

Park East Square Homeowners' Association Meeting Minutes: January 11, 2022

Call to order: 7:05 p.m., via Zoom

In Attendance and Introductions

Board:

Lois Bennett Karen Fassler Therese Spears Kevin Bush

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

Robert Scott, Christiane Sammoury-Audi, Mary Jane Ransom, Christine, David Longenecker, Mark Liebendorfer

Board Business

- Appointment to fill a vacancy and election of officers. Arika resigned from the board effective 12/31/2021. Lois moved to appoint Mark Liebendorfer to fill the remainder of the vacancy left by Arika's resignation, Karen seconded, and it was approved unanimously. The election of officers was tabled until the February meeting so new members can think about their interest.
- Discuss strategy to possibly recruit for Architectural Control Committee (ACC). Lois noted that three of the five ACC members are also on the board and may want to consider their continued service. She suggested this might be a topic for the board retreat and anyone interested could let us know.
- Proposal for a "virtual retreat" – orientation for new board and committee members, discuss goals. Arika had suggested this. Lois suggested a series of short meetings on various topics to orient the new members may be easier than one long meeting.
- Establish meeting time for the monthly meetings that is good for most/all board members. The board decided to move the meeting time to 7:00 (still the 2nd Tuesday of the month).
- Bank signature cards. We have a practice of using two signatures on checks. Bonnie will initiate the process for the cards. The board members are as follows:
 - Lois Bennett (current President) and Karen Fassler (current Treasurer) – terms expire December 2022;
 - Kevin Bush and Therese Spears – elected at the December 2021 annual meeting, terms expire December 2024; and,
 - Mark Liebendorfer – appointed to remaining term of a vacancy (2 years), term expires December 2023.

Actions taken without a meeting for inclusion in meeting minutes

- Minutes from the December 8 special board meeting approved on 12/22/21 (3 yes, 2 abstain)
- Post five HOA insurance policies on the PESHA website under the "Insurance" tab - approved via email 1/6/22 (4 yes, 0 abstain)
- 4135B application to replace front door approved on 11/12/21 (4 yes, 1 abstain)
- 1160A application to install a security camera approved on 11/30/21 (3 yes, 2 abstain)
- 4202A application to replace door & windows, door only was approved on 12/13/21 (4 yes, 1 abstain)
- 1156C application to install a new patio approved 12/9/21 (3 yes, 2 abstain)
- 1170B application to replace windows approved 12/21/21 (4 yes, 1 abstain)

- 1110A application to install electric vehicle charger approved 12/24/21 (3 yes, 2 abstain)
- 4350C application to replace fence approved on 1/10/22 (3 yes, 1 abstain)

Member Issues & Questions

- 1156B application to replace fence. Lois moved to approve, Therese seconded, approved unanimously. There was also discussion of deck repairs and Robert reported they are in progress.
- 4202A application to replace windows. Lois moved, Karen seconded, and approved unanimously.
- Christiane commented on her light fixture at 1131D. The board will arrange an onsite discussion.

Maintenance Report

- General status of 4232 fire. RTC has the signatures and is waiting for the project design. This is required to get the State's final approval of a permit for asbestos abatement. It is anticipated that work can begin around the end of the month. Christiane asked if we know how long repairs will take and we do not know at this time due a number of variables. Mark asked if the cause was determined and all we know is that it started in the trash room.
 - Christiane believes there is a problem with the insurance/maintenance chart regarding gas lines through the D unit subfloor, or across the carport ceiling. It was explained that the HOA is not responsible for individual gas lines, only those serving multiple units.
- Bike path tree trimming. This was accomplished in 2021.
- Tactical plan for dealing with downed trees from Dec 30th. Jon Ray is meeting with some arborists to get estimates and information on equipment, crews, insurance, etc. The HOA will remove the downed tree in the parking lot at 4202-4232.
- Review turf care proposals. Jon Ray presented information from five companies. They are all insured and responded to the same scope of work. The board narrowed it down to two companies. Jon Ray will get a formal proposal from one and talk to the other about weed control. He will provide the information so the board can take action via email after he returns on Jan 24th.
- Review Precision Concrete (sidewalk grinding) proposal. Jon Ray is reviewing the numbers and will present the proposal for board action at the next meeting.
- Review status of building repair contractor. There is a possibility that DCS will be available. Jon Ray is meeting with another on Monday to look at one of the buildings and get an estimate. He is in contact with a third contractor. It was suggested that all potential contractors do an estimate on the same building so that we truly have equitable comparisons. Jon Ray will get the information and present it for board action via email after he returns on Jan 24th.
- Buildings planned for repair/painting in 2022. The buildings are 1101, 1129, 1150, 1186, 4100, and 4237. All were last painted in 2013, along with two others. Christiane believes her building (1131) should be done this year. Although her building was painted in 2014 so it will be considered for next year, she said she will provide facts on why it should be this year. Christine commented that buildings really needing repair should be done before those needing painting. There was discussion on how the buildings are selected, noting that more factors are involved than when a building was last painted. Several board members noted a preference for keeping with the current factors and schedule.

Financial Report

Bonnie is doing year end closing so statements are not available at this time. She noted that we are under budget in operating but over in reserves so her goal is to move some of the extra operating funds to reserves in order to help close the gap in reserves.

Old and New Business

- “Reversing” increased insurance coverage – invoice for \$763 – advice from Ella. During the switch in coverage, Ella (our insurance agent) did an analysis that resulted in changing from \$109/square foot to \$111/square foot. The board did not want that increase to occur until the new policy in November; however, the insurance company made it effective with the Resolution in August. It was noted that we received the benefit of the increased coverage during that period and it is more cost effective to pay the bill as opposed to disputing it. Lois moved to pay the invoice, Karen seconded, approved unanimously.
- Draft minutes for the 2021 annual meeting are now posted on the website
- Quick discussion about needed changes to Rules and Architectural Control Guidelines (ACGs) or enforcement – shared fences, furniture on common areas, 2-car parking limit? The questions on fences and furniture were referred to the ACC for consideration and recommendations. The parking issue is an enforcement matter of an existing rule. Several ideas were mentioned but further discussion is needed so it might be a possible topic for the board retreat. It was decided to refer this item to the ACC first for further consideration.
- Quick discussion about possible Board goals for the year and strategic/tactical planning.
 - Clean out and reduce paper files in the HOA office? There was discussion about a project to identify the contents of the file cabinets and to dispose or store it electronically. Attention will be paid to records retention requirements.
 - Landscaping improvements - parkway strips? Consultation from landscape architects might help with design options and give us a sense of preliminary costs, maintenance, etc.
 - Amending the governing documents (Declaration, Bylaws, and policies)? We have set aside funds in this year’s budget to begin the process.

Executive Session – discussion of legal, enforcement, & staffing issues

Adjourned at 9:14 p.m.

Park East Square Homeowners' Association Meeting Minutes: February 8, 2022

Call to order: 7:00 p.m., via Zoom

In Attendance and Introductions

Board:

Lois Bennett Karen Fassler Therese Spears Kevin Bush Mark Liebendorfer

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

Andrew Neff, Rene Sotola, Rita Mitton, Antje Silger, Christiane Sammoury-Audi, Bjorn Bergmann

Actions taken without a meeting for inclusion in meeting minutes

- Minutes from the December 8 special meeting were approved on 12/22/21 (3 yes, 2 abstain).
- Minutes from the January meeting were approved unanimously on 1/21/22.
- Voted to retain CoCal for law maintenance for 2022 (3 yes, 2 abstain).

Member Issues & Questions

- Rene asked when the ACC is meeting as he lost part of his modified fence at 4207A in the wind storm and wanted to know about responsibility for shared fences. The ACC is meeting Friday but it was explained that they are not a decision-making body. The board will get back to him by next Tuesday with an answer.
- Andrew raised the issue of street parking at the end of Monroe (between 4299 and 4300), especially parking in front of the fire hydrant, noting that the yellow paint on the curb and street has faded. A City ticketer told him they did not ticket these cars because there are no signs posted. The question was if the HOA needs to post signs and paint. We found out from the City that we do not have the authority to paint. Lois noted that we have a good relationship with City's parking office so she will contact them.

Maintenance Report

- The downed trees from the wind storm. Jon Ray used a new company and cleanup is complete.
- Review of the Precision Concrete proposal for sidewalk grinding. They measure for trip hazards. Their proposal is much higher this year and exceeds our annual budgeted amount, which also includes other concrete work. Jon Ray reviewed the list and trimmed it approximately in half although it is still higher than last year. The board decided to prioritize trip hazards as opposed to replacing one carport (none of which are in critical condition).
- Status of the building repair contractor. We have two proposals. DCS came in with higher rates than last year, which was anticipated given the discount we've been receiving, but the amount of the increase was not expected. The RMI proposal has lower rates but references have not been checked. The option of splitting the six buildings between both companies was discussed. Jon Ray will contact DCS on the board's preferred option and pricing, ask about doing fewer buildings, and that it will not approve a commission or signing bonus. He will also check the references for RMI. He will report back so the board can decide next week.

- 1169B gap in concrete under the patio door. The patio slab has sunk down, along with the step and it is impacting the building. Jon Ray will ask our contractor about mud jacking. In addition to the tripping hazards, the board wants this to be a priority to protect the building.
- Proposals for gutters. Four proposals for gutter replacement came in and our current company has the lowest price. Jon Ray recommends keeping our current contractor and the board agreed.

Financial Report

Question regarding payment of dues for those displaced by 4232 fire. Regardless of the situation, owners must continue to pay dues. Assessments are not itemized or attached to a single townhome. They are an independent obligation and non-use does not remove that obligation. Assessments are used to maintain, operate, and oversee the Association in general. There are costs that still apply (e.g., plowing sidewalks and parking lots, salaries, insurance). Also, our Declaration does not allow refund or waivers of assessments. It is recommended the owners ask their insurance agents if this is covered in their individual policies.

Old and New Business

- Election of board officers. Tabled until next month.
- 4135A skylight application. Postponed as the board is still fact-finding. A decision will be made by 2/24/22.
- 1111A fence and landscape application. The two items need to be submitted on separate applications, the fence does not meet the ACG requirements for location, and more information on the landscaping is needed. In the meantime, the board disapproved the current application.
- 4100B and C fences application. Work that began without approval was halted. One application was submitted for both units but they have different owners. Jon Ray will get two signed applications so the board can take action for the official records.
- Owner complaint regarding idling cars in carports. The complaint is the noise but board members noted health and safety concerns as well from exhaust. This item was referred to the ACC for consideration and recommendation.
- Owner complaint regarding globe lights above stairwells. The problem is light trespass. The ACC has a project underway as part of the Dark Sky initiative to address these lights and prepare a cost estimate for the board.
- Architectural Control Committee. The ACC is meeting on Friday at 1:00 p.m.
- Discuss Board goals for the year and strategic/tactical planning. This is a continuation from the last meeting. In terms of the Orientation Zoom sessions, the board was asked to email any subjects for these short sessions to the president by the end of the week. The project for amending the governing documents is beginning. Board members were also asked to put traveling plans on the time off calendar (Jon Ray will make sure all have access).

Member Issue

Christiane commented that she does not like the new meeting management practice. The process is similar to the annual owner meeting (e.g., identified member comment session, board asks for comments when appropriate and raise hands). She also recommended that the board look at siding companies for building repair to which Jon Ray reported that this has already been done and doesn't meet our needs in scope of work and cost.

Executive Session to consider enforcement matters and legal issues.

Adjourned at 9:00 p.m.

Park East Square Homeowners' Association Special Meeting Minutes: February 21, 2022

Call to order: 9:30 a.m. for Executive Session and 10:00 a.m. for Open Meeting, via Zoom

In Attendance

Board:

Lois Bennett Karen Fassler Therese Spears Kevin Bush Mark Liebendorfer

Staff and Committees:

Jon Ray Gardner, HOA Manager

Owners/Other:

Roxanne Royce attended the open meeting

Executive Session - discuss personal issue

Open Meeting

- Election of Officers. A slate of nominees for the Board of Directors' officers was presented: Lois for president, Mark for vice president, and Karen for secretary/treasurer. Lois moved, Mark seconded and it was approved unanimously.
- 4135A Skylight Application. Additional information is needed based on the discussion of the application. Roxanne will provide information on the operable skylight. She also needs time to review the maintenance and indemnity agreement the board requests as a condition of approval. More time is needed to deliver exchange this information but the deadline for board action is within a few days. Lois moved to disapprove this application so a new application can be submitted once all the information is gathered. Karen seconded and it was approved (4 in favor, 1 abstention).

Adjourned at 10:30 a.m.

Park East Square Homeowners' Association Meeting Minutes: March 8, 2022

Call to order: 7:03 p.m., via Zoom

In Attendance and Introductions

Board:

Lois Bennett Karen Fassler Therese Spears Kevin Bush Mark Liebendorfer

Staff and Committees:

Jon Ray Gardner, HOA Manager

Owners/Other:

David Longenecker, Kevin Kudma, Mary Magee, Christiane Sammoury-Audi

Actions taken without a meeting for inclusion in meeting minutes

- Minutes for February 8th meeting approved via email 2/20/2022 (3 yes, 2 abstain)
- Minutes for February 21st special meeting approved via email 3/5/2022 (3 yes, 2 abstain)
- 4100B fence application approved via email on 2/15/2022 (3 yes, 2 abstain)
- 4100C fence application approved via email on 2/15/2022 (3 yes, 2 abstain). Also, an exception was approved on 3/3/2022 for a post to be less than 4" from the building as long as it is not attached (3 yes, 2 abstain).
- 4227B security camera application denied via email on 2/14/2022 (4 yes, 1 abstain). It was resubmitted and subsequently approved 2/21/2022 (4 yes, 1 abstain)
- 1110A satellite dish installed on B's wall was granted an exception as long as both owners sign an agreement was approved unanimously via email on 2/21/22.
- Board approved splitting building repairs between DCS and RMI unanimously via email on 2/21/2022.
- 4300C fence application approved via email on 3/7/2022 (4 yes, 1 abstain).

Member Issues & Questions

None raised.

Maintenance Report

- Schedule for removal of cottonwood by 4155? Jon Ray is waiting to hear back so the date is unknown, however, he will notify 4155 owners and residents that it is imminent.
- Schedule for spring clean-up by CoCal? CoCal does one visit sometime in early to mid-April.
- Revised O'Day painting contract. The board agreed with the revisions and the contract was signed. Jon Ray is waiting for the check from Bonnie.
- Status of 4232 – general update. Asbestos abatement is underway. RTC is still waiting for the building permit from the City of Boulder.
- Update on concrete work. Jon Ray refined the list for concrete grinding and Precision Concrete estimate is reduced to \$4200. Crackerjack Mudjacking provided an estimate of \$5800 for the list of patio and front door slabs/steps so he will select the worst, which will likely be about half the list. He is waiting for an estimate from Waddell for replacement of the sidewalk at 1111A and the front slab/step at 1170A.
- Landscaping and Parkstrips. The landscaping budget covers plantings like trees. Funds were also budgeted for trying some options to improve parkstrips, which is the area between the sidewalk and

street. Some are grass, some rock, and some mulch that has largely blown away. Lois asked that planting bushes at 1130C and 1141A be completed this year.

Financial Report

- Request from 4207A to have the HOA pay the contractor to rebuild the shared fence when the rest of the fence is rebuilt. The owner is asking for information before submitting an application. Jon Ray provided the budget for fence materials and contractors. The board's stance has been that shared fences will be done as the budget and priorities allow. Therefore, if an owner wants the shared fence done at the same time as the rest of the fence, the owner will need to pay for it, otherwise it will be done when as budget and other priorities allow. Lois moved to decline the owner's request and keep the current practice, Mark seconded, and it was approved unanimously.
- Retain the HOA attorney to review the Maintenance and Insurance Chart for approximately \$700. Also retain legal services to review our EVC station ACGs, broaden our Maintenance, Insurance, and Indemnity Agreement and create an EVC-related addendum for approximately \$750 (pending the estimate). Review of the Chart is requested because questions have come up since it was adopted as part of the insurance Resolution. Work on electric vehicle charging is being requested due to the new law and an anticipated increase in requests. Lois moved to retain legal services for approximately \$1400, Kevin seconded, and it was approved unanimously.

Old and New Business

- 4300A application for fence repair of a damaged section. Lois moved to approve the application, Karen seconded, and it was approved unanimously.
- EV charging and insurance. The board received the answer from our agent so no further discussion was needed.
- Recommendations from the ACC for Rule changes. Karen presented the proposed changes to the carport, parking, and garden rules. (1) A new rule was proposed to address complaints about vehicles warming up/idling in carports, as well as the uptick in thefts of unattended idling vehicles in Boulder. (2) The prohibition on parking in fire lanes was clarified to explain this includes outside of designated parking spaces (no "5th spaces" on the ends of the rows). (3) The rule on gardens clarified the consequences for failure of owners to maintain gardens (the HOA may resume control of the area), as well as contents of an application for a new or modified garden due to the new xeriscaping law. Discussion was opened for attendees to comment and none were received. Karen moved to adopt the changes, Lois seconded, and they were approved unanimously.
- Recommendations from the ACC for ACG changes. Karen presented proposed changes to the Exterior Modifications Policy, including the ACGs. The major change was the proposal to prohibit discretionary roof penetrations (e.g., solar tubes, skylights, stovepipes) unless permitted by law or required by code (e.g., satellite dishes and solar panels or plumbing vents) as of a specified future date. The HOA maintains the roofs and discretionary roof penetration is one of the most significant modifications to the building exterior that creates significant vulnerability to damage, as well concerns with any warranties, guarantees, etc. The ACC recommended protecting roofs to the greatest extent possible because it is the HOA's single largest liability.

Other proposed changes included the following. (1) Clarifies that owners are responsible for modifications, regardless of when they were made, specifically both the current and future owners. (2) Clarifies what must be submitted with an application, recognizes that applications are accepted via email, and clarifies a copy of any required permit prior to commencing work. (3) Clarifying that pet doors are allowed in patio doors. (4) Reiterated the owners are responsible for modified fences, both current and future. (5) The Skylights and Solar Tubes section reflects the decision to prohibit

discretionary roof penetrations. (6) Stovepipes, Wall Vents, and Piping section reflects the decision prohibiting discretionary roof penetrations. (7) Changes to individual EVC stations clarified that they cannot be installed on common elements, a Maintenance, Insurance, and Indemnity Agreement (Agreement) is required, wiring must be fished in the interior of the wall and tripping hazards must be considered, and the licensed electrician must be experienced in EVC installation. (8) Over-the-Air Reception Devices (Preferences section) requires the Agreement within 10 days of installing a device on the roof (location of last resort). (9) Security Cameras section clarified compliance with law includes audio recording and eavesdropping laws and ordinances, it must use the owner's power, and the HOA-installed cameras are for the protection of HOA property, not personal safety, and they are recording only and not monitored.

Discussion was opened for attendees to comment and an owner said she thought the board was moving too fast because she would have liked to see the proposed changes before the meeting. It was pointed out that we had just viewed all of the proposed changes in the document (via shared screen) during the detailed presentation and any owner is welcome to bring any suggested revisions or issues to the board at any time. Lois moved to adopt the changes, including the prohibition of discretionary roof penetrations. Therese seconded, and they were approved unanimously. The board then discussed the effective date for the prohibition of discretionary roof penetrations. Karen made a motion to make it effective on April 1, 2022, Kevin seconded, and it was approved by a vote of 4 in favor and 1 opposed.

Executive Session to consider enforcement matters and legal issues at 8:14 p.m.

Adjourned at 9:14 p.m.

Park East Square Homeowners' Association Meeting Minutes: April 12, 2022

Call to order: 7:00 p.m., via Zoom

In Attendance and Introductions

Board:

Karen Fassler Therese Spears Mark Liebendorfer

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

Steve Haymes, Aisling Karen Pigott, Rita Mitton, Bill Hackman, Christiane Audi

Actions taken without a meeting for inclusion in meeting minutes

- Minutes for March 8th meeting approved via email 3/15/2022 (3 yes, 2 abstain)
- Application for fence replacement for 1131A approved via email 3/31/22 (4 yes, 1 abstain)
- Application for skylight installation for 4135A approved via email 3/18/22 (3 yes, 1 no, 1 abstain)
- Application for fence replacement for 1111A approved via email 3/11/22 (3 yes, 2 abstain).

Member Issues & Questions

Steve asked about the landscaping activity around 1149. Jon Ray said he is doing some damage control due to the wind storm at the end of the year that ripped up the weed barrier and blew the mulch away, e.g., planted grass seed and modified the irrigation). There is a budget this year for planning on how to deal with the parking strips and this could be an area to try the ideas.

Christiane asked about guidelines for security cameras. She was referred to the ACGs in the Exterior Modification policy and should put the details on the location, etc., in her application.

Maintenance Report

- New tree locations and selections. Trees have been purchased for four locations and will be planted around May 10th.
- Dumpster for spring move-out? It was the consensus not to have the dumpster. The issue with curb furniture has decreased, Jon Ray has a more cost-effective method for disposing of these items, and it tends to be a public dump for items like remodeling materials, appliances, etc. We can always revisit this topic in the future if it becomes an issue again.
- General update on status of 4232. Asbestos abatement is done. We are in the permitting stage. Lois called the City and then talked to RTC. The City changed its mind on the type of permit required so RTC is redoing the application. RTC will paint the face of sections that are repaired using either color. The board can decide whether to paint the remainder of the building if we want the new color.
- Update on status of replacement contract for Waddell, our previous contractor who retired. Precision is done with the grinding. Mudjacking the patios and stoops that need repair is set. One sidewalk and one stoop need to be replaced and the estimate would be over the budgeted amount by approximately \$2000. To stay within budget, it was decided to proceed with rebuilding the stoop and wait on the sidewalk since it stops at the B townhome fence (no gate there). Jon Ray will tidy up the sidewalk area for now.
- Pool. The plan is to open the Friday before Memorial Day.

- Tree maintenance. The wind storm at the end of year resulted in unexpected expenditures so this item might go over budget. A revised estimate has been requested and Jon Ray will keep the board informed.
- Paving. Superior reported increased costs, primarily for fuel, so a revised proposal has been requested and will report back. Scoping of the sewer lines is done and the issue in the one cul-de-sac has been repaired.
- Roof damage at 4222D. Some shingles blew off in the wind storm at the end of the year resulting in a leak. Everything was repaired but there was a stain in the ceiling. Jon Ray asked O'Day about painting the patch and they said it cannot be done so an estimate for painting the ceiling was requested. It was noted that it will not exceed the insurance deductible so it will be paid from the budget.
- Exterior Modification applications. Jon Ray received two applications today, one for AC and the other for solar panels, which is probably the first viable application we have received. The board decided to use the email process so other board members can be included in the review and decision. Everyone was reminded that the board has 30 days to decide although we try to act sooner. A deadline of Monday will be set.

Financial Report

Bonnie sent the March preliminary financials and reported that she sees nothing unusual. The accountants have last year's information and are preparing the review and tax returns.

Old and New Business

- Report from Architectural Control Committee Meeting on April 8th. The ACC discussed the items needed to close out the 2021 survey cycle. The 2022 cycle will begin in June as opposed to May. In terms of the project to find a new light fixture for the D townhome stairwells, the ACC is looking for a fixture and provide a cost estimate to the board for a later budget. The ACC's project list for this year was completed.
- Purchase several light fixtures to have on hand? This came up at the ACC meeting and we do not need to purchase spare fixtures. We no longer get a discount unless we buy in bulk. Jon Ray sends a link to the light when asked. It was suggested that the link be shared with all owners for reference and he will put it on the website.

Member Question

Christiane asked about replacing carport floors. The board decided to address trip hazards and patios/stoops that are creating issues with the building. She also asked if DCS will be doing building repairs this year. We have split the buildings between DCS and Rocky Mountain Improvements.

Executive Session: Discussion of specific enforcement actions at 7:43 p.m.

Adjourned at 8:10 p.m.

Park East Square Homeowners Association Meeting Minutes: May 10, 2022

Call to order: 7:02 p.m., via Zoom

In Attendance and Introductions

Board:

Karen Fassler Therese Spears Mark Liebendorfer Lois Bennett Kevin Bush

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

Dennis Perepelitsa, Christina Cleveland, David Longenecker, Mario Estabellini, Christie Renner (prospective buyer), Christiane Audi-Sammoury, and Bjorn Bergmann

Actions taken without a meeting for inclusion in meeting minutes

- Minutes for April 12th meeting approved via email 4/20/22 (3 yes, 2 abstain)
- Application for A/C for 4135D approved via email 4/25/22 (4 yes, 1 abstain)
- Application for A/C for 4330D approved via email 4/22/22 (4 yes, 1 abstain)
- Exception granted for light fixture for 4330B via email 4/29/22 (Unanimous)

Member Issues & Questions

Mario asked for the board's help in resolving an issue with a neighbor's parking in his cul-de-sac. The resident has a large number of vehicles (cars and motorbikes). There are also vehicles belonging to a large number of visitors with very busy traffic in the middle of the night. In addition to parking issues, they tend to drive fast and there are small children in the cul-de-sac. The board is aware of the issues and continues to work on cleanup and violations but that communication must go through the owner without permanent resolution. Towing is possible after following a specific process but the vehicles are often moved before towing can take place. It was noted that there is suspicious activity but that is a law enforcement matter outside the board's authority and must be reported to the police. The non-emergency number is on our website (the caller's information is not shared) although the 911 dispatcher will forward a call. Mario was encouraged to keep reporting incidents and to share this information with his neighbors and encourage them to also report problems. Mario suggested posting a reminder of the rule on the number of cars and Jon Ray will do so and along with sending the reminder to the owner as well.

Maintenance Report

- Update on status of replacement contract for Waddell. A replacement contractor (Hoyt) has provided a quote and Lois will contact him to discuss it.
- The problem with Lime scooters being left everywhere - contact Lime? Contact the City? Jon Ray was referred to Lime and set a Zoom meeting for tomorrow from 10:00 a.m. to 10:45 a.m. Board members were sent information and invited to attend.
- CoCal spring clean-up - are they going to rake up most of the small sticks? Clean up around buildings scheduled for repair (e.g., 1150) Other buildings? The contract includes debris removal and so Jon Ray contacted CoCal and brought the language to their attention. If anyone has photos of areas needing to be cleaned up, they can send them to Jon Ray and he will pass them along.

Fiesta is used to kill weeds. Jon Ray will post notices on mailboxes as soon as he has the date when application will begin.

- Stump removal at 1186C. It is scheduled for next Wednesday, the 18th.
- Davey Tree fix tire ruts on lawn? Davey raked and seeded the area.
- Irrigation status. The irrigation system is on.
- The windstorm damaged the shingles over 4222D resulting in water damage to ceiling. Repairs are complete except for painting the ceiling, which is the HOA's responsibility since it was caused the roof that we are responsible for maintaining. The owner reported that the tenants are reluctant to be there when it is painted even though a low VOC paint is used and wondered if we could wait until the tenant moves in July 2023. The board wants to complete the repair by a date certain to resolve the matter as quickly as possible. Karen moved to complete the painting by Labor Day, Kevin seconded, and it passed unanimously.
- Superior will be submitting a revised proposal next week to cover increased cost of asphalt, which is impacted by the price of oil and trucking issues. Jon Ray will let the board know the new numbers and whether it can be handled within the budgeted amount.

Financial Report

Bonnie sent the April preliminary financials and reported that she sees nothing unusual. Lois noted that we need to be cognizant of the budget for legal as we are spending it quicker due to some unforeseen legal matters.

Old and New Business

- Exterior Modification Applications
 - 1189A application for A/C. Karen moved to approve on the condition that the location of condenser be moved to under either of the living room windows and Therese seconded. Passed unanimously.
 - 4170D application for solar. Lois moved to disapprove the application. Discussion took place and Karen made a revised motion to disapprove the application due to objections on the location and wiring of the conduit and the location of the combiner box. Mark seconded. Christiane commented that she opposes any conduit in an attic based on her experience with gas lines running through her property (1131D). It was explained that this a different situation entirely. Passed unanimously.
 - 1176D application for A/C line cover/paint. Lois moved to approve the application for a line set cover and Kevin seconded. Passed unanimously.
 - 4237C application to replace the fence. Karen moved to approve the application for the current footprint and Therese seconded. Passed unanimously.
 - 4110B application to repaint the deck. Karen moved to approve the application and Lois seconded. Passed with 4 in favor and 1 abstention.
 - 4212C application for a fence. Lois moved to approve the application and Karen seconded. Passed unanimously.
- Pool hours for this summer. Following discussion around whether to extend the pool closing time, it was decided to keep the current hours - 10:00 a.m. to 8:00 p.m. the current hours. Jon Ray will post notices on the mailboxes.
- Landscaping target areas: dying plants by 4237C, request from 4264C owner, bushes at 1141A & 1130C, parkway strip design ideas, etc. Tabled until the next meeting.
- Report from Architectural Control Committee Meeting on May 6th. Karen reported on the following items.

- The 2022 Annual Architectural Survey will begin on June 6th. Lois is creating a message for a mass email notice to owners. The goal is to complete the survey in June and issue the results letters in July.
- The ACC's role in exterior modification applications that are emailed was discussed in an effort to help with Jon Ray's workload, take advantage of different perspectives and allow more time to observe the location for a more complete discussion prior to voting, as well as provide a learning opportunity for less experienced members. The proposed process was presented. When Jon Ray emails the application, members of the ACC will be included so there are more observers. He will request two members will be selected on a rotating basis (Kevin is excluded due to the distance he has to travel). The time to vote will be extended to 7 to 10 days. During that time, the observers will share their feedback to facilitate the board's vote. The observers will also serve as an informal point of contact with the owner to facilitate project timing and ensure the modification is done according to the approved application. Jon Ray will revise the application form to include a line for the observers to initial and date that the project is complete. The board approved of the process.

Executive Session: Discussion of specific enforcement actions, personnel matters, and legal issues at 8:38 p.m.

Adjourned at 9:31 p.m.

Park East Square Homeowners Association Meeting Minutes: June 14, 2022

Call to order: 7:03 p.m., via Zoom

In Attendance and Introductions

Board:

Karen Fassler Therese Spears Mark Liebendorfer Lois Bennett Kevin
 Bush

Staff and Committees:

Jon Ray Gardner, HOA Manager

Owners/Other:

Roxanne Royce, Greg McDuffie, Ivette Visbal, Christiane Audi-Sammoury, Mary Magee, and Greg Butt

Actions taken without a meeting for inclusion in meeting minutes

- Minutes for May 10th meeting approved via email on 5/22/2022 (4 approved, 1 abstained).
- 4254B application to install a hose bib approved via email on 5/19/2022 (3 approved, 2 abstained).
- 1131D application to install a security camera/sensor light was disapproved for lack of complete information on 5/19/2022 (1 approved, 3 disapproved, 1 abstain).
- 4160B application to replace a bedroom window approved via email on 5/19/2022 (3 approved, 2 abstained).
- 4289A application to install AC was approved, including a specific location, via email on 5/26/2022 (4 approved, 1 abstain).
- 4207A application to replace the fence was approved via email on 5/31/2022 (4 approved, 1 abstain).
- 4330D request for exception for deviation from approved A/C installation was denied via email on 6/6/22 (4 disapprove, 1 abstain).

Member Issues & Questions

- Ivette reported that the AC in her rental unit was not working. The service technician found that the plastic zip tie on the metal box had been sniped and the plug had been disconnected (found on the ground). It likely did not happen during the fire at 4232 since the AC was used after August 26th. Ivette asked if this is a problem for other owners but this was the first the board heard of it. She has secured the box with a padlock and suggested letting owners know to do the same, e.g., next newsletter.
- Roxanne Royce wanted to discuss the enforcement issue with her window and patio door installation stating she ordered them before the requirement for “new construction” windows appeared in the ACG’s in March 2022. She stated that her products have an excellent warranty, are white with a double locking feature, and are not vinyl. She does not agree with the board’s approval process and believes it takes too long. Lois stopped the discussion because the Board does not discuss enforcement matters in open meetings due to privacy considerations. For the benefit of other owners in attendance, Karen and Jon Ray clarified two incorrect statements made by Roxanne: (1) the “new construction” requirements in the ACGs were adopted a number of years ago (around 2019), and (2) an application must be submitted and approved.
- Mary Magee has submitted an application for windows at 4340C. DCS (who is very familiar with our buildings and window requirements) will be doing the installation. Board members asked questions

as they have not seen the application yet, including whether a product specification sheet is attached. The spec sheet is not attached, but Jon Ray said they would be Ply Gem replacements. The product document was requested and Jon Ray will send the application. Mary said DCS may be able to do the work before the end of the month in between building repairs. This is shorter than usual time to vote; however, the board agreed to decide by 4:00 p.m. Monday.

- Greg Butts submitted an application to replace and relocate his A/C condenser for 1169C and wanted to know how long approval would take so he can start scheduling the work. Karen and Mark are looking at proposed installation on Thursday morning and the deadline to vote by email is 6/23. Greg's current condenser is not working so he has no AC. While the board will move as quickly as possible, Karen suggested that he use 6/23 as the target date for scheduling purposes.
- Jon Ray received a request from a family for more shade at the pool by installing a sail. It was noted that sails are not permitted by our ACGs so we should consider setting the example. Mounting would be an issue (e.g., custom post set in concrete). Karen asked if another umbrella would be an option but that would require buying the furniture. It was determined that there are too many other critical needs at this point and this is not in the budget. However, the board will consider solutions along with other pool improvements for the next budget.

Maintenance Report

- Overall tree analysis. Jon Ray reported that there is approximately \$1600 left in the tree budget after dealing with all the unexpected damage from the wind storms. He presented a list of four dead and/or diseased trees that need to be removed soon due to the risk to buildings and to prevent infecting other trees. This will use most of the remaining funds and grinding the stumps will be delayed until next year. He also listed another eight dead and/or diseased trees that need to be removed but there are no funds. Basically, we are falling behind, including preventative tree care, and we need to plan for more tree work. He was asked to provide an estimate for the eight trees plus the stump grinding for the four, which he will do for this fall.
- Logistics for paving project. The preliminary scheduling is for the second two weeks in July. It was noted that early August is a busy move-in time so he will see if the start date can be moved up.
- CoCal Fiesta application – they appeared to have missed some spots. The contract includes two applications for a cost of \$1100 each. The first application is done. However, Jon Ray learned that there should be three to four weeks between applications and it should not be on day with a high over 85°, which makes scheduling CoCal a challenge. It was decided that Jon Ray will buy a bottle of Fiesta for spot spraying. Lois will look at the property to identify areas for spraying.
- Jon Ray reported that he will not be here for the July meeting. Mark will also be absent. There are still four board members so the meeting can take place. An in-person meeting does not work well for out-of-town members so it will be via Zoom. Jon Ray will start the meeting and then make Karen and Lois cohosts.

Financial Report

No report this month.

Old and New Business

- Status of supporting diagram requested for 1129C's patio application. Jon Ray has not received the diagram and the deadline to vote by email has passed. The board has until 7/1 to decide so there is still time to take action without a meeting. He will request the document again and resend the request for a vote.
- Jon Ray and Karen briefed the board about Zoom meeting with Lime Scooters. The issue is scooters are left in the grass, in fire lanes, against fences and fire hydrants, and block sidewalks. The

numbers vary, based on CU sessions. Karen, Jon Ray, and Kevin met with Lime representatives via Zoom and Jon Ray and Karen did a long site visit with a representative. Lime supplied Jon Ray with customer service contact information so he can report scooters that need to be picked up. Lime can use “geo fencing” to block riding and parking in areas but it is not exact. There are three basic options.

- Request blocking off the entire complex. This is unlikely as the most of the areas belong to the city.
- Block the cul-de-sac parking areas but geo fencing is not exact.
- Create specific zones to install corrals. Three sites on city streets were identified that would be painted and have bollards (Colorado and Discovery, the lot at the end of Mohawk and Aurora, and the turnaround at the end of Monroe). This would be between the city and Lime and a request was submitted to the city on June 2nd for review. Lime will keep us updated. In addition, up to two other potential sites were located in our parking strips but the HOA would have to pay for the concrete and it would involve the city (Lime would paint and install bollards).

It was decided to wait for the city’s response before deciding if we need to take any action.

- Idea for a speed bump to slow down cars entering 1129-1189 cul-de-sac. The resident at 1169D explained to Karen and Lois that he parks backwards in his carport due to any speeding vehicles. This is one of the larger cul-de-sacs and is unique in that it has a long, downhill, straight drive from the street to the end at 1129 creating the tendency to speed. It was suggested that the owner request an exception to the rule. In the meantime, a speed bump was suggested, but cost is an issue and it would have to be redone when the lot is repaved. Christiane suggested installing a mirror as a temporary measure but the concern is that it might help the owner but it will not stop the speeding. It was decided to hold this item for upcoming budget process. It was noted that the resident can still submit a request for an exception to the rule.
- Landscaping target areas: dying plants by 4237C, request from 4264C owner, bushes at 1141A & 1130C, parkway strip design ideas, 1149 C & D area west of spruce tree, south side of 1179A, etc. Tabled.
- Further discussion of “observer” process related to Exterior Modification Applications. Tabled.
- Mary had some clarifying questions on the requested window product specifications. Jon Ray will work with her to get the document.

Executive Session: Discussion of specific enforcement actions, personnel matters, and legal issues at 8:51 p.m.

Adjourned at 9:54 p.m.

Park East Square Homeowners Association Meeting Minutes: June 14, 2022

Call to order: 7:03 p.m., via Zoom

In Attendance and Introductions

Board:

Karen Fassler Therese Spears Mark Liebendorfer Lois Bennett Kevin Bush

Staff and Committees:

Jon Ray Gardner, HOA Manager

Owners/Other:

Roxanne Royce, Greg McDuffie, Ivette Visbal, Christiane Audi-Sammoury, Mary Magee, and Greg Butt

Actions taken without a meeting for inclusion in meeting minutes

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Member Issues & Questions

- Ivette reported that the AC in her rental unit was not working. The service technician found that the plastic zip tie on the metal box had been sniped and the plug had been disconnected (found on the ground). It likely did not happen during the fire at 4232 since the AC was used after August 26th. Ivette asked if this is a problem for other owners but this was the first the board heard of it. She has secured the box with a padlock and suggested letting owners know to do the same, e.g., next newsletter.
- Roxanne Royce wanted to discuss the enforcement issue with her window and patio door installation stating she ordered them before the requirement for “new construction” windows appeared in the ACG’s in March 2022. She stated that her products have an excellent warranty, are white with a double locking feature, and are not vinyl. She does not agree with the board’s approval process and believes it takes too long. Lois stopped the discussion because the Board does not discuss enforcement matters in open meetings due to privacy considerations. For the benefit of other owners in attendance, Karen and Jon Ray clarified two incorrect statements made by Roxanne: (1) the “new construction” requirements in the ACGs were adopted a number of years ago (around 2019), and (2) an application must be submitted and approved.
- Mary Magee has submitted an application for windows at 4340C. DCS (who is very familiar with our buildings and window requirements) will be doing the installation. Board members asked questions

as they have not seen the application yet, including whether a product specification sheet is attached. The spec sheet is not attached, but Jon Ray said they would be Ply Gem replacements. The product document was requested and Jon Ray will send the application. Mary said DCS may be able to do the work before the end of the month in between building repairs. This is shorter than usual time to vote; however, the board agreed to decide by 4:00 p.m. Monday.

- Greg Butts submitted an application to replace and relocate his A/C condenser for 1169C and wanted to know how long approval would take so he can start scheduling the work. Karen and Mark are looking at proposed installation on Thursday morning and the deadline to vote by email is 6/23. Greg's current condenser is not working so he has no AC. While the board will move as quickly as possible, Karen suggested that he use 6/23 as the target date for scheduling purposes.
- Jon Ray received a request from a family for more shade at the pool by installing a sail. It was noted that sails are not permitted by our ACGs so we should consider setting the example. Mounting would be an issue (e.g., custom post set in concrete). Karen asked if another umbrella would be an option but that would require buying the furniture. It was determined that there are too many other critical needs at this point and this is not in the budget. However, the board will consider solutions along with other pool improvements for the next budget.

Maintenance Report

- Overall tree analysis. Jon Ray reported that there is approximately \$1600 left in the tree budget after dealing with all the unexpected damage from the wind storms. He presented a list of four dead and/or diseased trees that need to be removed soon due to the risk to buildings and to prevent infecting other trees. This will use most of the remaining funds and grinding the stumps will be delayed until next year. He also listed another eight dead and/or diseased trees that need to be removed but there are no funds. Basically, we are falling behind, including preventative tree care, and we need to plan for more tree work. He was asked to provide an estimate for the eight trees plus the stump grinding for the four, which he will do for this fall.
- Logistics for paving project. The preliminary scheduling is for the second two weeks in July. It was noted that early August is a busy move-in time so he will see if the start date can be moved up.
- CoCal Fiesta application – they appeared to have missed some spots. The contract includes two applications for a cost of \$1100 each. The first application is done. However, Jon Ray learned that there should be three to four weeks between applications and it should not be on day with a high over 85°, which makes scheduling CoCal a challenge. It was decided that Jon Ray will buy a bottle of Fiesta for spot spraying. Lois will look at the property to identify areas for spraying.
- Jon Ray reported that he will not be here for the July meeting. Mark will also be absent. There are still four board members so the meeting can take place. An in-person meeting does not work well for out-of-town members so it will be via Zoom. Jon Ray will start the meeting and then make Karen and Lois cohosts.

Financial Report

No report this month.

Old and New Business

- Status of supporting diagram requested for 1129C's patio application. Jon Ray has not received the diagram and the deadline to vote by email has passed. The board has until 7/1 to decide so there is still time to take action without a meeting. He will request the document again and resend the request for a vote.
- Jon Ray and Karen briefed the board about Zoom meeting with Lime Scooters. The issue is scooters are left in the grass, in fire lanes, against fences and fire hydrants, and block sidewalks. The

numbers vary, based on CU sessions. Karen, Jon Ray, and Kevin met with Lime representatives via Zoom and Jon Ray and Karen did a long site visit with a representative. Lime supplied Jon Ray with customer service contact information so he can report scooters that need to be picked up. Lime can use “geo fencing” to block riding and parking in areas but it is not exact. There are three basic options.

- Request blocking off the entire complex. This is unlikely as the most of the areas belong to the city.
- Block the cul-de-sac parking areas but geo fencing is not exact.
- Create specific zones to install corrals. Three sites on city streets were identified that would be painted and have bollards (Colorado and Discovery, the lot at the end of Mohawk and Aurora, and the turnaround at the end of Monroe). This would be between the city and Lime and a request was submitted to the city on June 2nd for review. Lime will keep us updated. In addition, up to two other potential sites were located in our parking strips but the HOA would have to pay for the concrete and it would involve the city (Lime would paint and install bollards).

It was decided to wait for the city’s response before deciding if we need to take any action.

- Idea for a speed bump to slow down cars entering 1129-1189 cul-de-sac. The resident at 1169D explained to Karen and Lois that he parks backwards in his carport due to any speeding vehicles. This is one of the larger cul-de-sacs and is unique in that it has a long, downhill, straight drive from the street to the end at 1129 creating the tendency to speed. It was suggested that the owner request an exception to the rule. In the meantime, a speed bump was suggested, but cost is an issue and it would have to be redone when the lot is repaved. Christiane suggested installing a mirror as a temporary measure but the concern is that it might help the owner but it will not stop the speeding. It was decided to hold this item for upcoming budget process. It was noted that the resident can still submit a request for an exception to the rule.
- Landscaping target areas: dying plants by 4237C, request from 4264C owner, bushes at 1141A & 1130C, parkway strip design ideas, 1149 C & D area west of spruce tree, south side of 1179A, etc. Tabled.
- Further discussion of “observer” process related to Exterior Modification Applications. Tabled.
- Mary had some clarifying questions on the requested window product specifications. Jon Ray will work with her to get the document.

Executive Session: Discussion of specific enforcement actions, personnel matters, and legal issues at 8:51 p.m.

Adjourned at 9:54 p.m.

Park East Square Homeowners Association Meeting Minutes: August 9, 2022

Call to order: 7:01 p.m., via Zoom

In Attendance and Introductions

Board: (a quorum was present)

Karen Fassler Therese Spears Lois Bennett Kevin Bush Mark Liebendorfer (joined mid-meeting)

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

David Longenecker, Rita Minton, Ryan Said, Janet Allsup, and Christiane Audi-Sammoury

Actions taken without a meeting for inclusion in meeting minutes

- Minutes of July 12th meeting approved via email on 7/18/22 with 4 in favor and 1 abstention.
- 1129-C deck and fence application approved via email on 7/26/22 with 4 in favor and 1 abstention.
- 4269-C carport plumbing chase approved via email on 7/26/22 with 4 in favor and 1 abstention.
- 1131-D security camera application approved via email on 7/27/22 with 3 in favor and 2 abstentions.
- 1130-B AC application approved via email on 7/28/22 with 4 in favor and 1 abstention.
- 1176-C storm doors application approved via email on 8/2/22 with 4 in favor and 1 abstention.
- 4170-D solar device application disapproved via email on 8/4/22 with unanimous abstention.

Member Issues & Questions. None raised.

Maintenance Report

- 1156-D floor settling issue. The repairs made several years ago are not working. The settling is now breaking the flooring so Ryan has partially pulled it up. Jon Ray advised bringing in a contractor that has an engineer (e.g., Hudson). Therese may have another contractor/engineer firm. Jon Ray will coordinate the project and stay within the \$7300 budgeted amount for structural repairs. Lois moved to find one or two contractors/engineer teams to look at the issue and provide estimates, subject to the budget. Kevin seconded and it was approved by a vote of 4 in favor (1 absent).
- Paving project for 2022 (4244-4274 AND 4100-4110) finished on 8/5. There is a low spot at 4100 and Superior is coming to look at it.
- 4237 building repairs to begin NLT 8/15/22. 1186 painting in progress. Rocky Mountain Improvements (RMI) will repair 4237, which is their first building. 1129 will be next and then the last building. 1150 will be painted next and some parking spaces have been coned off for the contractor.
- Garvin's Sewer Service is the new contractor to clean the drains from the building to the street. This is a preventative measure. Jon Ray planned on having up to 25 done this year and Garvin's has finished 10 so far.
- Two PRVs were replaced and a hose bib needs to be replaced.
- Proposal to install a mini-split to provide heating and cooling in the shop and remove old gas heater. Jon Ray reported that he and Clay smelled gas and found a leak. He capped the line so there is no gas to the shop, which provides heat to the shop in winter. To repair the line is expensive as the

new line alone is approximately \$1800 and that does not include removing the old one, digging and filling the trench, etc. As an alternative he is proposing a mini-split system that costs approximately \$2000, can be installed by staff, is a zero-carbon appliance, should cost less than gas, and has the added benefit of providing air conditioning in the summer when the shop gets hot. The board asked him to present an estimate for formal approval.

- Shingles were blown off during the wind storm at the beginning of the year so Jon Ray looked at the roofs and had them patched. 4150-C reported water damage and he found it was from missing shingles. He had them repaired today and is working with the owner on what needs to be repaired on the interior. This is an HOA responsibility since it was caused by a leaking roof. He also noted that he has hired Gabriel, a former assistant, for a couple of weeks and one of his tasks will be to have him look at the roofs again to see if others have any missing shingles.
- Concrete update. Replacing the stoop at 1170-A was postponed at a previous meeting so the funds will be used to put in a sidewalk at 1111-A. In the meantime, Clay worked on a temporary repair at 1170-A.
- New project – slab of storage building sinking (includes pool bathrooms). \$50-60-70K (!!!) Phase One should be to hire Architect/Engineer to produce plans. Phase Two – implementation. Jon Ray explained the problem with the sinking building slab and presented photos to show the problems in the bathrooms. The sinking is worsening with time and could eventually cause the plumbing to give out. Kevin asked about mudjacking and Jon Ray explained why this is not an option. He wanted the board to be aware. It was decided to address this during budget discussions and also suggested that the contractor/engineer team for 1156-D might be able to look at it.
 - Christiane offered some historical comments on another potential cause of roof leakage and the settling of the bathroom. She recommended rebuilding the building and expanding the office, building new bathrooms, and getting a second opinion on mudjacking.
- Mailbox keys and replacement. The mailboxes at 4135 (could not be repaired) and 1111 (vandalism) are installed and Jon Ray is distributing keys. In regards to a spreadsheet and replacement plan, Jon Ray said the need to replace them is just starting and there aren't that many but he planned on doing two this year and it was in the budget. Karen clarified that she asked for budget planning purposes so it can be part of that discussion.

Financial Report

- Bonnie reported on the status of the budget year-to-date. Operating expenditures are right on target. Reserves are over due to increased costs for paving, siding, and D townhome balconies and stairwells. Although an increase was built in, the increases were bigger than expected.

Old and New Business

- Suggestion to mandate sump pumps. This was a suggestion from a C townhome owner who had a problem. Karen asked why we would mandate this when not all owners have a problem and the interiors are the responsibility of the owners. Jon Ray explained that it can be difficult to tell where the water is coming from because it can spread to other units. It was agreed that it is unlikely we can mandate this under our current Declaration. However, Kevin suggested looking into the possibility of preapproving a contractor who is willing to install sump pumps for a set price and then offering this to owners so they would not have to go through the full application process. It was decided to refer this to the ACC to put on its project list for research. Christiane commented that she wants them mandated.
- Suggestion for parking space designations in problem spots. An owner provided two ideas in response to complaints about parking large vehicles, especially close to a fire hydrant. One idea is to

eliminate the space next to a hydrant. The board decided this is not feasible given the existing issue with adequate spaces. The other suggestion was to mark these spaces for compact cars only. The board will explore this option so it will be added to the project list to identify other similar spaces and prepare a cost estimate.

- Request for clarification on fence repairs, e.g., when is an application required. Kevin and Karen explained the situation, a rotted post. The policy states that all repairs are to be reported to Jon Ray and he can decide whether an application is needed based on the extent of the repair. For example, replacing a missing picket does not need an application but replacing posts may because they involve the structure of the fence. It was also noted that the board usually responds to applications much quicker than the allotted 30 days. In addition, if there is a need for an immediate repair (e.g., selling or renting), an owner can alert us so we can respond as quickly as possible.
- Adoption of changes to Enforcement, Collections, and Conduct of Meetings policies to comply with new law effective 8/9/22. Karen provided some background on the new law (HB22-1137) that is effective today. It impacts our enforcement, collections, and conduct of meetings policies. Due to the complexity of the new law and the timing for compliance, legal counsel was engaged to draft the three proposed policies. There were several questions for the board to discuss. In the enforcement policy, the board decided to change the fine amounts from \$250 each (capped at \$500) to \$100 and \$200 respectively for a total \$300. There was some discussion around the discretionary warning notice but it was left unchanged for now. In the collections policy, the board decided to keep the interest rate at 6% instead of the proposed 8% and to maintain flexibility around voiding a repayment plan after three missed monthly installments (missed payments need not be consecutive). In the conduct of meetings policy, it was decided to keep the deadline to post notices on the bulletin boards and the web for owner meetings (e.g., the annual owner meeting) the same as the Bylaws, specifically 15 days for mailing. Karen moved to approve the proposed policies with the changes made during the discussion. Lois seconded. She opened up discussion to attendees and there was none. The three drafts with the revisions were unanimously adopted (5 approved).
- Newsletter Review: Paragraphs on weeding & garden cutbacks; street parking permits; exterior mod application reminders; insurance information; composting information. What else? (Review via email). Lois said she received comments from Karen and asked if the others had seen them. Not all had so Karen will email them and Lois asked that any additional comments be provided to her by Noon on Thursday.
- Landscaping.
 - Concept for parking strip design. Suggestion to hire landscape architect for alternatives to decrease water usage (aka xeriscaping) ...or... hire irrigation company to do property-wide sprinkler fine-tuning. Lois explained the background and noted that owners complained about the park strips at the past several annual owner meetings so \$3000 was budgeted in 2022 to get a design and implement one or two parking strips. Regarding hiring a landscape architect, it was noted that CSU might be able to help as they provide information on xeriscape plants. It was also noted that in addition to costs, recent news stories are reporting what cities are doing to decrease water usage so it would be good to be forward-thinking on this issue. Lois presented a proposal for the parking strips where large cobble gravel would be used under trees and on sloped areas, and small gravel with sitting stones would be used in level areas and existing turf would remain in others. The board agreed that Lois and Jon Ray should proceed with developing a plan to try in a parking strip area in the off season using the budgeted funds.
 - Landscaping target areas: Dying plants by 4237-C, request from 4264-C owner, bushes at 1141-A & 1130-C, 1149-C & D area west of spruce tree, south side of 1179-A, etc. This item was tabled and will move to the board's project list.

Adjourned at 9:07 p.m.

Executive Session.: The board adjourned into executive session to discuss specific enforcement and collections actions, personnel matters, and legal. Two requested exceptions to the ACGs were unanimously disapproved.

Park East Square Homeowners Association Meeting Minutes: September 13, 2022

Call to order: 7:03 p.m., via Zoom

In Attendance and Introductions

Board: (a quorum was present)

Karen Fassler Kevin Bush Lois Bennett Therese Spears Mark Liebendorfer

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

Glen Roberts, Rita Mitton, Christiane Audi-Sammoury, Troy Fenlason, James Bailey, and Antje Sliger

Actions taken without a meeting for inclusion in meeting minutes

- 4170D application to install solar panels approved unanimously via email on 8/18/2022.
- 1129C application to install new front and screen doors approved via email on 8/29/2022 with 3 yes and 2 abstain.
- 1101A application to install EV charger in carport approved via email on 8/29/2022 with 3 yes, 1 no, 1 abstain.
- 1179B application to repair fence approved via email on 8/29/2022 with 3 yes, 1 abstain, and 1 recusal.
- 4135A application to repair fence disapproved via email on 8/29/2022 with 4 no and 1 abstain.
- 4340A application to repair fence approved via email on 8/29/2022 with 4 yes and 1 abstain.
- 1111A application to move the AC unit approved via email on 9/9/2022 with 3 yes, 1 no, and 1 abstain.
- Minutes of August 9th meeting approved via email on 8/22/2022 with 4 yes and 1 abstain.

Member Issues & Questions.

Troy asked to provide background regarding notices he received on colored string lights. Although such matters are not to be discussed during the open meeting, an explanation of circumstances that Troy was comfortable presenting in an open meeting was allowed, with the understanding that there would be no discussion or decision on the board's part. Therese provided some information on city code. Appointing a designated contact was discussed and information can be provided to Jon Ray.

Maintenance Report

- Building repair and painting updates. 1186 and 1156 are painted, 4237 building repair is done and painting has begun, 1129 is next, and 1101 will follow as the last building for this year.
- 1156D floor settling issue update. Jon Ray met with the engineer and contractor, and is waiting on recommendations.
- 4222D ceiling painting. It is scheduled for a weekend later this month.
- What's left to do this summer? Jon Ray's priority is to finish the building repairs and painting, as well as some gardening.
- Review fall tasks. Jon Ray reported tasks include cutting back vegetation, leaves, gutters and downspouts, irrigation system blowout, and closing and winterizing the pool.
- Discussion and decision on pool closing date. The pool will close on Sunday, September 18th at 7:00 p.m. Jon Ray will post a sign. Lois will chain the gate on the 18th.

Financial Report

- Bonnie reported on the status of the budget year-to-date. There is little change in status from last month. Reserves are over significantly in some line items due to unanticipated increases for paving, siding, and building repairs. It was noted that the board needs to look at replenishing the Reserves as part of budgeting for next year.
- Bonnie and Jon Ray are beginning to develop a draft budget 2023 including working on estimates for big items. Lois provided information on assessment caps and paving costs. Members have until close of business on the 20th to provide their budget items and build on Karen's list.

Old and New Business

- Review email to be sent to D unit owners regarding stairwell storage. The email was sent so no review was necessary but an owner's question regarding storage of propane tanks was discussed. Because Boulder Fire Code is involved, Therese will research it and report back.
- Decide proposed revisions to the Exterior Modifications Policy & ACGs (primarily solar and electric vehicle charging under new laws); proposed adjustments to the Covenant and Rule Enforcement and Collections policies. Karen provided a brief summary of the proposed changes and background. Lois moved to adopt the changes as proposed. Therese seconded and discussion was opened. Based on a discussion regarding the distance of HVAC units from building walls, the motion was amended to reflect a specified range. The board voted unanimously adopt the revisions.
- Landscaping: Parking strip design and scope for getting contractor bids. Lois described the methodology she and Jon Ray are using, which involves two phases: Phase 1 is demolition and preparation; Phase 2 is to request funds for installation. They have identified and measured a section, are working on a sketch, and then Jon Ray will look at pricing. Following this initial project, a plan will be developed for other areas.
- Review options and issues with Lime Scooters. Complaints of abandoned scooters have increased. Lime applied a geo fence but it does not apply to Monroe and city easements (sidewalks and parking strips). There is some "drift" so the scooters end up on the lawn. Lime submitted a plan to the city for parking zones on the streets. Another option is to prohibit them throughout all of Park East Square. We will check with the Lime representatives for any updates from the city. Bonnie reported that the city is collecting feedback on e-scooters since the first year is closing. She will provide the link to the survey and it will be shared via mass email.
- Speed bumps for 1129-89? The board decided to wait until the lot is paved to build speed bumps. It was noted that cases of parking backwards are increasing. Karen shared a catalog with John Ray that has pre-made speed bumps for prices that are not too high. He will investigate whether this is a feasible interim solution.
- Review scope for management companies. Lois shared an overview of the draft scope of work. Therese has done a lot of work on locating potential vendors. Lois asked for input on what should be in a cover letter e.g., resume and references. There was also discussion on several sections as part of the effort to trim it more. Lois made a motion to clean up the document and send it out. Therese seconded and it was approved unanimously. Board members have until close of business on Friday to provide comments to Lois.
- Plan for annual meeting? Tabled until the next meeting.
- Report from the ACC on the sump pump project. At the last meeting, the board asked the ACC to research the possibility of finding a preapproved contractor to install sump pumps for a set price. Karen reported that the ACC found that it is not feasible. It cannot be priced because the work varies too much by the individual townhome and can involve more than one vendor. In addition,

the HOA does not recommend vendors because such arrangements are between the owner and vendor, as well as to prevent potential HOA liability. However, we can do some education using the newsletters, website, and during the annual owners meeting. The education portion of the meeting could include other items like fire safety tips, crawlspace inspections, fallen attic drywall, dryer vent cleaning, etc.

Adjourned at 8:40 p.m.

Executive Session: The board adjourned into executive session to discuss specific enforcement and collections actions.

Park East Square Homeowners Association Meeting Minutes: October 11, 2022

Call to order: 7:02 p.m., via Zoom

In Attendance and Introductions

Board: (a quorum was present)

Karen Fassler Kevin Bush Lois Bennett Therese Spears Mark Liebendorfer

Staff and Committees:

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Owners/Other:

Bjorn Bergman, Rita Mitton, Wayne Schroeder, David Longenecker, Christiane Audi-Sammoury, Andrew Neff, and Roxanne Royce

Actions taken without a meeting for inclusion in meeting minutes

- Minutes for 9/13 meeting approved via email on 9/21/22 with 3 yes and 2 abstain.
- Mini-split installation in shop unanimously approved via email on 9/21/22.
- 4135A fence repair application disapproved via email on 9/14/22 with 3 no and 2 abstain. A subsequent application was unanimously approved via email on 9/29/22.
- 4330D reimbursement for pest company cost to find location of bird entry into attic was approved via email on 9/27/22 with 3 yes and 2 abstain.
- 1180B fence repair application unanimously approved via email on 9/28/22.

Member Issues & Questions.

1150C: scratches on window, from building repair? The owner was not present so Jon Ray will continue to work with the owner and keep the board advised. No other issues or questions were raised.

Maintenance Report

- Status of summer projects wrapping up. The last building repair at 1101 is in progress, 1129 is being painted, and the other summer projects are done.
- Status of 4232 reconstruction. Work has begun.
 - Options for rebuilding D unit deck. Current decks have a waterproof membrane with shims nailed on top so the membrane is penetrated, which can leak. One idea is to use a thin concrete pad; however, the board believes this would lead to cracking as the building settles. Another option is to fuse floating pedestal that sit one top. Jon Ray is working with the RTC on this option and will keep the board informed.
- Fall maintenance projects: aerate, gutter cleaning, cutbacks, pruning, small tree work, door painting, irrigation blowouts (10/27-30), paint shop. Gutter cleaning is late October/early November and small tree work is later in the winter, the goal is to paint two doors per week, and the shop exterior is being painted in sections as time and weather permit. Lois asked about the status of the issue with the new asphalt at 4100-4110. Jon Ray reported that Superior is aware and will repair. She also noted that aerating seems to be tearing up the grass as opposed to leaving plugs so Jon Ray will look at it. Christiane asked about cleaning cobwebs and Jon Ray reported that Clay cleaned them but they come back quickly. He will follow up but noted that any help from owners is appreciated. Lois asked that trash room cleaning be added to the list.

Financial Report

Budget projections were discussed in preparation for determining the 2023 budget, including the potential impact on dues. Anticipated increases in existing line items were reviewed based on actual expenditures and in anticipation of inflation and new items were discussed. Aside from inflation and the goal of keeping dues increases as low as possible but reasonable, a goal continues to be avoiding special assessments and maintaining adequate reserves, which have been depleted over the last few years to cover other expenses. A range of dues increases were considered along with the assessment cap. Adjustments were made to the line items taking into consideration needs and priorities. The board decided to look at a range of \$40 to \$60 in dues increases. Bonnie will prepare new projections for the November meeting.

Old and New Business

- 1156D: status of recommendations from professional engineer and estimate from Hudson. Jon Ray reported that the engineer provided three recommendations. First, the central column needs to be raised up by $\frac{3}{4}$ " since the building has settled again since the last repair. He does not believe this will be a big project and is waiting for an estimate from the contractor, Hudson. The second recommendation involves slip space, which is used in newer buildings, so the interior walls have space to "float" as the ground settles. It would entail rebuilding the west wall of the carport. Jon Ray does not necessarily recommend this option as it could be complicated. Third is the A unit crawlspace. There should be soil under the grade beam. This is beyond the scope of the problem with the D unit; however, the engineer asked Jon Ray to look. He will follow up and Lois will participate. Jon Ray will send all the information to the board. Christiane recommended using a helical post as was done for 1131; however, Jon Ray responded that this does not apply because the situations are different.
- Status of management company procurement. Lois gave an update. We have 10 proposals and are in the process of reviewing them and making comments to create a short list and ask for additional information. Rita asked what a management company would do. Lois explained that we need help with administrative work so Jon Ray and Clay can focus on keeping up with building and grounds maintenance and repair. It includes functions such as accounting/bookkeeping with Bonnie's impending retirement, maintaining owner information, doing the website and adding a portal so owners can see their accounts and pay dues, 24-hour emergency response, performing inspections and enforcement, help with meetings and taking minutes, and setting up a parking program. Kevin noted that the workload for board members is large and an unreasonable expectation. Cristiane asked about the term and Lois replied it would be one year with the option for renewals. Andrew asked about the cost and Lois replied that it is unknown at this point because the proposals vary. Christiane asked why the board is not waiting for the annual meeting before deciding and Lois replied that it needs to be built into the 2023 budget and allow time for the transition.
- Planning for annual meeting. The board discussed topics and whether to do a Zoom or in-person meeting. It was decided to do a Zoom meeting so more can attend. We will do a slide on the history of dues and how increases were spent; what a special assessment would look like in lieu of increasing dues to accommodate projects like repaving; an overview and the transition to the management company; the 2023 budget; and the education section with items already identified. The annual board election will also take place. It was noted that Lois' and Karen's terms are expiring. The board will discuss a candidate search at the November meeting.
- Christiane commented that she prefers the annual meeting be in person and that no decision be made on the management company without the December annual meeting and discussion with members. Lois pointed out that the decision rests with the board and December is not enough time

to transition. Jon Ray noted that opportunity for input is provided at the regular board meetings. However, her point is understood and will be considered as the proposals are reviewed.

Adjourned at 9:04 p.m. Kevin moved and Karen seconded a motion to adjourn that was approved unanimously.

Park East Square Homeowners Association Meeting Minutes: November 8, 2022

Call to order 7:00 p.m. via Zoom

In Attendance

- Board (a quorum was present)
Lois Bennett, Mark Liebendorfer, Kevin Bush, Therese Spears. Proxy from Karen Fassler provided to Lois Bennett.
- Staff
Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper
- Owners/Others
Dave Longenecker, Christiane Audi-Sammoury, Mark Hageman, Martin Walter, Glori Gessell, Arika Virapongse & Mario Estabelini, Michael Slaughter, Bill Gibson & Chris Manuel

Actions taken without a meeting for inclusion in meeting minutes

- 4340A Fence completion – Approved 11/1/22 with 3 votes in favor, 2 abstentions.

Member Issues & Questions

- Christiane: Asked to keep question until later in the meeting.
- Mark Hageman: Concerns about hiring management team. In his experience they take a lot of money, but BOD can usually do things at a far lower cost. Hasn't seen anything about monthly dues. If the increase is over 5% BOD will need approval from a quorum of the community. Happy with Jon Ray's work. PESHHA has gone 40 years without a management company.
- Jon Ray noted people will be able to ask questions or express concerns before a vote.

Maintenance Report

- Sewer issues (4160C as an example) & water leak issues (4202C as an example). Owners should check their crawl spaces!
 - Had an issue with a sewer line that corroded in a line from a C-unit that feeds into a B-unit. Note the HOA is only responsible for lines serving more than one unit. B-unit and C-unit had to resolve repair between themselves.
 - Had water leak on HOA main line that is the HOA's responsibility. Had to shut off water to whole cluster to repair.
 - Recommend everyone check their crawlspaces on a regular basis.
- Working on leaves and lower gutters. Higher gutter cleaning delayed due to Jon Ray injury.
- 4232D: Deck options (may set a precedent for other D-units going forward). D unit decks were nailed through the waterproof membrane which could cause leaks. Jon Ray has been looking at other options and will discuss those later in the meeting.
- Lois noted a weather pattern where Thursdays have bad weather. CoCal hasn't started the fall grounds cleanup yet. They are apparently delayed at another property. Jon Ray expects them to start soon.
- Bill Gibson asked what is involved in fall cleanup. Jon Ray answered it mainly involves leaves. Maintenance and/or CoCal will blow out leaves from garden areas and some carports and mulch the leaves into the grass. They will also cut back the HOA Common Area gardens, pruning along sidewalks to ease winter snow removal, cut back the junipers and clean gutters and plunge all downspouts.

- Lois asked about pine needles on lawns. Jon Ray said they will attempt to move them with the blowers and rake up others. Two grounds cleanups planned before winter. Note owners are responsible for cleanup in their own porch or fenced areas.

Financial Report

- Discussion and voting on 2023 budget
 - The budget was displayed on the screen so everyone on the call could see.
 - Expenses have been going up along with inflation as expected. The administrative management (property management) company will cost about \$10/mon/unit. That is offset somewhat by the \$4/mon/unit bookkeeping expenses that we have paid in the past, netting an increase of \$6/mon/unit.
 - The insurance budget numbers have **not** been adjusted downward to match the actual renewal quote, which increased by 13% over last year. The BOD has requested quotes from the insurance company to increase our shell coverage from \$111 per-square-foot to something higher, based on the high replacement cost data coming out of the Marshall Fire.
 - The \$10,000 additional building charge line item is for the insurance deductible for 4232.
 - Increasing the tree budget because many trees are in decline. Removing a large cottonwood can cost as much as \$4000.
 - All contractor expenses (mowing, snow removal, etc.) have gone up dramatically.
 - Payroll is holding fairly steady.
 - Pool expenses have been going down now that Clay can do a lot of the maintenance avoiding outside service expenses.
 - Switched garbage companies because of poor service by prior vendor.
 - Reserve expenses for D-unit stairs and railings have gone up due to higher contractor and material costs.
 - Gutter replacement has increased a little. We're getting close to completing the major gutter replacement effort, but there is ongoing maintenance and repair costs.
 - Painting prices have gone up dramatically because of material cost increases. PESHHA is still planning on painting six units per year. The new paint contractor is doing excellent work.
 - Siding has gone up. The new contractor is fairly predictable.
 - We have \$10,000 earmarked in the budget for structural repairs (currently unknown).
 - Asphalt prices have increased dramatically due to the increase in the price of oil. Replacing all of the asphalt in the cul-de-sacs and access roads was originally estimated at \$1,000,000. Because of cost increases during the project, we have already spent 60% of that budget on just 43% of the properties. We're expecting the remaining cul-de-sac building will likely consume another \$1,000,000, effectively doubling the original estimate. The net cost is approximately \$26,000 per building, or \$6500 per unit.
 - Last year, we had a few mailbox clusters damaged by vandalism and break-ins requiring a full replacement. We had to increase the budget in anticipation of replacing two more clusters in 2023.
 - We have a small budget assigned to improving the parkway strips.
 - The sidewalk/stoop budget line item is to replace or repair damaged patio stoops, damaged carport concrete, etc.
 - The pool building cement slab floor is sinking and is putting plumbing at risk. We will eventually need to deal with it. We don't know the best solution yet. We will need to engage an engineer or contractor to provide options. The final solution will likely be much more expensive than the currently allocated \$4000.

- Based on all of these expenses, the Board is planning a significant dues increase to cover the additional expenses. We did a large increase a few years ago to cover the asphalt work, but have only made modest changes since. Please note that most of the increase is to cover increases in materials and contracting services. Only a small amount is associated with the addition of an HOA management company.
- Lois suggested increasing the dues by \$60 per unit per month. The PESHAs specifically state that dues can only be raised by 5% per year. Our legal team states that even if dues are not raised in a year, the cap increases by the 5% anyway. If the dues had been increased by 5% per year since the 1970s, they would be at \$491 per unit per month for 2023. The BOD is proposing \$420 instead.
- Five years ago, when the asphalt program was started, there was a full discussion among the Board and owners at the annual meeting about the possibility of a \$5000 special assessment. The clear consensus was to increase the dues instead. The alternative of a special assessment still exists, but the Board would prefer not to exercise it and fund the additional asphalt costs with increased dues instead.
- A proposal was made to provide a \$100 yearly discount for owners who choose to pay the entire year's assessment by January 31st.
- Discussion:
 - Christine Gibson: Does Bonnie want to stop doing bookkeeping? Bonnie answered yes, she is retiring. Christine also asked if there is anyone else in the units that would want to do the work on a paid basis. The Board does not know of anyone.
 - Christiane Sammoury: Would like more information on the D-unit deck repair options. Lois said two solutions were proposed by the contractors. One is not acceptable at all. We will likely do other solution as a prototype for other decks. We will monitor the solution and decide whether to repeat it on other decks. Christiane said she put a lot of thought into possible solutions and would like to see them considered too.
 - Mark Hageman: Said this is a townhouse community, not a condo community. Each unit owns the ground under the unit. The insurance costs are ridiculous. Mark wonders if he or the HOA is over-insured. He does not want to see another web portal to deal with as the new HOA company comes on. Based on his experience with other HOAs, he doesn't agree that cap continues to increase yearly and doesn't think the PESHAs mention cumulative increases. He believes we must have a community vote to increase by more than 5% in any single year. Jon Ray notes that we are a pre-CCIOA community and different rules apply. Lois repeated we have a legal opinion on that. In answering Mark's insurance question, Lois said that last year, under legal advice, the HOA developed a maintenance and insurance chart. The HOA must insure anything that it maintains. The HOA maintains the roof and siding so it must insure it. The HOA decided to go with "Shell" insurance. The HOA will replace the shell of the structure. The individual owners are responsible for everything inside of the shell including insulation, individual unit plumbing and electrical, etc.
 - Christiane: Glad that the HOA has been replacing the bad trees, but we have been replacing them with more trees than we used to have. She suggested replacing fewer trees while dealing with repairing the buildings. The amount of work that the HOA is doing can be minimized. If go with the management company, we should have them take over legal. Lois answered that we can look at the tree replacements again. We were doing one for one replacement, but have backed off somewhat, and are replacing fewer trees. The tree replacement comes from a different budget line item.

- Lois delayed vote on the budget until after the presentation of the HOA management company. After a motion was passed to retain Cherry Creek as a property management company, the discussion returned to the budget.
- We are still renovating buildings. When the siding replacement work is completed, we need to start saving money for roof replacement. The 2015 roof replacement effort was approximately \$1,000,000 but was luckily paid for by insurance. We have to assume we'll have to pay for the next replacement though.
- A motion was made by Lois and seconded by Kevin to increase to \$420/unit/month with a \$100 yearly discount for owners who chose to pay the full year by January 31st.
- Discussion:
 - Christine: Thinks it would be good idea to trim the budget a little to stretch things out that are not necessary like the parkway strip improvements. She's concerned that the HOA will continue to increase by \$60/unit/month every year in the future. Lois said the future increases will not necessarily be as large. We did one large increase five years ago for the asphalt replacement with modest increases since. Christine suggested that we replace asphalt on fewer cul-de-sacs per year. Lois mentioned that would only extend the project by one or two years. Mark said it would probably cost more in the end.
 - Lois: Our reserves are too low. Not replacing them would be fiscally irresponsible. Kevin asked her to detail that. Lois said the reserves are only at \$300,000, so we would not be able to handle a large event. We are currently using the reserves faster than we are replacing them. A portion of the dues increase will be used to restore some of that decrease.
 - Bonnie: It's pretty clear that the expenses are going up a lot faster than expected. There isn't much opportunity to cut money out of the operating budget. The only alternative is to cut into the reserves budget, but that reflects poorly on the community and hurts property prices.
 - Lois: We have a 45-year old property and old properties have higher expenses than newer properties. Cast iron pipes are degrading. Trees are dying. The asphalt is collapsing. Ground movement is affecting structural integrity of some of the buildings.
- With no more discussion, Lois called for a vote. With Karen's proxy, the motion passed unanimously.

Old and New Business

- Discussion and voting on administrative management company followed by legal review.
 - About 3-4 years ago the BOD started educating itself on management companies.
 - House Bill 1137 has dramatically changed the rules for HOAs making it very difficult for a volunteer Board to keep up with the changes.
 - The overall goals of engaging a management company are to lessen the load on the HOA Board and architectural control committee, transfer bookkeeping with Bonnie's pending retirement, and lessen legal expense and risk.
 - Proposed HOA management company duties: Bookkeeping, billing, communications, newsletter, website, 24-hour emergency response line, HB1137 administration, Architectural Committee surveys and enforcement, record management, monthly and yearly meeting management, possible parking tag programs. Jon Ray's maintenance team will remain employees or contractors of PESHA and will not be included in the management company responsibilities or fees.

- Therese put in a lot of effort reaching out to as many as 20 or more different HOA management companies. The HOA wrote a scope of work, and Therese received 10 responses. The Board evaluated those responses and shortlisted them to four companies. One of the four removed itself from consideration. The Board interviewed and ranked the three remaining companies. All three of the companies are capable of doing the work, but the Board unanimously preferred Cherry Creek HOA Professionals who carefully considered our requirements and introduced their proposed agent/ manager. Jon Ray displayed a chart comparing the top three companies.
 - Kevin said the amount of time required of Board members is completely unreasonable. He's getting 10-20 emails per day with multiple meetings. Kevin thinks Lois and Karen are spending from 10-30 hours per week on HOA issues – unpaid. If we paid the Board members for their time the cost would be greater than the proposed Cherry Creek cost. Kevin also talked about his experience going from self-management of his local fire district to a special district management company. Colorado election and accounting laws have changed dramatically for special tax districts and have made it extremely difficult for the volunteer management to keep up. The management company gets legal advice once and then leverages it across all of its clients reducing time, expense and risk for each. He said the transition to professional management has been very beneficial for the district and has dramatically reduced its risk. He thinks that, in light of HB22-1137, PESHA will see similar benefits.
 - Mark Liebendorfer agreed with Kevin's comments about the unreasonable load on the Board members.
 - Kevin suggested that switching to a management company will free up more of Jon Ray's time allowing him to be out in the field more often. He also suggested it will make architectural enforcement less contentious.
 - Lois made a motion and Therese seconded to retain Cherry Creek HOA Professionals as the administrative management company starting January 1, 2023 subject to contract negotiations and a legal review. The Board will begin transitioning processes and documents as soon as the contract is signed.
 - Discussion:
 - Bill Gibson: Would like to know more about how the administrative managers will handle enforcement. He has heard that management companies will just put a lien on the property and then pass it to collections. Therese said the new HB1137 law eliminates most of that.
 - With no more discussion, Lois called for a vote and the motion passed unanimously with proxy from Karen.
- Planning for annual meeting and board candidate search
 - Lois made a motion to put out a call for Board candidates in the same way as last year. Therese seconded. Lois called for discussion, but there was none. She then called for a vote. The motion passed unanimously with Karen's proxy.
 - Newsletter planning
 - Lois is working on a newsletter detailing the approved 2023 budget, 2023 dues increases and the new HOA administrative management company. She hopes to get it out before Thanksgiving.

Adjournment

- Last call for discussion. No other comments.
- Adjourned at 8:47 p.m. Lois made a motion to adjourn. Kevin seconded. The guests were thanked and excused, and the Board entered into a short executive session immediately afterward.

Park East Square Homeowners' Association Special Action Minutes: December 11, 2022

Board:

Lois Bennett, President
Mark Liebendorfer, Vice President
Karen Fassler, Secretary/Treasurer
Therese Spears, Director
Kevin Bush, Director

Staff and Committees:

Jon Ray Gardner, HOA Manager
Bonnie Skilton, Bookkeeper

Business

Bonnie Skilton, HOA Bookkeeper, requested an account be created at the HOA's bank, Bank of the West, to hold the 4232 insurance claim funds. Once created, she will transfer these funds (approximately \$59,000) into the new account. Although four directors are authorized on the accounts, the bank requires documentation that the Board of Directors approved the creation of the new account. Thus, Karen moved and Lois seconded the following. It was approved unanimously on Sunday, December 11, 2022, at 1:43 p.m.

Park East Square Homeowners Association, Inc., a Colorado nonprofit corporation, hereby authorizes the Board of Directors to open an account at Bank of the West to hold funds related to the 4232 insurance claim. The authorized directors may be any two of the following: Lois Bennett, President; Mark Liebendorfer, Vice President; Karen Fassler, Secretary/Treasurer; or, Therese Spears, Director.

Park East Square Homeowners Association Annual Owner Meeting, December 13, 2022

Call to order 7:04 p.m. via Zoom

In attendance

Board

Lois Bennett, President Karen Fassler, Secretary/Treasurer Therese Spears, Director
Mark Liebendorfer, Vice President (Kevin Bush, Director, excused)

Staff

Jon Ray Gardner, HOA Manager Bonnie Skilton, Bookkeeper

Guest

Dani Esch, Administrative Agent

Owners

Dave Longenecker	Tim Johnson	Christiane Sammoury-Audi	Rita Mitton
Ivette Visbal (2 townhomes)	Janet Hildebrandt	Peter Lowell	Rene Sotola
Rita Mitton	Safia Rubai	Michele Voecks	Brenda Roberts
Greg Butt	Tim & Glori Gessell	Ingrid Mielke-Maday	Maura Christoph
Sandy Lowery (2 townhomes)	Kellie Brownlee	Steve Haymes	Tom Clark
Wayne Schroeder	Pat Jeske	Lanai Bayne	Carol Conzelman
Mario Estabelini	Karl Williamson	Bjorn Bergmann	Krister Shalm
Roxanne Royce	Mary Magee		

20 proxies were also received. Quorum was established and the meeting began.

Reading of the Annual Owner Meeting Minutes. Karen read the 2021 minutes. Lois moved and Karen seconded a motion to approve the minutes, and it passed unanimously.

Introduction of Administrative Agent. Therese introduced Dani Esch, our new Administrative Agent, who will begin attending our meetings in January. Dani is from Boulder so she knows the area well and has been doing community management for 10 years, including HOA management for seven and half years. She is very excited to start working with PESHA.

Board Election. Two seats were filled for three-year terms beginning on January 1st. The two current directors volunteered to serve another term and Jon Ray called for nominations from the floor. The Nominating Committee also sought candidates in the newsletter and by email in November. No other candidates were identified so Karen and Lois were reelected by affirmation.

Maintenance and Major Project Report

- Completed in 2022
 - 4100-10 and 4244-4274 lots were repaved, completing fourth year of the repaving project.
 - Sewer lines in paved lots were scoped and issues repaired before repaving.
 - Exterior of six buildings were repaired using two contractors, completing sixth year of ongoing repair project.
 - Six buildings painted.

- Gutters and downspouts were repaired on six buildings, which is about the end of the 55 buildings.
- Ongoing coordination of 4232 fire reconstruction.
- Drain lines serving 25 buildings were cleaned.
- Two D townhome stairs/railings were replaced.
- Pressure Regulating Valves were replaced on water mainlines in three buildings.
- Some older trees in decline were removed and new trees planted, including those blown down during the wind storm last December.
- Common area sidewalk trip hazards were addressed.
- Four cluster mailboxes were replaced.
- Split rail and HOA patio fences were replaced as budget allowed.
- Maintenance: irrigation, weeds, gutters, snow, pool, fences, lighting, dog stations, lawn care, and more.
- Converted the pool chlorination system to a salt cell. Jon Ray heard good feedback and it avoided the need to close the pool for the mid-season draining required under the old system, and it saved water.
- Plans for 2023
 - Transition of administrative tasks to the management company.
 - Repave two more parking lots or one larger lot and fix sewer issues.
 - Repair building exteriors and paint six buildings.
 - Replace two D townhome stairs and railings.
 - Repair gutters and downspouts on five buildings.
 - Continue concrete repairs, e.g., sidewalks and/or carport slabs.
 - Complete the reconstruction of 4232.
 - Prune and remove more trees.
 - Plant more trees.
 - Replace more cluster mailboxes.
 - Rebuild more HOA patio and split rail fences.
 - Park strip improvement project. Have a plan and hope to bring in a contractor in the spring.
 - Replace more Pressure Regulating Valves.
 - Continue drain cleaning.
- Questions and comments
 - An owner acknowledged the excellent work Rocky Mountain Improvement did on repairing her building. Although DCS is moving, she noted they are still available to do interior work, windows, doors, attics, crawlspaces, etc.
 - One owner asked how it is decided how many lots (1 larger or 2 smaller) and buildings to do in a year and in terms of dues. It was noted that both are long-term projects. Painting six buildings per year means painting is on a 10-year cycle so saving for this is ongoing, just like other ongoing maintenance, repair, and replacement needs on different cycles, such as roofs with a 20-year cycle. This is balanced with other considerations such as continuing to catch up on deferred maintenance from past years, unexpected expenses (e.g., insurance deductible), and improvements (e.g., storage doors).

Budget Review. Bonnie was recognized for her 30+ years of service as our bookkeeper. We wish her well in her retirement. She will be missed. Lois did a detailed, line-by-line review of the approved 2023 budget (on the website and mailed in November) compared to the 2022 year-to-date and projected budget and 2021 actuals. Dues increased for 2023. It was noted that a \$100 discount is being offered if dues for the whole year are paid in January. First, expenses continue to go up as explained in the

November meeting. For example, the new management company net cost is \$6/unit/month, legal costs to update policies from legislation and governing documents from 1974, grounds contract increase even with the solicitation and selection of the lowest bid, insurance premiums increase 13%, etc. Second, there is a need to replenish the reserves. We have drawn from reserves to cover expenses over the past several years and costs of the large projects have also increased. For example, costs of building materials and contractor rates increased, paving prices increased tied primarily to the price of oil that fluctuates as the work is being done. We also need to build up the reserves to cover deferred maintenance (which only becomes more costly the longer it is delayed), and to fund future needs, such as the sinking pool bathroom floors. While this affects the interior walls right now, it will eventually affect the plumbing. The extent of repairs is unknown at this point but funds have to be set aside for a structural engineer to do an assessment and plan, as well as the actual repairs. The board does not expect large increases like 2023 to occur every year but we must be fiscally responsible in covering operating needs and reserves.

- Questions and comments
 - Several owners expressed their appreciation for Jon Ray's work and his level of service.
 - Several owners expressed their concern over the amount of the increase for 2023.
 - An owner asked how the board decides on what are essential projects and the impact of dues. The chart was pulled up again and the process explained. The board starts with a list of all potential projects, prioritizes them, and then creates the budget. It was noted that even some "A" priorities do not get funded.
 - An owner asked what the difference is between the building lines in the reserves vs. expenses lines. The bulk of building repairs are in the reserves, such as siding, painting, gutters, D decks and stairs.
 - An owner asked how many more years are left before the paving project is complete? At least five. However, we need to continue to save for when repairs are needed again.
 - Three owners had questions or comments about reserves. One question was about the ratio of reserves to dues and if the management company would think that is adequate. It is noted that the percentage income includes more than dues and there is a range of what is adequate depending on several factors. The management company does not perform this service. It is based on a professional reserve study. Our study was done a number of years ago and it was noted that the General Assembly is expected to have legislation on reserves again in the upcoming session. In respect to the amount of reserves, the figures were reviewed and it was noted that the funds coming out take care of maintenance responsibilities. The risk of not having reserves for major needs is a special assessment or having to apply for a loan.
 - An owner noted the amount of increase in some fees and said balance is needed, asking if there is a way to see more detail. Detailed financial reports are on the website. The board agrees balance is important and realizes this increase is large but also keep in mind that dues were kept artificially low for some time as no maintenance was occurring and that simply was not sustainable. One owner noted inflation is outside of the board's control, building costs are more than the rate of inflation, and we cannot let things linger and build up. Another owner who has other rental properties reported also hearing that legislation requiring reserve studies is coming because many HOAs do not adequately fund them and that is fiscally irresponsible, resulting in special assessments. She commended the board for its incredible insight, also agreeing that many increase are out of its control. If we allowed things to fall apart, it would impact our property values and she appreciates the balance and forward thinking to plan over time.
 - One owner believes costs have increased due to enforcement so staff no longer take care of the grounds but now spend time in the office. Jon Ray reported that his work on the grounds is still

pretty hands-on. Several board members also noted that office work includes contracts and materials, staff's snow removal is cheaper than using the contractor, and dealing with complaints is minor compared to where our time is spent. Another owner noted that he saw the comment in the anonymous letter and it has not been his experience that Jon Ray spends his time behind the desk as opposed to working on the grounds, which makes him suspicious of the other allegations in the letter.

- An owner asked if there would be a vote to approve the budget tonight. There would be no vote as that already occurred when the budget was approved in November. The process was explained noting that as a "pre-CCIOA" HOA, our budgets are not subject to a vote to veto in the law because we have a rate cap in our governing documents and we are well under our rate cap.

Owner Education. This portion of the meeting provided information on several topics.

- Crawlspace. Owners should regularly look in their crawlspaces because things can happen that result in big issues. Make sure steel beams are not bowed, duct insulation is adequate and attached, and check for rusting support posts. Look for moisture – vapor barriers on liners and sump pumps can help. Also check for disconnected, broken, or clogged dryer vents (fire hazard), and know where the large main gate valve on the building water line and the pressure regulating valve are located.
- Attic Drywall. Drywall was installed on a small portion of the ceilings near party walls, perhaps as part of the fire break. It was nailed as opposed to being screwed in and some has fallen down into the attic. This can compress insulation, clutter the same, and even poke through the ceiling. It is important to know that the HOA is not responsible for anything in the attic.
- Fire Safety. All townhomes with 2nd floors should consider emergency escape ladders for bedroom windows. Do not prop open carport fire doors or interior trash room doors. Stairwells are the only means of egress for D units. Do not store flammables, hazardous materials, or junk under the stairs. Do not block the stairs or hallways.
- Insurance. The HOA only insures the "shell", owners should insure interiors. Review the *Maintenance and Insurance Chart*. Check coverage with your agent to be sure it is adequate. Discuss Loss Assessment coverage with your agent and be aware some policies exclude wind and hail damage. At least \$10,000 is recommended. We suggest sharing the Chart so they can check coverage to be sure it is adequate and ensure that asbestos abatement is covered.
- Exterior Modifications. Any project involving the exterior of the building will require approval from the board. Submit the application before work begins. Share the HOA's Architectural Control Guidelines with contractors. Owners were reminded not to sign contracts or pay anything for any project until the application is approved.

General Q&A

- Several owners commented on the amount of enforcement in the belief that it is one of the reasons behind the dues increase. Examples were swings in trees, birdfeeders, dogs in the main common area, and lights. It was suggested that enforcement be limited to serious, critical items and not subjective things (e.g., birdfeeders) since they do not impact the buildings. Board members said they appreciate all the comments. It was noted that lights are in response to City of Boulder ordinances so we comply. Common interest communities have rules that must be enforced and the vast majority take care of the problem. It was noted that birdfeeders attract rodents, which do affect the structure.
- An owner asked if pool hours could go back to 10:00 p.m. as there is no added expense and commented that the cameras were not in the budget and are an invasion of privacy. Pool hours are decided by the board in the spring. They were held over from the pandemic and staffing availability.

The camera was approximately \$52 and only records the public area when the pool is closed. One was also installed by the shop after three windows were broken. Vandalism at the pool was happening regularly and cleanup was time consuming. The cameras are an effective deterrent.

- An owner of a D unit said the content of the anonymous letter was pretty disturbing. She asked for more information on the supporting beam issue in the letter since it alleged a lack of safety. Jon Ray explained that it was a very complex issue that took different types of contractors and engineers. The approved plans and repair were signed off on, permitted, and inspected by the City, which was corroborated by current members and a former member of the board. We currently have another D unit with a shifting floor but it is a different issue and we are waiting for an engineer's plan. There are several factors in assessing the nature of an issue including age, soil, hydrology, the way the buildings were constructed, etc. The HOA is trying to be very proactive in fulfilling its fiduciary duty by bringing in experts and acting accordingly. In the case of the D unit referenced in the letter, it was noted that at no point did the city declare the unit unsound and unable to be occupied. The owner of that D unit disagreed saying it could not be occupied and she never received a copy of the final inspection that she requested. It was explained that it was an HOA responsibility as it involved a structural problem over the easement; thus, the documents are HOA property and release is controlled by law and policy.
- Several expressed their appreciation of the board and the tough job in balancing fees with inflation, as well as Jon Ray's assistance with some specific repairs, and for Bonnie's service.

Adjourned at 9:30 p.m.