

Unawep Heights Home Owners Association (UHHOA)

Board Meeting called to order: 6:35 PM

Board Members Present: Bob Larimer, Chris McGillivary, Audrey Bailey, Shannon Lowery,

Tom McKenzie and Jim McKenzie. [A Board Member quorum was present.]

Introduction of Heritage Property Management (HPM) Team:

David Caldwell, Barbara Butzen, and Briana Molinari

SPECIAL SESSION UHHOA BOARD MEETING ON FENCES;

David Caldwell acted as Special Session meeting facilitator. UHHOA homeowners Jim Johnson & John Andrews were invited to attend this meeting.

Meeting Objective: To develop a UHHOA board proposal to amend UHHOA Covenants, Conveyances & Restrictions (CC&R's) **OR** other governing UHHOA documents as to how the UHHOA board should address fence matters around and within the UHHOA community going forward in time.

Current UHHOA CC&R's Article 5 Section 19 was read out loud.

Discussion Highlights:

Board members debated that current CC&Rs are clear or unclear that the UHHOA owns any fences. Conflicting views by UHHOA board members as to whether certain "perimeter and/or walkway fences" are or are not UHHOA commons property. 2003 Zoning stated perimeter fences were to be constructed. 2011/2012 deeds of commons property transferred from Builder/Developer are vague as to whether fences were transferred to the UHHOA. UHHOA has maintained \$100,000 property insurance for "perimeter" fences for at least 12 years. A 2020 UHHOA Survey Study mentions HOA provisions for fencing.

Does the UHHOA want to amend CC&R's Article 5 Section 19 for clarity specific to fence ownership and maintenance/replacement? As well as define to homeowners' adherence to the Colorado state laws regarding fences shared by neighbors? Limitations and guidelines may also need to be clearly addressed to homeowners to ensure community fence uniformity.

The CC&Rs can be amended with a mail out and a favorable return of a 75% majority vote of 138 UHHOA members to pass a board proposed CC&R's amendment.

The merits of amending the UHHOA By-Laws and/or Policies & Procedures (P&P) versus a CC&R" amendment was discussed.

Most UHHOA fences are on property lines. UHHOA perimeter fences are also shared with other HOAs.

A majority of area HOAs consider their perimeter fences as a common property element to be maintained by the Association. **There is a clear property value factor that the HOA managed**

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community fences offer to the community members. HOA management can ensure aesthetics of the neighborhood protecting property values. Ownership of any fences by an HOA can be expensive. Many of the UHHOA 20 year old plastic fences are already in disrepair.

Summary of opinions and/or ideas of Board Members:

Fences about and within need to be clearly defined. (IE: Perimeter UHHOA fences, fences on alley/common walks, fences shared between two neighbors)

No clear agreement was reached by UHHOA board members at this meeting.

Each UHHOA board member was asked write and submit their fence opinion to HPM, Barabara Butzen. Barbara will consider the submitted opinions and propose a solution for the UHHOA board members.

2/26/2023 UHHOA BOARD Meeting minutes:

Home owner Violation Hearing [282 Snyder Creek Drive was conducted.

Owners of both 282 and 280 Snyder Creek Drive were present. 282 Syder Creek homeowner disputed fines imposed due to a violation concerning his dog being a nuisance and that his dog destroyed the fence between 282 Synder Creek and 280 Synder Creek properties. All board members (and HPM personnel) had viewed the videos submitted by 280 Syder Creek homeowner, that clearly shows the dog in question destroying the fence and the 282 Synder Creek homeowner's barking and loose dog being a nuisance. It was a 6-0 vote to fine the 282 Synder Creek homeowner.

282 Synder Creek homeowner stated there was an existing hole in the fence and contented his dog was not a nuisance.

282 Synder Creek homeowner offered to "rehome" his dog before March 7, 2023. Bob Larimer, acting solely as a fellow homeowner, offered to give the 282 Synder Creek homeowner fence panels and help homeowner to replace broken fence panels.

UHHOA board motioned was made "to accept the 282 Snyder Creek offer homeowner's offer to "rehome" his troublesome dog and he properly repair the damaged fence adjoining his and 280 Synder Creek on or before March 7, 2023. Understanding the existing fines stand and that should homeowner not compile to his offered resolutions, UHHOA violation fines will continue."

The motion passed.

The UHHOA board member further advised both homeowners that any personal matters between neighbors need to be handled civilly.

UHHOA board members other matters reviewed.

Treasurer reported out and discussed January 2023 FYTD financial hand outs. Recent snow removal costs are a change to the financials and our March 31, 2023 Fiscal Year ending forecast. UHHOA financial are still very positive versus 20222 FISCAL YEAR and 2023 BUDGET.

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3 home owners are currently delinquent.

UHHOA formally expressed thank you to Barbara Butzen, HPM, for her outstanding efforts in collection of various dues, fines and such..

UHHOA board members reviewed a Draft of Annual Meeting Materials Packet

The Packet to be mailed to all UHHOA homeowners no later than March 31, 2023.

Ballot/proxy form will be printed on neon green paper.

Comments related to the UHHOA 2023 irrigation start-up should be added to Packet.

UHHOA Board Members were encouraged to contact HPM with any revisions by March 20, 2023.

UHHOA board members to approve for HPM to mail out packet at the March 2023 board meeting.

Discussion of 2023 Tree Remediation Program

Details will be brought to the Board after meeting with Alpine Tree Service.

Discussion concerning Strive Association

Comment made that the use of the property may be changing this year.

No March 2023 UHHOA board member meeting was scheduled

Meeting adjourned: 7:45 PM.

Minutes taken by: Brieana Molinari, HPM

Minutes edited by UHHOA Secretary/ Treasurer T J McKenzie

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