



Board of Directors Meeting Thursday, July 29, 2021

MINUTES

- I. **Call to Order-** The meeting was called to order at 6:04 p.m. Present were Board Members John Eckhardt, Renee O'Shea, Anna Navarro, Diane Marsella and Alex Mikishko. Dani Esch, Lewis Moses and David Prieto represented Cherry Creek HOA Professionals (CCHP).

Homeowners present were Marsha Van Eden, Brandon Culter, Patrick Jones, Dawn Garner, Barb Silk, Janice Lawrence, Eli Johnson, Alison Hubbard, Sean Tucker, Claudia Hodgins, Darius Baer, Weston Williams and Dominique Payannet.

- II. **Agenda Changes/Additions-** Diane gave an update before the open forum on the Rock Creek HOA avigation easement lawsuit against Jefferson County. The vote for Board Candidates took place in New Business.
- III. **Avigation Easement Lawsuit Update-** The trial is scheduled for the week of October 11th in Boulder County District Court to unburden and remove the avigation easements due to violations of their limitations clauses by Jefferson County. The Board asks that homeowners obtain information for this (and any HOA matter) during the Board Meetings instead of social media.
- IV. **Open Forum-**
Barb Silk had concerns for non-conforming paint on a home and requested and update.
- V. **Board Candidate Introductions-** Darius Baer and Brandon Culter spoke regarding their candidate applications. Patrick Jones withdrew his application.
- VI. **Consent Agenda-**
- A. **Meeting Minutes-** *Diane Marsella motioned to approve the minutes of the June meeting with an edit to the policy discussed. Anna Navarro seconded. There was no further discussion, all were in favor.*
 - B. **Financials-** David Prieto gave financial observations. *Diane Marsella motioned to approve the financials as presented. Alex Mikishko seconded. There was no further discussion. All were in favor.*
- VII. **Managers' Report-**
- A. **Violations-** 254 violations were opened in the month of June, 56 of those were closed due to cure and 22 were granted extensions. 555 violations remain open as of today for the period of January 1 through July 29.
 - B. **Dashboard-** CCHP will put together performance metrics each month.
 - C. **Assistant Manager Introduction-** Lewis Moses has been hired to assist with the HOA and ACC process/requests.
 - D. **Board Procedure/Practices/Policies-** At each meeting, the Board of Directors reviews an Association/Board policy for educational purposes only. This meeting's topic- Budget Ratification Policy.
- VIII. **ACC Committee-**
- A. **Application Statuses/Summary Report-** 87 applications received in June. The average approval rate was 14 days.



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- B. **Model ACC Applications for Website-** The committee requested changes to the model applications. CCHP will continue to work on this with the committee.
- C. **Color Book Revisions-** The committee is working on the Color Book revisions. They have put together a new window policy for Board review.
- IX. **Old Business-**
 - A. **Covenant Compliance Inspection Policy-** Based on homeowner feedback, the Board will not pursue this policy at this time.
 - B. **Insurance Renewal-** *Diane Marsella motioned to move forward with the proposal from American Family Insurance, with Workers Compensation coverage. Alex Mikishko seconded. There was no further discussion. All were in favor.* Dani will obtain more information for liquor host liability.
 - C. **New State Laws for HOA's-** The Board requested clarifications and draft policy edits from the association attorney.
 - D. **Basketball Hoop Policy-** This item was tabled for a future meeting.
- X. **New Business-**
 - A. **Newsletter-** Dani will make changes and send it to the Board for review/approval.
 - B. **Board Candidate Vote-**
 - 1. *Renee O'Shea motioned to appoint Brandon Culter to the Board with the term expiring in 2022. Diane Marsella seconded. There was no further discussion. There were 2 votes in favor and one member abstained.*
 - 2. *Renee O'Shea motioned to appoint Darius Baer to the Board with the term expiring in 2021. Alex Mikishko seconded. There was no further discussion. 2 votes in favor and one member abstained.*
- XI. **Adjournment to Executive Session-** The meeting was adjourned at 9:10 PM to executive session to discuss legal matters and individual homeowner accounts. The Executive Session was adjourned at 10:26 PM.

Motions made:

 - 1. *John Eckhardt motioned to deny a fee waiver request for account number RCM29217. Anna Navarro seconded. There was no further discussion. There were 2 votes in favor and one member abstained.*
 - 2. *Diane Marsella motioned to deny a financial assistance request from account number RCM28693. Anna Navarro seconded. There was no further discussion. All were in favor.*