

# 2022 Cherry Hill HOA Meeting Minutes

## 4pm, May 21, 2022

### 2668 Dahlia Ct.

**Homeowners Present:** Darrin Coltrini, Karl Knoblock, Mike & Janet Henwood, Karin Utterback-Normann and Ron Normann, Patty Lapkin, Lincoln Hall, Greg Isaman, Mary and Jim Perkins, Jason Broidy and Anne Tally, John Elmer, Cindy Winder, John Finnochio, Mike and Karen Holt, Mike Archeletta and Dennis Lucero.

**Proxies:** Ryan & Heidi Scottings, David & Debra Bailey, Gene Geritz and Susan Vincent, Kelly King, Phyllis Otto, Ann Saunders and Jerry and Lene Olshove.

- President, Greg Isaman calls the meeting to order at 4:10 pm
- VP, Lincoln Hall establishes that a quorum has been established

#### **Old Business:**

##### **2021 Secretary's Report/2021 Meeting Minutes**

- 2021 Meeting Minutes are presented by Anne Tally
- Karin Utterback-Normann moves that the minutes be accepted
- Greg Isaman 2nds the motion
- Members vote to approve the 2021 minutes with no changes or updates.
- Motion carries

##### **Treasurer's Report**<sub>JDP1</sub>

- Treasurer's Report presented by Mike Holt
- Treasurer's report attached
- Last year HOA spent \$15,500 on expenses
- Took in \$16,000 income
- Lincoln Hall moves to accept
- Darrin Coltrini 2nds the motion
- Vote taken, motion carries

##### **President's Report**

- President's report presented by Greg Isaman
- Irrigation system working well
  - Greg & Lincoln check pond two times a day
  - Grand Valley Irrigation doesn't communicate with HOA when they will start up or shut down the canals.
- Landscaping with Lush Green Landscapes is good.
  - They come out when called
  - Mow in free space, treat weeds and maintain irrigation in the islands
  - Reasonably priced

## Old Business (continued):

### **Air B&B and VRBO**

- Karl ~ Is it legal<sup>[JDP2]</sup>?
  - Answer to be determined
  - Greg offers his experience re: California
  - Jim Perkins ~ presents idea that we (HOA) can limit
    - Need to engage our lawyer
    - Jim doesn't want Air B&B/VRBO
  - Anne says legally Air B&B/VRBO can operate with an appropriate business license and pay the GJ lodging tax<sup>[JDP3]</sup>
- Karl agrees that he also doesn't want them in the neighborhood
- Jason also doesn't want them in the neighborhood
- Greg ~ Covenants currently allow a homeowner to rent out their home but they don't specify length of rental.
- Jason ~ you have to be care about liability long term vs. vacation
  - Thinks we need to defer to the attorney and Colorado State law
- Greg~ talking to the attorney is \$285/hr
  - CCIOA state law should be looked at under New Business

## New Business:

- Greg~ HOA currently does not have a policy for issuing warnings, corrections, appeals to the HOA board and arbitration
  - Need to make changes to the Covenants<sup>[JDP4]</sup>
    - Board needs to develop policy and procedure to be in compliance with State law and address the lack of ability to enforce covenants
    - HOA need a committee or board to develop policy/procedures
    - Voluntary compliance is preferred
- Dennis Lucero ~ Is there template for creating this?
  - Doesn't want the policy to be so restrictive as to regulate light bulbs
- Karl ~ board he served on issued a letter with 30 day notice he offers a template from past letters the board he served on issued.
- Greg~ the definition of family in the covenants for rental units and cites his unpleasant experience with the rental property management company<sup>[JDP5]</sup>.
- Patty~ suggests calling a friend in one of the new subdivisions to look at their covenants.
- Greg~ attorney says that state law doesn't cover everything we are bringing up
  - Need to have a meeting or vote of 75% of homeowners to vote to approve<sup>[JDP6]</sup>.
- Janet~ appoint a committee to research and develop over this year to present to next year's HOA meeting.
- Volunteers for this committee:
  - Jim Perkins, Karin Utterback-Normann, Karl Knoblock, Dennis Lucero and Janet Henwood.

- Committee will address the rentals & covenants, Air B&B and VRBO, compliance with state law and enforcement/procedures for enforcement<sup>[JDP7]</sup>.
- Dennis~ current covenants can refer to CCIOA to cover
- Greg~ CCIOA is vague re: rentals<sup>[JDP8]</sup>
- Patty asks if we should a vote about the committee taking up the question about VRBO vs. Air B&B.
- Greg~ asks someone to make a motion
- Darrin~moves to have the committee of volunteers address the VRBO & Air B&B question.
  - Jason 2nds
  - Vote taken
  - Motion carries

### **Capital Improvements:**

- Need to replace pond fence because it is about to fall over
  - Replace posts with metal posts
  - West side & South side need to be replaced
  - Can be replaced in sections to minimize cost
- Janet moves to have board get bids for replacing the south and west sides of the fence.
- Jason 2nds motion
- Vote taken
- Motion carries

### **Sheds & Fences<sup>[JDP9]</sup>:**

- Sheds need to be small and architecturally approved
- HOA residents can currently apply for a variance
- Must submit a request in writing
- It is noted that sheds could be higher than the fence line
- Architectural committee will have to set a standard for size and materials of shed construction
- Goal is to not go backward since everyone's aesthetic is different
- What gives a variance precedent over the covenants?
  - Variance still has to go through committee/board approval process.
  - Does a variance require a 75% approval by homeowners?
  - Current covenants do not have a variance application process
  - Defer to committee to address

### **Miscellaneous New Business:**

- Red truck at rental is still revving engine
- Street chip sealing and crack repair coming up

- City says we are on schedule
- Suggestion made to send letter to city re: street needing repair
- Tree in drainage leaning towards homeowner fence
  - Bid needed to remove the tree from falling on Kelly King's fence
- Greg & Lincoln can remove dead plants along 26 ½
  - Opting not to replace them in case city decides to widen 26 ½
- Street light out in front of Holt's
  - Letter needs to be sent to XCEL to request that the street light be repaired

**New Officers Election:**

- Greg nominates Lincoln Hall for President
  - Jim 2nds
  - Vote taken
  - Motion passes to make Lincoln Hall the new Cherry Hill HOA President
- Lincoln nominated Greg Isaman as Vice President
  - Karl 2nds
  - Vote taken
  - Motion passes to make Greg Isaman the new Cherry Hill HOA Vice President
- Jason nominates Anne Tally to remain on as Secretary
  - Darrin 2nds
  - Vote taken
  - Motion carries for Anne Tally to remain as Secretary for Cherry Hill HOA
- Greg nominates Jim Perkins to be Treasurer
  - Lincoln 2nds
  - Vote taken
  - Motion carries to make Jim Perkins the new Treasurer for Cherry Hill HOA

Lincoln moves to adjourn the 2022 Cherry Hill HOA meeting.

Jason 2nds

All present say aye

Meeting adjourned at 5:33 pm.