

Meeting Minutes for March 13, 2023, Open Board Meeting

Board Members in Attendance:

Susan Marcus, President and Co-Treasurer - Pati Stajcar, Vice President and Co-Treasurer - Ashley Meyer, Secretary - Donna Carr, Director - Gabrielle Post, Director - Nafisa Bringe, Director

Board Members Absent: Al Summerford, Director

Meeting called to order 6:30pm by Susan Marcus, President

1. Introductions of Board Members

2. Acknowledgment that the Board has an enormous amount to do on behalf of the community

The board members discussed their duties and priorities, which included discussing the outlot at the entry to the community, taking care of water lines and hydrants, finding a new attorney, reviewing the budget, addressing the CCIOA, fire mitigation, outlot maintenance, fence repair, short term rentals, updating the directory, and reinstating the newsletter.

3. Outlot 164 and Other Outlots

PHHOA Community Member, Don D'Antuono spoke around outlot 164, and why there is still a threat to the lot. He stated MALT, December 2022 correspondence indicated MALT was willing to consider or amend restrictive covenants relating to outlot 164 and recognize or allow the creation of a conservation easement to allow a real value attached to lot 164. MALT said they would be willing to talk with board members around this amendment. Don mentioned we do own 6 other outlots. The board will follow up to see if there will be a formal committee formed to handle this topic. We need to get the lot into a position where we can have an evaluation and conservation easement, consistent with what was the original plan. End goal is to have a fair market value for these properties. Don discussed the law passed in June 2022 that said property with conservation easement must be valued at fair market value. Paradise Hills HOA owns the outlots.

4. Waterlines, Pressure Valves, Hydrants

PHHOA Community Member, Dean Snyder talked about the water system and Lookout Mountain Water District. The Paradise Hills water system consists of two separate entities: the water district responsible for supplying water and the homeowners association which owns and is responsible for maintaining the laterals. The water district has two reservoirs, a treatment plant, and a main line, while the homeowners association is responsible for maintaining the 23 laterals and hydrants. The system currently is in good condition following several upgrades and repairs, and funds have been accumulated since 2010 to do upgrades. The Lateral Coop for multiple Lookout Mountain HOA's is discussing with the Lookout Mountain Water District (LMWD) ways to obtain grant funding and low interest loans for upgrades to laterals, wildfire prevention systems, and the main line from Squaw Mountain. They are also looking for help from Paradise Hills to attend the Lateral Coop and LMWD outreach meeting on March 23rd.

5. Search for New PHHOA Attorney

Susan Marcus discussed the information she gathered around subscribing to legal advice from HOA Member Services. The cost for board membership to HOA Member Services is \$347/year, which includes legal advice. Susan also contacted Scott Albertson and Jerry Orten, of Orten Cavanagh Holmes & Hunt. Susan is researching Sweetbaum Sands, which represents HOA's, and CCIOA compliance. Nafisa discussed there are a lot of free resources online; discussed that CCIOA is very complex, and that she feels we should have an attorney who is well versed in bylaws and CCIOA. Nafisa suggested we reach out

to Lindsay Smith, the HOA's former attorney, possibly to see if she has any recommendations. Nafisa is willing to help and assist to help find a new attorney. Donna Carr suggested we need a lawyer who knows about land. Board members discussed the possibility of a new attorney attending a future board meeting.

6. ARC/Strada Rossa

This agenda item is postponed per conversation needed to have between Susan Marcus and Britt Gaskell. Susan asked for more info around Strada Rossa from participants in the meeting. David English spoke as a lot owner in Strada Rossa and mentioned there is another owner that owns the other lots. David English stated the road is not private, to make it a private road it has to go through Jeffco. Strada Rossa is under Unit 3 of the PHHOA covenants. There was also a concern about a large hot tub being built.

7. Review and Evaluation of Budget, Operating Reserves, Water Reserves, Outstanding Loans

We have one outstanding December 2021, 5 yr loan, \$184K rate is 4.25%, due date Dec 2026, \$3414.49 monthly payment. The principal balance of this loan, as of 4/1/23, is \$141,465. Annual payments for this loan are approximately \$41K. Operating reserves \$20K, Water Reserves \$214K as of Jan 2023. Dues to be collected for 2023 \$18K operating, \$111K water. Discussion around sending an email reminder for the dues. Pati Stajcar discussed that all our money is in an 0% checking account. Pati suggested we put available cash reserves in a money market via Fidelity at 4.2%, FDIC insured invested in government bonds, with our money available the same day and where we can transfer funds as needed. Pati moved that the current funds be moved from the current checking account to a Fidelity interest bearing account via Sandy Harnagel, the HOA's bookkeeper. Motion passed: 6 yes. Al Summerford was not in attendance.

8. Request for Additions to Board Business, from Board Members and Community in Attendance

Pati Stajcar discussed homeowner Steve Walters wanting to exit PHHOA due to his being on a well. Pati discussed some of the history concerning Steve Walters wanting an exemption from that part of HOA dues that is earmarked for water reserves. Pati gave reasons why it was not a good idea. It was discussed if he should be invited to the next HOA meeting to discuss this.

Susan Marcus is looking for volunteers to attend the fire mitigation committee, which is an offshoot of CARE. Pati Stajcar is looking for people to show up to the Foothills Fire Protection District meetings. New Fire board will be decided in two months. Pati wants more participation from the community.

Nafisa suggested that we send email out to the community regarding these issues and committees, ie, CARE and Foothills Fire Department, etc. Susan Marcus is looking for each board member to take on one or more of these responsibilities.

Ashley asked to discuss at the next meeting a new community website. Nafisa asked to add info about speeding on Charros and how to address it.

9. Discussion/Formation/Continuation of Board/Community Committees to Work on Board Priorities and Additional Board Business

Susan stated all board members have a duty to be involved in the community and community-related committees.

10. Discussion Scheduling Future Board Meetings

Next board meeting April 13, 2023 – regarding FLOCK cameras and discussion around renewal of contract or removal of cameras.

Meeting adjourned: 8:48pm

Zoom attendees included Bruce Murdock, Sally Hopper, Lisa Fray, Mary Jane Boll, Elaine O'Reilly, Suzana Fox

