Addendum reason for pass through charges. Remind the Board that everyone should not have to cover the expense for owners in violation. That is why it is a pass-through fee and not included in the all-inclusive contract.

EXECUTIVE SESSION

- a. The Board reviewed delinquent accounts and moved the account to foreclosure as recommended by the HOA attorney.

ADJOURNMENT: 8:00PM



Board of Directors Meeting

Thursday, October 26, 2023; 6:00 p.m.

Google Hangouts Meet: Sign-Up Online (Website)

- I. **Call to Order at 6:03 PM.**
 - A. Members present included John Eckhardt, Anna Navarro, Brandon Culter, Martin Lear, and Darius Baer, Dave Kremer, along with the Association's attorney, Stan Jeziarski. RowCal did not attend the meeting.
- II. **Agenda Changes/Additions**
 - A. There were no additions or changes to the agenda.
- III. **Open Forum**
 - A. Homeowner Shane Moser discussed his appeal of the denial by the ACC to build his home with a footprint larger than 25% of the previous home..
 - B. Homeowner Kaz Jaszczak wanted to know if his application to the ACC regarding the elevation of the home had been approved. After checking SmartWebs, John Eckhardt advised that the application had been approved and a written notification would be issued next week.
 - C. Rachel Stanton introduced herself as a candidate for the Board.
- IV. **Homeowner Correspondence - Time Sensitive/Board Input Needed**
 - A. Since RowCal did not attend the meeting, time sensitive/Board input issues were not available..
- V. **Marshall Fire**
 - A. Rebuild Statuses & Rebuild/For Sale Data - Since RowCal did not attend the meeting this data was not available.
- VI. **Consent Agenda**
 - A. Since RowCal did not attend the meeting minutes and financial reports were not available.
- VII. **Managers' Report**
 - A. Management Summary and Report - Since RowCal did not attend the meeting the manager's report was not available..
- VIII. **ACC Committee**
 - A. ACC Review, Application Status Updates, and Summary Report - Since RowCal did not attend the meeting an ACC committee report was not available. No members of the ACC committee attended the meeting..
- IX. **Old Business**
 - A. Xeriscaping Policy Update - The status of the policy was discussed including that the policy had been approved with one change. Brandon stated the change had been incorporated and the policy was complete and awaiting signature.
 - B. Draft budget needs to be finalized.
- X. **New Business**
 - A. RowCal Management
 1. RowCal has not been doing the activities per the contract and advised the Board that they would only pay bills and would terminate the contract in February 2024.
 2. Board directed the attorney to contact RowCal to obtain all documents and financials and coordinate with new management and terminate the contract per notification given at the September meeting and by certified letter.
 - B. New Management
 1. The Board interviewed 5150 Community Management and Boom Properties. The Board also considered self-management. .
 2. The Board hired 5150 Community Management as the new property manager. Phyllis McPherson will be the new Community Manager.

3. The Board also hired Shanna Massier as a consultant to assist in the new management evaluation process, transition to new management, and to perform community inspections.
4. Annual meeting - Since the HOA is transitioning to new management, it was decided that the Annual Meeting will be held in January 2024. Stan Jezierski advised that there were no requirements in the governing documents requiring that the annual meeting be held in November.
5. All Board members will remain in place until the election is held at the Annual Meeting.

C. *The Meeting adjourned at 6:47PM*

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, November 30, 2023; 6:00 p.m.

Google Hangouts Meet: Sign-Up Online (Website)

Date | time 11/30/2023 6:02 PM | *Meeting called to order by* Board of Directors

In Attendance

Anna Navarro, Brandon Culter, Darius Baer, Dave Kremer, Jarvie Worcester, John Eckhardt, and Martin Lear were present representing the Board. Phyllis McPherson was present, representing 5150 Community Management. Shanna Massier, Rock Creek Consultant was present. The meeting was held via Google Meet. There were 24 homeowners in attendance.

Agenda Changes/Additions

The Agenda had these changes: No changes.

Owner Forum

There were 24 homeowners present. Topics of Discussion: ACC requests and status of them, short term rentals, thank you to the Board for all they do.

Homeowner Correspondence – Board input needed

- A. No items to discuss.

Introductions

- A. 5150 Community Management
- B. Phyllis McPherson, 5150 Community Management- introductions were conducted.
- C. Shanna Massier, Rock Creek Consultant – introductions were conducted.

Marshall Fire

- A. Rebuild Status Report – was reviewed. We are working hard to get these items up to date. Tyler with Homebound was in attendance and we discussed a few items that would be more efficient with his requests.

Consent Agenda

- A. Meeting Minutes –10/26/23 meeting minutes were reviewed. Jarvie Worcester motioned to approve the minutes, Martin Lear seconded and motion carried. Dave Kremer abstained from voting as he was not in attendance at this meeting.
- B. Financials – the September and November financial reports were reviewed. One item of note is Rowcal collected their total management fee for November. 5150 is working to obtain the October financial reports from Rowcal. 5150 Recommended that they get the financials audited for the year. 5150 will obtain a proposal for an audit. The Board will not vote on these financials until we get an audit of them. Dave Kremer motioned that the financials be labeled draft and unaudited, Jarvie Worcester seconded, motion carried.

Managers Report

- A. Management Summary and Transition Report was presented to the Board. Continued work is still in process. Smartweb is scheduled to be running the week of December 18th. Transition letter was discussed, and they want all communication to be going through the rockcreekhoa.com website with a link to the 5150 portal and support staff. The letter will be redrafted and sent back to the Board for final approval.
- B. Inspection Report 11/16/23 was presented to the Board. Painting and trash can violations are the items noticed most often. The two items below are items we need clarification on.
 - 1. Painted Brick – discussion regarding painted brick was undertaken. The Board will revisit this policy in the new year.
 - 2. Garage Doors – discussion regarding different types of garage doors was undertaken. The Board will revisit this policy in the new year.
 - 3. Newsletter – discussion regarding newsletter topics was undertaken and it would be mailed out with the Annual meeting notice.

ACC Committee

- A. ACC Review and status update – this was reviewed. We will notify the ACC Committee that the Board will revisit the painted brick and garage door policies at the start of the new year.
- B. Anna Navarro motioned to allow Shanna Massier, on behalf of the board and ACC, to approve some of the simpler requests and within that approval list all the criteria needed based on the CC&R's and policies, Darius Baer seconded, motion carried.
- C. 2467 Ajax Court appeal – appeal of the denial by the ACC. The rebuild plan was denied due to the proposed size of the home being more than 25% larger than the footprint of the original home. The homeowners are working with Homebound. The plan was approved by the Town of Superior. The required setbacks are met. They feel they are building a home that looks very similar to homes within the Community. After some discussion of details of the rebuild plan, the Board advised the homeowners that further consideration would be discussed during the Executive Session and the homeowners would be notified of the decision the next day.
- D. 2492 Ajax Court – This item was not discussed.

Old Business

- A. 2024 Draft Budget- The draft budget was not finalized tonight. A meeting is set for December 14th to finalize the budget.

New Business

- A. Management Company Transition – no other discussion.
- B. Signature Card Status – the Board will get this completed by the beginning of next week.
- C. Annual Meeting Preparation – 5150 will work with Legal counsel to get everything included in the notice.
- D. 2166 Firestone Place – short term rental request. Several owners discussed their concerns regarding the short-term rental of this house. Several issues, safety concerns, lack of respect were a few concerns. John Eckhardt discussed that there are other short-term rentals in the community. John Eckhardt discussed the rules and the fact that continued harmony with the neighborhood is one of the main concerns. The Board asked the owners several questions. The owners stated they will be living in the house starting in January 2024. The Board will review in Executive Session and notification of the decision will be sent to the owner.
- E. Renew the holiday lighting contest for 2023 – Shanna Massier discussed perhaps starting this back up. The Board agrees to start this up again for 2023. Prizes will be awarded and finalized at a later date.
- F. Town of Superior Fence responsibility – the Town is going to turn over the maintenance of the fences they have maintained for the past several years, excluding those fences that back up to Town property and are not on any homeowner's property. Any fence that backs up to homeowners' yards is owned by the homeowner and the Town will no longer maintain the outside of the fence. Both sides of the fence will now be the homeowner's responsibility. The Town will be sending letters to each of those owners in January. 5150 is working to obtain a

copy of the letter including a map of the fences the Town will continue to maintain. This topic will have further discussion at the next meeting.

Adjournment

There being no further business, the meeting was adjourned at 8:40 pm to go into Executive Session. Next Meeting will be January 25, 2024 at 6:00 pm via Google Meet.

Executive Session

Executive session began at 8:40 pm. During 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. Executive session adjourned at 9:20 pm.