Park East Square Homeowners Association

SPECIAL BOARD MEETING MINUTES

July 29th 2026 (via Zoom)

Call to Order

The monthly Board meeting was called to order at 7:05. A quorum of the Board was present.

Board members present included:

- Steve Haymes – President
- Mark Liebendorfer – Treasurer
- Roxanne Royce – Secretary
- Rene Sotola - Board Member
- Christiane Sammoury - Board Member

Also present:

- Also present: Allan Orendorff -Trio Community Association Manager.
- Brent Chapman - Facilities Manager

Homeowners in attendance: Lois Bennett, Karen Fassler, David Longenecker,Theresa Spears, David Bartelt, Greg Butt, Mary Ransom, Scott Ellis, Bryan Shank, Cindy Hoese, Wayne Schroeder, Angelica Schroeder, Mary Newell, Mike Kirchberger, Andrew Neff

Meeting Type Correction

- It was noted that the meeting agenda incorrectly identified the meeting as a **monthly board meeting**.
- The minutes should reflect that this was a **special board meeting**.

- Discussion clarified that a special meeting of the board requires three days' notice, whereas a special meeting of members has different notice requirements.
- The Board confirmed that the meeting notice requirements had been met.

Approval of Previous Minutes

- The Board reviewed the **May 12 meeting minutes**, which had previously not been approved.
- It was confirmed that the minutes had not been revised.
- A motion was made to approve the May 12 minutes as written.
- Motion was seconded.
- Vote: **4–1 approval** (clarified after discussion regarding individual votes).
- The May 12 minutes were approved.
- The July 14 minutes were discussed but will be considered at the August meeting.

Member Issues / Public Comment Scheduling

- The Board agreed to move member issues and questions to the end of the meeting due to the length of the agenda.
- Members wishing to speak were asked to provide:
    - Name
    - Unit number
    - Brief description of topic

Members requesting time to speak included:

- **David L** – law firm search.
- **Cindy** – items being removed/disposed of; clarification requested regarding agenda items.
- **ACC discussion representative** – ACC-related matters.
- **Wayne/Angelica** – requested opportunity to comment on agenda items during public comment.

Building Repair Budget Update (Brent)

- Brent provided an update on the building repair budget and progress.
- The original goal was to complete repairs on **seven buildings** during the year with a budget allocation of **$105,000**.
- Four buildings have been completed.
- Approximately **$96,400** has been spent.
- A **$10,000 deposit** has been made toward the next building.

- Remaining budget was estimated at approximately **$8,600**.
- Additional anticipated costs for the next building include:
    - Dumpster: approximately $300
    - Permit: approximately $1,000
- Completing the next building was expected to put the project approximately **$4,000–$5,000 over budget**.

Discussion – Building Repair Costs

- Brent explained that increased costs were due to:
    - Higher material costs.
    - Larger scope of work than originally anticipated.
    - Discovery of additional deterioration, including damaged siding and trim.
- The board discussed that the buildings are approximately 50 years old and future maintenance costs are expected to increase.
- Brent recommended proceeding with the next building because:
    - The contractor's schedule had been reserved.
    - Delaying repairs would likely increase future costs.
    - Materials and labor costs are continuing to rise.

Motion – Building Repair Budget Increase

- A motion was made to increase the building maintenance repair budget by **$5,000** to allow completion of the next building.
- Motion was seconded.
- Motion passed with board approval.

Action #	Action Description	Assigned To	Target Completion Date	Latest Completion Date	Comment (Optional)
1	Investigation of the trail of $30,000	Christiane			

Officer Positions Discussion

- The board discussed officer positions following recent appointments.
- Proposed to remain in positions as follows:
    1. Mark Liebendorfer – Treasurer
    2. Roxanne Royce– Secretary
    3. Steve Haymes– President
- **Officer Elections / Board Positions**
    1. The board continued discussion and voting on officer positions.
    2. Rene was nominated for **Vice President**.
    3. The nomination was seconded and approved unanimously.
    4. Steve was nominated for **President**.
    5. Motion was seconded nomination was approved unanimously
    6. Christiane was nominated for Director
    7. Motion was seconded - nomination was approved unanimously
    8. Vote: **Unanimous approval for all positions**
- **Board Term Clarification**
    1. A question was raised regarding the terms of the two recently appointed board members.
    2. It was clarified that both positions expire in **December 2027**, not December 2026.
    3. Mark reported that he had researched the terms and confirmed that both positions are 18-month appointments.
    4. The board agreed to verify the information and revisit the matter at the August meeting.
    5. It was noted that Mark's board position is the one expiring at the end of the current year.
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  Legal Counsel Search
    1. Dave's requested agenda item regarding the law firm search was discussed.
    2. Steve reported that he had circulated a spreadsheet to board members requesting rankings of desired qualities in a new law firm.
    3. Four board members responded, and common priorities were identified.
- Key qualities identified as important included:
    1. **Homeowner-side experience**
        - Attorneys with experience representing homeowners and understanding homeowner rights and HOA-related conflicts.
    2. **General counsel capability**
        - Ability to serve as true corporate counsel, including:

        - Colorado HOA law
        - Governance
        - Bylaws
        - Elections
        - Officer authority
        - Records
        - Structural oversight
3. **De-escalation and alternative dispute resolution**
    - Preference for attorneys focused on:
        - Mediation
        - Negotiated solutions
        - Conflict reduction
        - Avoiding unnecessary escalation
4. **Litigation competence without bias toward litigation**
    - Ability to pursue litigation when necessary while maintaining a balanced approach.
5. Steve stated he would distribute a document summarizing his research and provide information on five potential law firms.
6. The goal is to begin discussions/interviews with attorneys before the next board meeting.

Discussion Regarding Altitude Law

7. Dave asked why the Association was no longer represented by Altitude Law.
8. Discussion followed regarding the circumstances surrounding the termination of representation.

Points discussed:

9. Steve stated that his research suggested Altitude Law's business model may not have aligned with the current board situation.
10. Dave questioned the basis for that conclusion and requested clarification regarding whether Altitude Law had terminated relationships with other HOAs under similar circumstances.
11. Steve stated that Altitude Law had offered a retainer agreement
12. Mark stated that the communication from Steve to Altitude Law resulted in them terminating their representation.
13. The Board agreed that the focus should move forward toward selecting new legal counsel.

14. Dave requested that communications between the Steve and Altitude Law be released/published for review.

Continuation of Board Meeting Minutes – Discussion Regarding Policy Suspension, Legal Review, and Records

The Board discussed the proposed temporary suspension of three association documents pending legal and governance review: the 2022 Maintenance and Insurance Chart, Exterior Modifications and Architectural Control Guidelines, and Retention and Destruction of Association Documents.

Rene explained that the purpose of the motion was not to determine the final status of the documents but to temporarily suspend provisions identified as potentially inconsistent with applicable law, governing documents, or other association policies while legal counsel reviews the issues. She stated that documents required by applicable law would remain in effect and that association operations would continue under the Declaration, Articles of Incorporation, Bylaws, and applicable law during the review period.

A Board member questioned whether the term “policies” was appropriate because the governing documents refer to rules and regulations rather than policies. Rene responded that the documents were being referred to using the terminology under which they were originally published and that terminology could be reconsidered during future updates.

Questions were raised regarding whether required policies, including Alternative Dispute Resolution requirements, would remain in effect. Rene clarified that legally required policies would not be suspended and that the proposed suspension applied only to the three identified documents.

Concerns were expressed that suspending the Maintenance and Insurance Chart could create risk, particularly with upcoming insurance renewal discussions. Rene responded that the purpose of the review was to address potential inconsistencies and clarify responsibilities, noting that ambiguity regarding structural responsibilities could create risk for the Association and insurance process.

Discussion continued regarding whether suspension was necessary while the documents were being reviewed. Some Board members expressed concern that formally suspending documents could create unintended consequences and suggested that review could occur without suspension.

Roxanne stated that she had obtained an email as a homeowner from 2018 indicating that prior Board discussions involved adoption of policies despite legal counsel's recommendation that governing documents be brought into compliance first, which would have required a 67% homeowner vote. She stated that she had been unable to locate any documentation relating to the adoption of policies, despite legal action and fines having been issued under those policies.

Roxanne explained that, in her role as Secretary, she had reviewed association records, including the association Google Drive, historical files, and communications with former Board members, and had attempted to locate documentation supporting the adoption and approval of the policies. She stated that she also contacted the facilities manager to do a filtered search of the approximate 30,000 association emails which he maintains, but he refused to comply.

Action Items / Follow-Up:

15. Continue legal review of the identified documents.
16. Review historical records regarding policy adoption and legal review.
17. Determine appropriate next steps regarding suspension, revision, or replacement of affected documents.
18. Continue discussion regarding release or review of relevant historical documentation.

- **Discussion Regarding Policy Review and Proposed Suspension of Policies**

  The Board continued discussion regarding the review of eight Association policies and the request for records and communications related to their development and approval. A request to filter and search Association communications for relevant records regarding these policies had been denied. Concerns were raised regarding the accessibility of governance records, including whether documentation existed showing legal review or approval of certain policies.

  Board members discussed whether policies should be formally suspended pending legal review or whether revisions should be pursued while maintaining current policies in effect. Concerns were raised that formally suspending policies could create uncertainty, particularly regarding enforcement authority, insurance matters, and homeowner expectations.

  The Board discussed three specific items:

1. **2022 Maintenance and Insurance Chart** – The Board agreed that this item should not be suspended due to potential impacts on insurance discussions. Instead, the item will be reviewed and updated. A Board member agreed to coordinate revisions and consult with the Association's insurance representative to ensure any proposed changes do not negatively affect insurance coverage or underwriting.
2. **Document Retention/Destruction Policy** – The Board discussed concerns regarding the policy and whether revisions may be needed. The policy was identified as relatively new, and members discussed possible modifications rather than immediate suspension.
3. **Exterior Modifications / Architectural Control Guidelines** – The Board discussed concerns regarding the scope and authority of the current guidelines, including whether portions may exceed the Association's governing documents or require additional review. Members acknowledged the importance of maintaining an architectural review process for necessary approvals while reviewing the broader policy language.

- Board members discussed the need for legal review to determine whether existing policies comply with current law, governing documents, and Association authority. Several members expressed the view that revisions should be carefully considered and that any replacement or amended policies should be in place before removing existing requirements.
  Homeowner comments were received. Several homeowners expressed concern about suspending policies without replacement policies or legal guidance in place. Questions were raised regarding the basis for suspension, the legal implications, and the importance of following appropriate governance procedures. Homeowners also expressed concerns regarding meeting participation procedures and the ability of homeowners to provide input.
  Following discussion, the Board determined that the Maintenance and Insurance Chart would move forward through an update process rather than suspension. The Board continued discussion regarding whether the remaining policies should be temporarily suspended pending legal review.

Board Meeting Summary – Policy Review, ACC Survey Letters, and Roofing Updates

Policy Suspension Discussion

The Board discussed a proposal regarding the possible suspension of three existing Association policies: the 2022 Maintenance and Insurance Chart, Architectural Guidelines, and Document Retention Policy.

Board members discussed the need to ensure that policies are consistent with governing documents, applicable law, and legal guidance. Some members expressed concerns that certain policies may require revision and suggested that legal review should occur before making changes. Other members emphasized the importance of reviewing specific provisions and identifying any conflicts rather than suspending policies without replacement language.

The Board discussed prior legal review performed by Altitude Community Law regarding the Maintenance and Insurance Chart. It was noted that legal counsel had reviewed the document and that an explanation of the review had previously been made available to homeowners. Members also discussed the importance of transparency and ensuring homeowners have access to relevant information.

A motion was made to table consideration of suspending the three policies pending further review. The motion was seconded.

Vote: The motion to table the suspension of the three policies passed. The Board will continue review of the policies and determine next steps, including whether legal assistance is needed for revisions.

Architectural Control Committee (ACC) Survey Letters

The Board discussed the status of 220 ACC survey/inspection letters prepared following a community-wide review. The Board clarified that these letters were informational and not enforcement notices.

Discussion focused on reviewing the letters, photographs, and related documentation to determine which items require follow-up due to safety concerns, maintenance issues, or significant appearance concerns.

The Board discussed the importance of consistent treatment of homeowners and the need to follow proper enforcement procedures if violations are identified.

Action Items:

- Board members will review the approximately 220 ACC letters within the next two weeks.
- Relevant photographs and supporting documentation will be organized with the letters.
- Existing ACC logs and files will be provided to assist the Board's review.

- The Board will determine which matters require additional homeowner communication or further action.

ACC Committee Resignations

The Board received notice that ACC Chair Theresa and ACC members Lois Bennett, Karen Fassler, and Dan Tate were resigning from the Architectural Control Committee. Written resignations will be provided for Association records.

Board members thanked the volunteers for their service and contributions.

Roofing and Structural Evaluation

The Board discussed ongoing concerns regarding the condition of the Association's aging roofs and the need to move forward with evaluation and planning.

Brent provided an update regarding coordination with roofing contractors and a proposed structural engineering evaluation.

A proposal was discussed to hire structural engineer John Malcolm to inspect five buildings to evaluate the condition of roof decking and provide information needed for future roofing decisions.

Motion: Approve funding up to $3,000 for structural engineer John Malcolm to evaluate five buildings and provide an analysis of roof decking conditions.

Vote: Motion approved.

Roofing Project Planning

The Board discussed roofing proposals, contractor communications, warranty information, and the need to continue moving forward due to concerns regarding the age of the roofs and potential weather impacts.

Members discussed:

- Obtaining additional roofing information and proposals.
- Clarifying warranty details with contractors.

- Communicating with homeowners regarding potential future costs, including a possible special assessment.
- Encouraging homeowners to review their insurance coverage, including loss assessment protection.

Action Items:

- Continue contractor discussions and evaluation of roofing options.
- Obtain additional information regarding warranties and materials.
- Prepare homeowner communication regarding the roofing evaluation process and possible future assessment considerations.

Roof Replacement vs. Repair Discussion

The Board continued discussion regarding the roofing issues and whether repairs or full roof replacement would be the appropriate approach.

Brent reported that the manufacturer has advised that repairs alone are unlikely to resolve the underlying issues and that the problems are expected to continue. The Board discussed concerns that repairs could affect warranty coverage and potentially leave the Association responsible for future damage.

The Board noted that:

- The Association's buildings are approximately 50 years old.
- The manufacturer and insurance representatives have advised against pursuing a repair-only approach.
- Full replacement may provide a better long-term solution and may improve insurability.

The Board discussed obtaining multiple roofing proposals. It was noted that prospective contractors are being asked to work within the existing manufacturer warranty requirements and that contractors being considered have appropriate manufacturer certifications.

The Board expects to have multiple bids available for comparison before the August meeting.

Loss Assessment Insurance Discussion

The Board discussed homeowner loss assessment coverage and whether individual homeowner policies may provide assistance with a future assessment.

Members discussed differing understandings regarding when loss assessment coverage may apply, including whether a claim under the Association's master insurance policy is required.

The Board agreed that homeowners should consult their individual insurance agents regarding the availability and applicability of loss assessment coverage under their policies.

Homeowner Communication Regarding Roofing

The Board discussed the need for homeowner communication regarding the roofing situation.

The planned communication will:

- Explain the current status of roof evaluations.
- Inform homeowners that a special assessment may be necessary.
- Provide information regarding the roofing process and timeline.
- Encourage homeowners to review their individual insurance coverage.

A Board member will prepare a brief communication for distribution.

Google Workspace / Records Management Update

The Board received an update regarding transitioning Association records and email management to Google Workspace.

A consultant has been identified to assist with the project. A formal proposal is expected within approximately one week. Preliminary estimates discussed:

- Consultant rate: approximately $125/hour.
- Estimated project duration: fewer than 20 hours.
- Estimated cost: approximately $2,300.

The project is intended to improve records management, reduce reliance on individual computers, and provide a more appropriate system for a nonprofit corporation.

No approval motion was taken at this time. The Board will review the formal proposal before proceeding.

The anticipated timeline discussed was to complete the migration by approximately November.

Email Communication Issue

The Board discussed an email delivery issue between Board members. One member reported sending emails that were not being received by another member.

The Board agreed to investigate the issue, including confirming email addresses and determining whether messages are being blocked or otherwise failing to deliver.

Adjournment

A motion was made and seconded to adjourn the meeting.

Vote: Motion passed. The meeting was adjourned.