

Minutes of the Elk Ridge Homeowners' Annual Meeting and Minutes of the Follow-Up Executive Board Meeting

August 13, 2022, 10:00am - 12:00pm

Presbyterian Community Church of the Rockies

Present: Board members John Baney, president; Charley Griffin, vice president; Richard Klapper, treasurer; Joy Bryant, acting secretary; Joy Bryant, member at large and bookkeeper; and homeowners from 19 units plus proxy voters for an additional 6 units. This gave a total representation of 25 units (out of 41) or approximately 61% of the association. Since this exceeded 33% (14 units), the requirements for a quorum were met.

President John Baney called the meeting to order at 10:02am. He thanked everyone for attending and then suggested that, since we had many newcomers in attendance, everyone should introduce themselves. The back/left of the room led off and moved around the room to the front. The Board of Directors introduced themselves last.

John then called for approval of the minutes of the September 18, 2021, Annual Meeting. A motion was made to approve the minutes, seconded, and the minutes were unanimously approved.

Election Committee Report

John then called on Bob Dickeson, Chairman of the Election Committee, to present the results of the 2022 Executive Board election. The Committee consists of Bob Dickeson, Laura Mulder, and Ginnie Bath. An amendment approved by homeowners in 2021 allows that if the number of candidates does not exceed the number of open positions, the election can be certified without a formal vote. The 2022 election met those criteria. All three board members that were up for re-election agreed to continue and are duly elected: John Baney, Joy Bryant, and Charlie DeJoseph.

John then called for officer's reports and began with Treasurer's Report by Richard Klapper.

Treasurer's Report

Richard Klapper took the floor to give the treasure's report. All financial reports were emailed to homeowners in early August.

- Year to date operating budget VS actual (one error on the year end projection for gutter cleaning; new projection is \$4000). There was a question from a member on how we are handling inflation as we discuss the budget for 2023. The board will use information from our contractors on labor cost change estimate and try to estimate materials costs. Insurance gives us an estimate, but it can be incorrect.
- Year to date reserve budget VS actual-- There was a question about the reserves amount being deposited. Joy clarified that we were indeed putting in an extra \$820 per month to reserves from our increased dues. This amount plus the previous monthly transfer is being made to the reserve account. This is an automatic transfer that sometimes occurs

the last days of the previous month or the first days of the current month. A total of \$5917 is the monthly transfer. The reserves account is growing nicely.

- Update on expenses - the board continues to monitor expenses to keep them as low as possible including doing some work ourselves

President's Report

John Baney then proceeded to give the presidents report, which consisted primarily of updates for 2022 and accomplishments. John's presentation is given below in bullet form:

- Maintenance & repairs
 - painting touch ups have been done to try to extend the years before needing to repaint the exteriors of the units. We have about 2-5 extra years now before we are likely to need to repaint
 - some damaged siding has been replaced; the HOA board is trying to replace the lower siding boards with hardi-plank as needed since it will last longer. It was suggested by an owner to use tin siding over some of the lower boards to keep the animals from causing damage.
 - Roofing company that did all roofs 3 ½ years ago has gone out of business due to owner getting dementia. Four unit's roofs have had leaks. The HOA is paying to repair them and then we will go after the roofer's insurance to get reimbursed. We have a five-year warranty. Since the owner went out of business rather than selling the business, we cannot get another company to take on the liability. We have our regular contractors that do work for the HOA completing the repairs since one of them has extensive roofing experience.
 - Spring and fall gutter cleaning had to be done this year due to larger trees in the neighborhood and many of the gutters getting severely clogging with the early summer rains.
- Landscape & sprinklers
 - Some trees and shrubs were replaced. Some rock was added in various places around the neighborhood. Weed/grass herbicide was used in rock areas. Evergreen spraying was accomplished. Many sprinkler repairs were done as needed. Some reseeding of grass done and weed and feed by True Green has been done several times. We try to skip some grass mowing and decreasing the water usage to save money. (some batteries on the water gauges had died and recently were replaced) Question about grass cuttings - the mowers have to mow twice to mulch the longer cut grass. Concern about large clumps of grass being left behind. John will be talking with the mowers about these concerns. There was a question about mowing under the tree cages and we do not pay to do that, but John does volunteer to trim under them periodically.
 - Overall, the owners feel that the landscaping looks really good.
 - One owner suggested that the HOA have some guidelines/standards for installation of cable wires, radon mitigation, air-conditioning, internet etc. for homeowners to follow when having things added. John said that it was the owners' responsibility although John is willing to give advice to owners and contact information. It was suggested that the HOA has some rules in place. John suggested a fact sheet to post on the website to help owners navigate any work they have done. Jim Ward is willing to work with us on putting that together

John then asked if there were any questions. Having none, he turned the floor over to Joy Bryant.

Secretary's Report

Due to Charlie DeJoseph's absence, Joy Bryant took the role of secretary for today.

- Owners were asked to sign in for meeting including any proxy that they have
- Homeowners Directory has been passed around for updates - this is on our website
- John has a private Emergency contacts and key list – please discuss with him any changes

John then turned the floor over to Joy Bryant.

Bookkeeper/Member at Large Report

Joy Bryant gave the bookkeeper/member at large report. Joy's presentation is given below in bullet form:

- Dues and Sewer Payments have been going well. Joy thanked owners for paying the sewer bill annually as it saves a great deal of time and bookkeeping.

Old Business

John Baney then introduced old business. The old business is given below in bullet form:

- Traffic Mirror - Brodie & Wapiti Drive. John Baney reported that the city has not yet been able to put in a mirror to help with seeing around the retaining wall when pulling onto Brodie. It is apparently on back order after long delays by the city. It is approved but we don't know when it will happen.
- Maintenance requests need to be in writing using the request form to let us know of any concerns. Then we have records and can keep requests in order. It is asked that requests are not issued to the HOA contracted workers but rather to the board.
- Sidewalk parking - please ask your visitors and workers not park on the sidewalks to help keep them from breaking.
- Question about fire mitigation. John stated that we have met with fire inspectors and we plan to continue to work on fire mitigation in the neighborhood.
- Lights at the entrance on Brodie were damaged by snowplows so we are moving them to a new location to light the entrance sign.

New Business - John Baney

- Garage Sale, Ginny Bath: The neighborhood hopes to have another garage sale next summer. Last year it was in August for a Friday and Saturday. Owners are encouraged to start preparing!

- Discussion of Declaration amendment proposal about Rentals, Bob Dickeson - Copies of the proposed changes were handed out at the meeting (see attached). The voting is not today, this was just for discussion and introduction. This is article seven (7.3) about renting any Elkridge units. Any amendment would require an owner vote that would be recorded with the county. Bob discussed reasons to amend declarations including: to comply with statutory changes, to respond to changes in the law and to anticipate significant trends in the market that could be harmful to our HOA's value. There is concern that investment firms could enter our neighborhood and the current balance between renters and owners could change. There is concern about this affecting the quality of life here in Elk Ridge. It is proposed that units must be owned for a minimum of two years before it can be rented/leased. Also, the minimum rental period would be increase from six months to one year. Current owners are exempt (grandfathered) and would have to follow current standards.
 - Next steps: amendments must be consented by 67% of owners (28 or 41 owners), this is accomplished by a vote. The board is considering methods for voting which might be by mail or in person or by email.
 - Comments from the owners present were favorable to this amendment. The board will continue to work on the amendment and hopefully get it out for a vote in the near future.
- HB22-1137 - Charley Griffin discussed a new bill passed June 3rd 2022 by the state. This pertains to how HOA's run the business. The board will be working on making some changes with our attorney and will notify owners when we have this completed. This does not require vote since it is just policies and procedures of how the board is required to do their work to comply with the current law.
- Using email, Joy Bryant - sign up list passed around the room to update our records of who would prefer email to be used for communication. This saves mailing cost and time.
- Other- there was a request for a zoom component to our December meeting - the board will work on trying that and seeing how it goes.

A motion was made to adjourn the meeting, it was seconded, and the meeting was adjourned at 11:30am.

Respectfully submitted,

Charlie DeJoseph

Secretary, Elk Ridge Homeowners' Association

I would like to thank Joy Bryant for handling my secretary duties at the Annual Meeting. Much appreciated Joy.

Following the Annual Meeting, a brief Board of Directors meeting was held in the Fellowship Hall of the Presbyterian Community Church of the Rockies. The following are the minutes of that meeting.

John Baney called the meeting to order at 11:40am. In attendance were John Baney, Richard Klapper, Charley Griffin, and Joy Bryant. Charlie DeJoseph was absent but involved via signed proxy.

- The board agreed to keep all board members in their current positions. The board will have a work session on Monday August 15th via zoom to discuss the HB22-1137 changes and to move forward with voting for the declarations change.
- The Board will also meet tentatively on October 10th to discuss the budget for 2023.
- The winter member meeting to discuss budget is tentatively scheduled for December 30th at 1 pm with a potential zoom component for owners to listen in to the meeting and type in questions.

Meeting was adjourned at 12:00pm.

Respectfully submitted,

Charlie DeJoseph

Secretary, Elk Ridge Homeowners' Association

Thanks again Joy!

Appendix 1: Bob Dickeson's handout regarding proposed changes to the Declarations.

7. USE AND ARCHITECTURAL RESTRICTIONS

7.1 General Restriction. The Units and Common Elements shall be used only for the purposes allowed by this Declaration and by applicable laws, regulations and ordinances.

7.2 Residential Use. Units shall be used exclusively for residential purposes. All Owners must comply with all provisions of this Declaration and any other governing documents of the Association.

7.3 Unit Rental. Units must be ~~occupied~~ owned by the owner(s) for a minimum of two (2) years from date of purchase before they can be rented or leased. Units may be rented or leased, only by written lease or rental agreement, for rental or lease periods of no less than ~~six (6) months~~ one (1) year. The Executive Board shall be entitled to a signed copy of such lease or rental agreement upon request for the purpose of verifying the term. Units with more than one bedroom shall be permitted to rent a single bedroom pursuant to the above restrictions and requirements. Under no circumstances may a single bedroom be rented to more than two (2) individuals. Further, under no circumstances may the Unit Owners and their tenants have more than four (4) motor vehicles per Unit. Homeowners who own their units as of August 1, 2022 will be grandfathered with regard to the requirement to own their unit for two (2) years and can lease their unit without having to own their unit for two years.

_____ I consent to the above amendment to the Elk Ridge HOA Declarations

_____ I do not consent to the above amendment to the Elk Ridge HOA Declarations

Owner _____
Signed

Unit # _____ Date _____