

*Cima Vista Condominiums Homeowners Assoc. Inc.*

**BOARD OF DIRECTORS MEETING AGEND/MINUTES  
Tuesday, January 12, 2021, 10:00 AM MST  
Teleconference**

**Board Member Attendance:**

- Rich Holcomb - P - Present (Phone)
- Joanna Harmon - Present (Phone)
- Kendall Crouch - S - Present (Phone)
- Gary Holcomb - Present (Phone)
- Brian OBara - Present (Phone)

**Others Present:**

Darren Burns - Z&R  
Laura OBara

**A. Call to Order: 10:04 A.M. MST**

1. Review Minutes
2. Approval of November minutes - Rich motions to pass - Joanna seconds - Motion passes

**B. Financials**

1. Darren discusses December Financials

- \$350,000 in reserves
  - Most staggered out between CDs and 30 year mortgage bonds
    - First item in the reserve funds is a typo
  - \$70,000 liquid
  - 30 year mortgage bonds offer better rates
    - Most banks will not let them go the full 30 years
    - When a mortgage in the bond is closed, the interest is paid out
    - Federally insured
    - Bonds will work down to a zero balance over time
    - At most we will have 25% in these bonds
    - They create a constant cash flow into the reserves
- About \$2,600 in reserve interest last year
- Rich - What about the Colorado tax free bonds?
  - Pays on average 4%-5% yearly
  - There is a buy in of around 3%
  - Can cash them in at any time
  - Darren will look into them
- Budget comparison
  - Shows around \$59,000 under budget for 2020
  - Mostly due to the \$94,000 under budget for water. This will disappear
  - COA did a mid-year reserve allocation of \$132,000
    - Was budgeted to put away \$82,000. Increase of \$40,000
    - Transferred from cash account

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- Insurance was the biggest increase. Budgeted \$60,000 but actual was \$94,078
- End of year cash balance of \$124,000 and reserves at \$350,000
- May want to transfer another \$85,000 to reserves
  - Rich - we can't move it due to the water bill that will be coming
- Aged Receivables
  - 3 issues on 3 accounts
  - First one was due to an emotional support animal
    - Tenant did finally produce a proper ESA document/papers for the animal
    - Reduced the fines to \$3,500 to cover legal fees
  - Second one was sent a demand letter and had a lien placed on 12/18/2020
    - Stage 2 of collections
    - They have 30 days to respond
    - If no payment is arranged, then will go to legal and county court
  - Third one has made a payment
    - They are now on a payment plan

### C. Ongoing Business

- Rich - CLA valve - Water usage
  - 4 CLA valves had to be rebuilt
  - Olsen and Ren are in contact with CSU
  - CSU will need to inspect the repairs and install a new meter
  - Total bill was close to the bid amount provided by Olsen
  - Valves need to be rebuilt every 5-10 years
  - 70-80 PSI now for Cima Vista
  - Rich is not in contact with CSU on reducing the bill
  - Darren will get someone in touch with CSU over the billing
  - Darren - What is the definition of a CLA valve
    - Rich - It's a solid steel valve that reduces the city pressure down
      - Cima Vista has 4 valves
      - One directly to fire hydrants
      - One set of 4 inch and 8 inch at each entrance to Cima Vista
      - When they fail, pressure increases to the city's pressure
      - Like a pressure reducing valve
      - When they fail the meters don't work
    - Kendall - CLA not clay, it's a type of valve
  - Joanna - Should we earmark some reserves for this work every 5-10 years
    - Darren - It will be added to the updated reserve study
    - Rich agrees to add it to the study
- Darren - Letter to residence about ATVs and motorcycles
  - Sam has provided a draft
  - Can get it on letter head and mailed by tomorrow
  - Rich
    - These letters need to get out in a more timely manner
    - They need to be sent near the time of the incident
    - Got a call from a tenant when the ATV incident occurred
      - Tenant was threatened by the riders
    - Frustrated that this hasn't happened yet
  - Darren - Had to handle issues with his staff

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- Ren's reports of violations were not being followed up on
- Going forward, Jillian and Sam will be doing violation inspections and Ren will be doing maintenance inspections
- This should help the process because Jillian and Sam will not have to meet with Ren over what the violations are
- Rich - Glad the issue has been identified
- Darren - A letter was sent to the people in violation on November 12, 2020
  - They were explained the rules and that riding the ATVs was hazardous
  - They were offered a hearing
  - They were told to immediately cease and desist or the board will take actions
  - If that unit is violation again, they can be fined
- Rich - Maybe combine some of the letters into one including the paintball issue
  
- Reports
  - Covenant Violation Report - included in packet as FYI for the board
  - Work Orders Report - included in packet as FYI for the board
  - Pet Registration Spreadsheet - included in packet as FYI for the board
    - Darren - Thanks to Joanna for the reminder that the pet registration is yearly
      - Z&R will go back through the renewals and assess the registration amount to their account (\$50 yearly)
      - Pet owner must notify Z&R if their pet is gone
  
- Parking Enforcement
  - Darren - Been fairly quiet
  - A unit had a visiting nurse who's car was towed for parking in the grass
    - The nurse then had another vehicle towed for being mostly in the street
    - Tenant argued that Z&R told them they wouldn't be towed if they stayed off of the landscaping
    - Darren refuted that claim
    - Darren informed them that they needed to park in the visitor parking
  - Another vehicle was towed supposedly out of a regular parking space
    - Information was sent to Klaus to research
  - Joanna - The nurse is still parking on the road and sidewalk
    - Could a spot be reserved for visiting nurses?
    - And charge the unit for the spot
  - Darren - Not a good idea because of the fall-out
    - Could be considered if it was requested from the unit under the fair housing act
    - But nurse would have to proof that she is disabled
    - This would then spiral to other units and then become a larger issue
  - Laura - The tenants are aware of the parking rules
    - Would be an issue to allow this accommodation
  - Kendall - Could the nurse park in the garage?
  - Laura - They do have their own vehicles
  - Darren - Joanna do you want to offer a change to the rules?
    - Joanna - Could be looked into in the future. Don't want people upset with the COA
  - Rich - Could there be a designated medical parking spots that required a permit?
    - Darren - Requires more enforcement to tow.

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- Then we could be set up for discrimination claims
- Currently this is just one unit

### D. New Business

- Children's Activity Area
  - Joanna - During the annual meeting a tenant asked if there was an area where children could play that was free of dog poop
    - Curious what liability would be on it was just a fenced in area without playground equipment
    - And maybe a designated basketball hoop, as suggested by Kendall
      - Hopefully would help in getting rid of the current hoops around the complex
    - Area would hopefully get the kids out of the streets
  - Darren - Would the NE area be appropriate?
  - Joanna - That is the area
  - Darren - Little to no added liability if it's just a fenced off area
    - Could be an attractive fence - wooden split rail
    - Simply say the area is pet waste free
    - Equipment will increase liability
    - Known as an attractive nuisance in the insurance industry
    - General liability is not expensive
    - A half-court basketball area would require cement
  - Joanna - Could the circle in that area be used for the basketball court?
  - Darren - It's technically a street, so that would be a concern
    - A basketball hoop should be within the fenced area
    - Another concern is that "attractive nuisances" attract people that are not part of the community
  - Rich - Had that issue at another community due to a swimming pool
  - Gary - Also issue with individuals causing problems near Parque Vista could just spread to this area
- Vandalism
  - Rich - Whatever is decided on the current issues should be part of the letter to be sent to the units
  - Gary - Issues with persons shooting units with paintballs
    - Has happened to 2 units of Gary's
    - Also a neighboring unit has been hit
    - There is a group that is hanging out in this area out of site of the cameras
    - Also, lights have been broken out
    - Should additional cameras be put up in the Parque Vista area to help find the issues?
  - Darren - Aware of an incident on Parque Vista with a vehicle and a beating
  - Darren - Rich has been in talks with the camera company
  - Rich - Would have to be solar
    - Approximately \$3,000 - \$4,000 every time we have an issue somewhere and want to put up another camera
    - We would need to have someone review all the time
    - This will get expensive
  - Darren - The cameras are looking down the streets

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- Gary - These issues with these people are happening between units
- Rich - There is no where to put poles in that area
  - Could they be mounted on a unit?
- Gary - Where are the light poles on Cima Vista that would have visibility onto Parque Vista? Can they be used?
- Rich - No poles in that area
- Darren - Camera on a unit would need to be solar access
  - Currently some of the cameras are down
  - A recent gate hit happened while a number of cameras were down
  - Contacted company about batteries and fixing
- Rich - The camera company has talked about us going onto a annual maintenance program
  - Is it worth the cost to the association?
- Darren - Any recommended protocols we could offer to the community to help prevent issues?
- Laura - Could the association offer rewards for information?
- Brian - How are the cameras currently monitored? Maybe members could spend time to view the cameras.
  - Who has access?
  - Maybe everyone on the board could spend time to view cameras
- Darren - Every board member could have access
  - Will contact Camera Company about access and software for board members
  - Will check to see that all cameras are running
  - Cameras around Parque Vista appear to be having issues right now. Vandalism?
- Rich - Also get a maintenance quote on the cameras
- Brian - How are the cameras used today?
- Darren - Cameras are accessed when something is reported. Not actively monitored
- Joanna - Agreement with Brian that board should review footage
- Darren - You can click the record and review different cameras from your machine
- Kendall - Would it be possible to use personal cameras owned by tenants
  - Darren - We could offer reward if footage is obtainable
  - Brian - We need to offer anonymity to these people
  - Gary - We should check with lawyers about if police use the personal footage
    - May have to give their names if it goes to court
- Rich - Reward might be incentive for people to help
  
- Snow Removal
  - Darren - Current snow removal is at 2 inches on walks and 4 inches on the streets
  - Joanna - The new contract it appears that changes to the depth would cost more if we went to just 3 inches for walks and streets
  - Darren - Agreed. Some communities will target north facing sections
    - If snow isn't removed immediately, there is the possibility of icing
    - Then you have to pay to have the ice treated or removed.
  - Rich - Barb has had issue just getting her mail with the recent snow storms
    - The show around the mailboxes should be cleared
    - Waiting until we reach a certain depth, there's the potential issue of someone getting hurt and the medical costs
  - Kendall - What does the current code state?

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- Aren't the residences supposed to take care of their decks, entries, and sidewalks that are adjacent to their property?
- Darren - Will look it up
- Kendall - Around the common areas, we shouldn't have a depth
  - Darren will contact legal and see where boundaries should be separating limited common sections versus common sections
- Darren - Some communities will put a zero tolerance area around mailboxes
- Kendall - We need to make sure the sidewalk on Murray is cleared within the 24 hours.
  - Do we need to change anything in the contract to make sure it's done?
  - Darren - Will get the information
- Web Site Updates
  - Darren - Will have his staff to get Rich's changes out there
  - Rich - Still has old board members on the site
    - And minutes from meetings
- Renewal Contracts
  - Darren - Have been sent out to board members
  - Trash - The last of the independent trash companies was just purchased
    - Waste Management is being an issue
    - Not reading their own contracts
    - Darren - Would make changes in the small print and return the contract
    - All of the big companies are becoming hard to work with
    - A new company is coming into the Colorado Springs area
- Future Agenda Topics
  - Darren - Next meeting is April 13th, 2021
  - Gary - Dog waste removal companies
    - Seems like there are 3 different companies doing the same job
    - Darren - One of the companies is being called for specific addresses
      - Those addresses can be back-billed for the service
      - Gary - So we have billed the tenants of those addresses?
      - Darren - Will follow up with Sam
      - Sometimes if there is excessive waste in one area, the attempt is to have someone come out and remove it, and then access it back to the owner
    - Rich - Can we contact Scoop the Poop since we have a contract with them?
    - Joanna - The current company doesn't seem to be coming around lately
    - Darren - There are delays due to snow fall
  - Joanna - Emailed the board about a unit that has a large quantities of paint in their garage. Does the covenant cover storing hazardous materials?
    - Darren - Doesn't know if paint would be classified as hazardous
      - But, might be something in the covenant about filling your garage and then parking your vehicles outside
    - Kendall - Doesn't the covenant say that you cannot run a business out of your unit?
      - Darren - Cannot prove that their running the business from the unit
    - Joanna - Just worried about the fire hazard issue and the parking of the vehicles on the sidewalk

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E. Adjourned 11:46 A.M. MST

- Rich – Hope we can get on some of these issues that are on the agenda
  - Darren – Will get information out as soon as it's available
- Rich makes motion to adjourn – Joanna seconds
- Unanimously passed