

Cima Vista Condominiums Homeowners Assoc. Inc.

**BOARD OF DIRECTORS MEETING AGEND/MINUTES
Wednesday, August 4, 2021, 10:00 AM MST
Teleconference**

Board Member Attendance:

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

Others Present:

Darren Burns - Z&R
Laura OBara
Jason - Z&R

A. Call to Order: 10:03 A.M. MST

1. Review Minutes
2. Approval of April 2021 minutes - Joanna motions to approve - Gary seconds - All in Favor - Motion passes

B. Financials

1. Darren discusses July 2021 Financials
 - Currently not closed - Month-end reserve transfer has not been completed due to closing will be done in the new platform
 - Accounts receivables of \$13,700
 - Most of that is the \$8,000 due to the law suit
 - Amount was supposed to be reduced by removing fines and just charging for legal fees
 -
 - 2 other units are over \$1,000

Side Note: Law Suit

- Darren - Had interview with the Colorado Civil Rights Division
 - Miles (our lawyer) shut down the CCRD investigator because the investigator was attempting to violate law
 - Believes that Darren is being targeted
 - CCRD is breaking law
 - Accepting rebuttal statements from complainants
 - Amending complaints on the fly
 - Correcting complaints on the fly
 - Miles is going to the attorney general
- Joanna - Didn't we originally offer to reconcile by dropping legal fees
 - Darren - We probably did
 - Ledger hasn't been adjusted because we have not come to a settlement
 - The process is, they file a complaint, then we file a response

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- The CCRD must then make a ruling of probable cause based on that
 - If probable cause is found, then we go to conciliation
- The current problem is that the CCRD is accepting rebuttals, which isn't allowed by law
 - They take our response and then go back to the complainant and offer to allow them to modify their response based on our response
 - The CCRD is amending complaints mid-stream and adding additional parties to the complaint
- Miles can decide to take it to court and go before a judge, where the CCRD will have to prove that Cima Vista broke the law

- \$60,000 in cash - down significantly - will discuss
- \$81,000 in liquid reserves
- \$261,000 invested with RBC Wealth Management
- \$340,000 total reserve funds
- Just under \$1,000 in reserve interest YTD
- Reserve expenses consolidated Just under \$54,000 YTD
 - 3 CLA values \$13,500
 - Mr. Rooter plumbing for clean-outs and caps
 - Multiple gate repairs
 - Concrete replacement
 - New safety loops for gate
 - A1 Concrete leveling
 - Solar upgrades for cameras

2. Budget Comparison

- Biggest variance is legal expenses
- Snow removal was high
- Water amount is high
 - \$52,000 this month - average of 4 months for \$13,000 per month
 - Z&R is still working with CSU on relief
 - Asking for CSU to verify accuracy of meters
 - YTD around \$127,000 in water
 - Water alone we're about \$58,000 over
 - Under last year and over this year
- Had around \$112,000 in cash and then did the \$52,000 payment
- \$43,000 on reserve allocation
- About \$10,000 negative from allocations to expenditures this year
- Budgeted to add another \$7,000 for July
- On pace for \$84,500 to reserves for the 2021 budget
- Joanna - Is there a limit on bill amount the Z&R can sign for?
 - Darren - \$1,500
 - Joanna - So why didn't the board have to approve the water bill of \$52,000?
 - Darren - Z&R contract has special exceptions for previously contracted amounts
 - Utilities is one of those
 - Thought that these payments were within Z&R discretion to pay without board approval
 - Joanna - Can board be notified of large payments in the future?
 - Darren - Yes

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- Other reason for that clause in the contract is for non-discretionary items
- Utilities, Lawn Contract, Cameras, Internet, Admin, Dog Waste, Trash, Insurance
- Gary sees most item except for the autopay
- Joanna would like board to be aware of big ticket items

C. Ongoing Business

- Covenant Violations
 - Temporarily on hold waiting for CINC system
 - CINC will have live updates
 - Quicker reporting system
 - Violations can be entered via phone
 - Joanna - Would board members in Cima Vista be able to enter violations for Z&R to review?
 - Darren - Believes that it should be available for anyone in the complex
- Web Site Updates
 - Joanna - Site is not getting updated
 - Minutes being uploaded?
 - Darren will try and see what needs updating
 - Darren - Possibly have the site be more static and the CINC portal be fluid
 - Joanna - Could board members have web site access and do updates?
 - Darren - contacting the company now to get members access
- Outstanding Water Bills
 - Gave report earlier
 - Darren will keep pressing CSU for updates
- Concrete and Street Work
 - Darren - Quite a bit of work has been done
 - What are the concerns?
 - Joanna - Upset with some of the deterioration on sidewalks
 - Doesn't feel that Ren thinks the work needs to be done
 - Darren - Board is the boss, so they can make the decision
 - Some areas where the concrete is spalling (turning to gravel on the top) cannot be repaired. They would need to be replaced.
 - Maybe send out Jason to view areas with board members
 - Joanna - Simply wants estimates for repair so that it can be incorporated into next year's budget
 - Jason - Writing notes on this
 - Darren - Break work down into 3 tiers
 - Level 1 - spalling - aesthetically displeasing
 - Level 2 - moderate
 - Level 3 - needs repair/replace soon
 - Darren - asphalt plants in Colorado have been shut down
 - Contractors having issues getting product
 - Brian - spalling can be repaired. Skim coat on top
 - Will get information on it
 - Darren - disagrees on longevity of skim coat

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- Longer lasting products are becoming available
- Jason is to get sizes and locations of repairs needed
- Joanna - Company that Ren used last time, the entire pad area is shifting
 - Appears to be sink hole under the driveway causing parts to sink and parts to rise
 - Company simply put some sand in the hole
- Darren - Will investigate
- Gary - Not sure which property this is, but some drives were replaced
 - Ren had asphalt contractor out for estimates
- Darren - Will get asphalt checked including speed bumps
 - Crack fills, seal coat
- ESA Legal guidelines
 - Joanna - Questions were answered
 - Was wanting more information
 - Darren - Wording is directly from the HUD guidelines
 - When individuals submit information found online, Z&R use the guidelines to determine accuracy of the information
 - Determine Sufficient and Reliable based on HUD guidelines
 - Legal fees become a sub-cost
 - Cima Vista has to allow the individuals to express their rights
 - Conciliation might lead to new policies
 - These can then be used in the future
- Shooting and Paint Balls
 - The paint ball bandit in the silver Camaro drove past 774 CV, and then the resident chased them and shot at them with a real gun
 - Z&R worked with the police
 - Joanna - Has the unit owner of the been charged for the video review and repairs?
 - Darren - Not sure on the repair
 - Will check on the billing for the unit
 - Will check on the bullet hole repairs
- New Expression Law in Colorado
 - In the interest of public interest and free expression
 - Opened flood gates
 - Will have Altitude Law review of rules and amend rules to handle the new law
 - The issue - sign restrictions
 - Yard signs shouldn't be an issue because owners do not own any of the yard areas
 - Signs in windows, flags, and flag poles
 - Cannot prohibit owner from putting up a flag pole, but they can be told where the pole must be
 - Cannot prohibit anyone from flying a flag or sign with any wording
 - Board can restrict size and numbers of signs, not the content, unless the content is commercial
 - Recommended rule will be where to put a flag pole and size of signs
 - Gary - So, someone can put up a flag pole in front of their unit?
 - Darren - No, since the land is not owned by owners
 - Property belongs to the COA

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- Gary - Can tenants do this?
 - Darren - Yes. First Amendment rights
 - Property owners could try and enforce rules
- Brian - The size is determined by the board?
 - Darren - Yes, but it will have to be considered reasonable by the state
 - Board will be able to determine size and number of signs
- Joanna - Makes motion to have Altitude Law do a review of the rules and recommend new rules
 - Brian - Seconds
 - All agree - passes

D. New Business

- Camera Updates
 - Darren - Updates are complete
 - Solar and batteries were updated for all 14 cameras
- Joanna - Colins Towing
 - Have only seen them out once
 - Can Kendall and Joanna be authorized to have them come out?
 - Darren - Yes
 - Patrol has been set up
 - Brian - Can the crew from Absolute Realty be added?
 - Darren - Absolutely
 - Darren - recommends emailing first

E. Adjourned 11:13 A.M. MST

- Gary makes a motion to adjourn
- Kendall seconds the motion
- Unanimously passed