Park East Square Homeowners Association

SEPTEMBER MEETING MINUTES

September 8th 2026 (via Zoom)

Call to Order

The monthly Board meeting was called to order at 7:03. A quorum of the Board was present.

Board members present included:

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

Also present:

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

Homeowners in attendance: Steve Henry, Ivette Visbal, David Longenecker, David Bartelt, Karen Fassler, Janet (#1141 B), Renee Ford, Ryan Balciar, Bjorn Bermann, Martin Walter, Theresa Spears, Lois Bennett, Wayne Schroeder, Mary McMillan

Call to Order and Meeting Procedures

Approval of August Board Minutes:
The Board reviewed the August meeting minutes. No further corrections were noted, and previously suggested changes had been incorporated. A motion was made and seconded to approve the August minutes as presented. The motion passed unanimously.

Ratification of Out-of-Meeting Decision:
The Board reviewed an out-of-meeting decision approving installation of a heat pump for Unit 1169D. No other out-of-meeting decisions were identified. A motion was made and seconded to ratify the heat-pump decision. The motion passed unanimously.

Homeowner Comments and Questions

Roofing:
Norman Lowry asked whether a second roof could be installed over an existing roof and whether shingles could be installed over existing shingles. Board members discussed the issue, including questions regarding current code requirements. It was noted that roofing options, including potential layering scenarios, would be discussed in greater detail later in the meeting.

Association Attorney:
Karen asked about the Association's new attorney. Steve stated that the item had inadvertently been omitted from the original agenda but had been added and would be addressed first under Old and New Business.

Wildlife Notification:
Karen asked about distributing information to residents concerning bears, mountain lions, and other wildlife. She noted that new residents may not be aware of the wildlife in the area or of precautions regarding bird seed, pet food, and encounters with wildlife.

The Board discussed the need to communicate the information to both owners and renters. Steve stated that the information had been added to the Association website in prominent red text, but that the planned mass email had not yet been sent. Karen agreed to resend the information to the Board, and Christianne indicated that she would work on preparing the email for distribution. Owners should also be encouraged to share the information with their tenants.

Contractors and Staff:
Tim Johnson asked whether the Board had received any formal or informal feedback from the Association's primary contractors and employees regarding their support and working relationships with the Association, including any indication that contractors or employees might leave.

Board members reported that they communicate regularly with contractors and staff and had not received indications of problems with payments or working relationships. Lois noted that she had spoken with Brent frequently and was aware of some frustration resulting from the amount of time and attention the roofing project has required. She reported that some routine maintenance work, such as sweeping trash rooms and cleaning carports, had fallen behind.

The Board acknowledged the concern and discussed the need to balance roofing-related priorities with regular maintenance responsibilities. Steve and Brent stated that they had discussed the issue and agreed that a solution was needed.

Board Member Participation:
Theresa requested that Roxanne participate more visibly in Board meetings, including using video when possible, stating that it would improve continuity and communication among Board members. Roxanne agreed that she would make a greater effort to appear on camera when possible.

Homeowner Insurance / Loss Assessment:
Kristen asked whether documentation needed for homeowners' insurance loss-assessment coverage would be provided in connection with the potential roofing assessment. Steve stated that loss-assessment matters would be addressed later in the meeting.

David asked similar questions regarding the roofing project, including whether a preliminary cost estimate was available and what problems currently existed with the roofs. Steve stated that a presentation/document had been prepared explaining the condition of the roofs and that the roofing issues and costs would be discussed later in the meeting.

Facilities Manager / Maintenance Report — Brent

Building Repairs:

- Repairs to siding at 4202 had been delayed pending a permit. The permit has now been received, and DCS resumed work the previous week.
- Brent noted that additional information concerning 4202 would be forthcoming.
- Painting at 4227 remained in progress. The contractor, Paramount, had experienced staffing setbacks but had added personnel and was continuing the work. Brent expected the project to be completed.

Sewer Repair:
The excavation and sewer repair at 4170 was completed August 27. The repair involved a damaged pipe with roots growing into it and required hand excavation.

Irrigation:
Brent and Jesse continued routine irrigation inspections and adjustments. A break in a main pressure line near the 1111 building was identified and repaired.

Golf Cart:
One of the golf-cart batteries, which are several years old, failed and required repair. The battery was repaired for approximately $300. Brent stated that the Association

could potentially get another season from the existing batteries. Replacement of the batteries was estimated at approximately $2,400.

Pool Closing:
The Board discussed the pool closing date based on the weather forecast. Brent reported that temperatures were expected to remain above 80°F through approximately September 16, followed by cooler temperatures.

The Board agreed to close the pool on **Monday, September 21**. Brent confirmed that signage would be posted at the pool gate.

Administrator's Report — Al

Al reported that the final August financial statements were not yet available because of timing and the holiday weekend, but a preliminary set of financials had been provided to the Board.

As of the end of August:

- The operating account balance was approximately **$66,511**.
- The combined balance of the other accounts was approximately **$682,000**.
- The Association was approximately **$79,950 under budget**, which Al indicated was primarily a timing issue.

Al and Brent discussed delayed expenses, including plumbing work that had not yet been completed because Brent had not had sufficient time to address it. Brent indicated that he hoped to begin the work soon, following completion of other priorities.

Administrator's Report — continued

Al reported that the Association's financial review had been completed by the accounting firm and sent to the CPA for final review. The completed review was expected to be provided to the Board before the end of the month. Al stated that the review had not identified any significant or unusual financial issues and that the Association remained in generally good financial condition.

Old and New Business

Association Attorney:
Steve introduced the new Association attorney, Jessica H. Miller LLC, a small local Boulder law firm with experience in construction, real estate, and HOA law. The firm has experience representing both pre-CCIOA and CCIOA-governed HOAs. Steve noted that construction-law experience was particularly important given the Association's aging

buildings, anticipated roofing project of more than $1 million, potential special assessment, and plumbing issues.

The Board had considered four law firms and conducted interviews. Steve and Rene interviewed firms as part of the selection process. Steve reported that the Board selected Jessica H. Miller LLC and that more than three Board members supported the selection. The Board's evaluation included questionnaires in which the same questions were asked of the firms interviewed.

Roxanne reported that Jessica H. Miller had approximately 19 years of HOA-law experience and experience involving both townhome and condominium issues, including construction-related matters.

Karen asked whether the firm handles collections, how much of its practice consists of HOA law, whether the attorney is a member of CAI or has relevant certification, and about her experience with townhomes, condominiums, and pre-CCIOA associations. Steve indicated that some of the information could be obtained from the firm's website and confirmed the firm's experience with pre-CCIOA and CCIOA associations and collections.

Karen also asked whether the Board had voted on the attorney selection. Steve confirmed that a Board vote had occurred and that the selection was supported by more than three Board members. Rene confirmed that she had interviewed the two firms that were not selected and had voted in favor of Jessica H. Miller LLC.

Steve stated that the retainer agreement had been reviewed by several Board members and that requested changes had been made by the law firm. He electronically signed and returned the agreement before Labor Day weekend. Al had provided the information necessary for the Association to issue the retainer check. The check was expected to be delivered to the attorney's office by members of the Board once processed.

A discussion followed regarding the use of a retainer agreement and whether the agreement should be made available to homeowners. Lois requested that the retainer contract be posted for transparency. The Board discussed the distinction between documents that must be disclosed under applicable Colorado HOA law and contractual documents that may be available to members. It was also noted that the Association's prior law firm had provided an option for a retainer arrangement, although a retainer had not been required.

Steve stated that the new attorney's role would be particularly important in reviewing construction contracts, working with engineers, and addressing the Association's upcoming construction-related matters.

Fall Newsletter:
Steve reported that the fall newsletter discussed at the prior meeting had not yet been completed, largely because Board members had been occupied with the roofing contractor selection process. He requested that the newsletter be completed and distributed.

Steve stated that he was willing to pause work on the Google Workspace project in order to work with Roxanne on completing the newsletter.

Website Forms and Legislative Updates:
Steve reported that several website updates had been completed:

- The **records request form** was revised following discussions with Karen and updated to conform to the Association's current records-request policy.
- The **exterior modification application form** was revised by Roxanne and Mark. Steve posted it to the website.
- The website was also updated with information concerning the **2026 Colorado legislative session**, including updates concerning CCIOA and CRNCA.

A discussion followed concerning the Association's status as a pre-CCIOA association and the extent to which CCIOA provisions apply. Karen stated that the Association is a pre-CCIOA association and has not adopted CCIOA in its entirety. Steve stated that certain provisions of CCIOA are mandatory for all Colorado HOAs, including pre-CCIOA associations, while adoption of the entire statutory framework is a separate matter.

Steve reported that two of the attorneys interviewed by the Board had cautioned that an HOA should carefully consider the implications before voluntarily adopting CCIOA in its entirety. The discussion was ongoing when the transcript ended.

homeowner communications

Homeowner Town Hall and Insurance Information

- Teresa recommended holding a dedicated homeowner town-hall meeting before the special-assessment vote to explain the proposed assessment, answer questions, and obtain homeowner feedback.
- The Board discussed providing homeowners with clear information about the relationship between the Association’s roofing project, any Association insurance claim, and individual homeowners’ loss-assessment coverage.
- Teresa noted that homeowners may have individual deductibles and different levels of loss-assessment coverage and suggested that homeowners review their individual policies.

- The Board discussed the importance of explaining what documentation may be required by individual insurance companies, including documentation concerning the roof damage and the timing of the loss.
- Participants discussed a potential December deadline for submitting an Association insurance claim. The Board agreed that the applicable deadline should be confirmed rather than relying on assumptions.
- The Board discussed inviting the Association's insurance representative to participate in the informational meeting so homeowners could ask questions about the Association's insurance and how an Association claim may affect individual loss-assessment claims.
- The Board also discussed consulting the attorney regarding the legal and insurance implications of the proposed special assessment.

FAQ and Homeowner Communications

- The Board agreed that a comprehensive FAQ should be prepared before the next homeowner informational meeting.
- The FAQ should go beyond the existing roofing PDF and address questions raised during the Board meeting, questions submitted by homeowners, the special-assessment process, insurance issues, and other relevant concerns.
- Al confirmed that the Zoom meeting chat could be saved and used as a source of questions for the FAQ.
- The Board discussed combining the questions raised during the meeting, the Zoom chat, and the existing roofing materials to develop the FAQ.
- The Board discussed creating a shared Google document so Board members and Brent could contribute questions and answers as information becomes available.
- The Board discussed whether the FAQ should be posted as a PDF on the existing website page or placed on a separate webpage.
- The Board favored making the information readily accessible to homeowners and providing the FAQ before the next informational meeting, if possible.
- Rene shared the conclusions from the meeting the Board had with the structural engineer, namely:
- Installing new sheathing is the cleaner, "start-from-scratch" approach.
- An overlay is a structurally acceptable alternative.
- The decision ultimately comes down to cost, risk tolerance, and owner preference."

Website Forms and Architectural Application

- The Board discussed updates to the Association website and online forms.
- The records request form was updated following Karen's comments and has been posted to the website.
- The exterior modification/architectural application was revised by Roxanne, Mark, and Steve and posted to the website.
- The Board also discussed updates to the website regarding 2026 Colorado legislation affecting homeowners associations, including provisions related to CCIOA and CRNCA.
- The Board discussed the Association's status as a pre-1992/pre-CCIOA association and whether particular statutory provisions apply to the Association. It was noted that some provisions may apply to all Colorado HOAs even if an association has not voluntarily adopted CCIOA in its entirety.
- The Board agreed that the applicability of CCIOA and other statutory requirements should be reviewed carefully with the Association's new attorney.

Contractor Selection and Special Board Meeting

- The Board discussed selecting a roofing contractor after receiving the structural engineer's assessment, expected September 14.
- Steve proposed scheduling a special Board meeting during the week of September 21–25, preferably at 7:00 p.m., limited to the contractor-selection decision.
- The Board discussed notice requirements for a special Board meeting. It was noted that the contractor-selection vote would be a **Board vote**, separate from the homeowner vote required for a special assessment. The Board agreed to confirm the applicable notice requirements.
- Several participants recommended allowing homeowners an opportunity to comment before the Board votes on the significant roofing contract. The Board discussed whether the contractor-selection meeting should be public and agreed that the issue should be handled carefully given the size and importance of the project.
- The Board distinguished the contractor-selection vote from the special-assessment vote. The contractor-selection decision could be made by the Board at a special Board meeting; the special-assessment process requires separate notice and homeowner approval.
- Steve stated that we might need a plan B for the special assessment because we couldn't even get a ⅔ vote from the community for the governing documents with the previous Board.

September 30 Meeting and Special Assessment

- The Board continued discussing the purpose of the September 30 meeting. It was clarified that the original intent had been to hold the meeting in connection with the special-assessment vote, but the notice issued did not clearly establish that purpose and would not be relied upon for a special-assessment vote.
- The Board agreed that any notice concerning a special-assessment vote should be reviewed by the new attorney, Jessica, before being distributed.
- The September 30 date was discussed as a possible informational/town-hall meeting rather than a voting meeting. The Board would determine whether to retain that date based on the content needed and the availability of the administrator, insurance representative, and attorney.
- The Board discussed the distinction between **special assessments** imposed by the Association and **loss-assessment coverage** available under individual homeowners insurance policies.
- A question was raised regarding whether the Association could conduct an electronic homeowner vote. The attorney's review was identified as necessary because the governing documents and applicable Colorado nonprofit/HOA statutes may affect the voting procedure. It was noted that electronic voting is different from electronic Board action used to ratify decisions made outside a meeting.
- The Board discussed the approval threshold for the special assessment and the distinction between the required approval percentage and quorum. The governing documents may impose requirements different from those applicable to other HOAs, and the issue will be reviewed with counsel.

Homeowner Town Hall and Insurance Information

- Teresa recommended holding a dedicated town-hall/informational meeting to provide homeowners with additional information and obtain feedback before the special-assessment vote.
- Participants emphasized the need to explain the relationship between the proposed special assessment, individual loss-assessment coverage, Association insurance, deductibles, and the potential consequences of filing individual insurance claims.
- Homeowners were reminded that individual insurance policies have different terms and deductibles and that homeowners should review their current policies carefully. Discussion also noted that filing an individual claim may require documentation and may involve an individual deductible.

- The Board agreed that additional information from the Association's insurance representative would be useful. An insurance meeting involving the broker and, if appropriate, the attorney was discussed.

FAQ and Homeowner Communications

- The Board agreed that a comprehensive FAQ should be prepared before the next informational meeting, incorporating questions raised during the meeting, the existing roofing presentation/PDF, and additional homeowner questions.
- Al confirmed that the meeting chat could be saved. The Board planned to use the chat, meeting discussion, and existing materials as sources for the FAQ.
- Rather than creating an entirely new website page, the Board discussed uploading the relevant PDF to the existing website and providing an appropriate link/location for homeowners.
- The Board agreed to collaborate on the FAQ through a shared Google document accessible to Board members and Brent.

Roofing Contract and Action Items

- The Board noted that the existing contractor proposals are not legally binding and that pricing could change before a formal agreement is executed.
- After selecting a contractor, the Board will begin work on a formal construction contract addressing pricing, timing, bid validity, and other protections, with attorney review as appropriate.
- The principal action items identified were:
    1. Review the structural engineer's assessment and select a roofing contractor during the week of September 21–25.
    2. Work with Jessica, the Association's new attorney, to review the special-assessment notice, voting procedure, and related legal requirements.
    3. Consult Ella/the Association's insurance representative regarding the relationship between the proposed assessment, Association insurance, individual loss-assessment coverage, claims, deductibles, premiums, and future insurability.
    4. Develop the homeowner FAQ using the meeting discussion, chat, and existing roofing materials.
    5. Determine whether and how to proceed with the September 30 informational/town-hall meeting and provide appropriate notice.
    6. After contractor selection, begin preparation and legal review of the formal roofing contract.

Adjournment

- A motion to adjourn was made and seconded and the meeting was adjourned at approximately 9:15 p.m. Al was asked to provide the Board with the chat and to provide his availability for scheduling the upcoming meetings.