

PRAIRIE VISTA MEADOWS (PVM) HOA BOARD MEETING MINUTES

Saturday, September 18, 2021 at 3 PM

Board Attendees:

Dru Dukart, President	Gayle Maas, Treasurer
Carol Burnside, Vice-President	Tim Delaney, ACC Chair
Jeff Maas, Director-at-Large	Bridget Bailey, Secretary
Kathy Delaney, Director-at-Large	

Community Member Attendees:

Dennis Dukart	Mark & Meghan Stidd
David & Vicki Berry	Pat & Brenda Ellis
Charles Turner	Richard & Patricia Nassivera
David & Wanda Hill	Phil & Dian Werner
Kathy Allender	Anthony Voss
Kristi Monnier	Casey & Jessica Cole
Riley Harris	Carmen & Jessica Riehle

MEETING NOTES:

The PVM HOA Board of Directors met via our community Fall “Potluck” event. Thank you to all who attended. And thank you to Dru and Dennis for hosting! How wonderful to see all the new faces! Dru called the meeting to order at 3:42 PM, welcomed everyone, introduced the attending board members to the membership and proceeded with the following agenda items:

SECOND QUARTER MEETING: The June 21, 2021 HOA Board Meeting Minutes were unanimously approved as presented.

REPORTS of OFFICERS, BOARDS and COMMITTEES:

President – Dru shared that she and Kathy met with the HOA lawyers in August concerning several topics:

- Solar Panels – there are two Colorado House bills that recently became law. One of them addresses solar panels. Essentially, while solar panels are now protected by statute (especially those placed on homes), HOAs can still regulate size, placement and number of panels for free-standing solar units as long as the requirements imposed do not increase cost nor decrease efficiency by more than ten percent (10%). As to size and placement of free-standing units, they are regarded much like outbuildings. That means they cannot obstruct the most eastern neighbor’s view. There is one property in the community that was recently approved for and installed a free-standing unit, as it met the non-obstruction requirement. The upcoming update to the PVM Rules & Regulations will include this new information about solar.
- Living Quarters and Accessory buildings – the Board has received several questions on this topic, including a prospective buyer asking to build a “barn-dominium” on an undeveloped lot. It was explained to the buyer that barn-dominiums are not permitted as single-family residences because they are a structure that is built off-site and moved on-site. Current covenants permit “stick built homes only as determined by the ACC in its sole discretion.” This information is located in the HOA document: *Further Amendment to Amended and Restated Declaration of Protective Covenants for Prairie Vista Meadows*, dated 11/23/2004, paragraph **3 Dwelling Quality & Size**. All pertinent documents that govern the PVM HOA are available for viewing on the association website: <https://prairievistameadows.com>
- The other House bill that became law: Dru reiterated information about Colorado’s changes to HB21-1310 (discussed at the June 21st Board Meeting) – please refer to the first item under “Old Business” for more details.

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- Construction – there was discussion about the statute of limitations on construction and that the HOA can implement the enforcement fine process, as outlined in our governing documents, when the allowed time period has expired. The HOA recognizes that issues arise, such as the current supply delays effecting construction across the country. And while circumstances such as these may justify an extension of time, it is imperative that lot owners encountering construction delays take the initiative to communicate with the HOA. Proactive communication with a board member, and preferably the ACC Chair, will help keep all parties informed and reduce the possibility of encountering violations and associated fines.

In addition to the topics discussed with the HOA lawyers:

- El Paso County Building Codes – Dru mentioned changes to county building codes. The ACC Chair (Tim) then explained that there are provisions to allow a second full kitchen in a basement or on one side of a residence (if the house is of adequate size). Tim added, however, that while homeowners can allow extended family to occupy that space, they are prohibited from renting it to third-parties. In addition, he indicated that the County requires homeowners to sign agreements related to that policy. Additional board members added that a second kitchen must be attached to the existing or newly built home. Only one “residence” structure is allowed per lot.
- Chickens – the existing rules & regulations were adopted based on the Colorado Springs (COS) ruling. A prospective buyer recently contested our policy because we have not also adopted the COS provision that allows rabbits. Therefore, the HOA intends to update the policy to reflect that PVM will only allow chickens. And keeping with current policy, the PVM chicken community is limited to females only. As a reminder, before chickens can move into the neighborhood, they require HOA approval. Unapproved chickens can result in violations and associated fines. In addition, they must have a designated shelter (which counts as an outbuilding) with four (4) square feet per chicken.
- Upcoming Election – more discussion about this will occur during the December HOA meeting because two (2) board positions are due for election/re-election early next year. Giving advance notice is a way for PVM members to start considering nominations and/or self-interest in joining our entirely volunteer board. We encourage you to do so... it’s a great way to get to know your community better!
- Fiber Optic – Internet service is always a topic of interest, especially for prospective buyers. As it turns out, we may eventually have a broadband option... though it’s a bit down the road. Our utility provider, Mountain View Electric Association (MVEA) recently announced that they are getting into the broadband business with plans to provide high-speed internet service to all of its utility members. It’s a 2–5-year plan that is already underway. More information, including the ability to pre-register for service is available at MVEA’s website: <https://www.mvea.coop/broadband/>
- Starlink – a community member also shared that this satellite service is taking \$99 deposits to pre-register for service, which is anticipated mid-2022. More information is available at: <https://starlink.com/>
- Fall Clean-up – there was a brief discussion about hosting another community-wide clean-up day... a great opportunity to work together as neighbors with a good dose of exercise, food & fun! Subsequent to the meeting, the Board agreed that Spring is likely a better time to schedule this event. More information to come!
- Budget Meeting – the Board plans to meet in October to establish the 2022 Budget.

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Treasurer – The *Cash Flow/Budget Sheet* as of September 6, 2021 was shared and discussed (attached herein):

- We remain on budget thus far. Insurance premium increases and any other adjustments will factor into the budget planning in October.
- There was a brief discussion about the possibility of increasing the budget for the Annual General Membership Meeting in December, as increasing restaurant prices may make the existing \$15 per person (2 persons per lot) allowance challenging. If any community members have suggestions for restaurant options, or a location where we can possibly bring in a catering service... please let us know!

ACC Chair – There was a brief discussion about the current construction delays on McCara Court, due to supply issues. Communication occurred between the ACC Chair and the lot owner. An extension of time was granted.

ACC Reminders:

- **Stucco color** – please remember when patching or repairing stucco, exact color matching is required. When there is color change, please complete and submit an ACC Application Form for review and approval.
- **Roof replacements** – please let the Board know when you are replacing your roof. If the new roof is a *different color* than your existing roof, please also complete and submit an ACC Application Form for review and approval.
- **Construction time-frames** – please remember that once ACC approval is obtained, construction (of any type, including fences) must begin within one (1) year of the final approval date. Once construction commences, it must reach completion within nine (9) months. You may refer to paragraph **3.4 Construction Period Review and Requirements** in the *PVM HOA Handbook of Rules and Regulations*. If you encounter special circumstances that may necessitate an extension, please reach out to the Board for assistance.

OLD BUSINESS:

Colorado's changes to HB21-1310 – Dru again explained that this new law concerns homeowner's "freedom of expression" protection. Prior law only protected a homeowner's right to display the American flag, service flags and political signs. The new law broadens this protection in common interest communities under the Colorado Common Interest Ownership Act (CCIOA), by requiring an HOA to permit the display of **any flag or sign** (with the exception of commercial messages) **at any time**, subject only to reasonable, content-neutral limitations such as the number, size or placement. As a result, the Board will update the PVM HOA Rules & Regulations to comply with the new law in terms of removing any language regarding 'content and duration of display.' The existing content-neutral rules that discuss the number, size or placement of flags and signs will continue to apply.

PVM's Covenant & Rule Enforcement Policies and Procedures –

- Fire mitigation reminder – thank you to all of the community members who have recently mowed! There are a few more lots to go. Let's please stay on top of this... not only for fire mitigation purposes but to also keep those noxious weeds from spreading. We definitely don't want the County coming in and issuing violations and penalties for noxious varieties that are effectively mitigated by mowing. Additionally, overgrown lots can also fall under the "visual clutter" policy which may result in a complaint leading to a violation/penalty.
- There was discussion about how "enforcement" is the Board's least favorite responsibility, yet it is a necessary one. A common-sense approach is the goal and the Board greatly appreciates all of the property owners who

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recently came into compliance. Some violations continue. Letters for those will go out in the next several weeks if those conditions continue. As a reminder, the Board strives to remain flexible to extenuating circumstances but **communication is key**. So please reach out to the Board whenever you are in a situation where campers, trailers or other equipment is out in public view for more than a few days.

- Again, **communication is key**. If you have something going on that you think might generate a complaint, your best course of action is to communicate with the Board as early as possible. It empowers them to address any community concerns that arise and reduces the number of complaints.

Prairie Dog Mitigation – Jason, Dru’s contact from the USDA wasn’t able to attend today. But to recap the discussion from our June 21st meeting:

The consultant (Jason) did provide some options but was also quite candid in explaining that even if the HOA members put a collective mitigation plan into place, the already massive prairie dog/gopher populations on the pasture properties that surround PVM will continue to increase. In other words, if no mitigation is occurring on the vast prairie properties adjacent to PVM, we are likely fighting a losing battle. However, the following options were discussed:

- Critter Getter (a method that involves putting a mixture of propane and oxygen gases down a burrow hole, packing the hole with sand bags, stepping a good distance away from the hole and then igniting the gas). The concussion effect of the ignition kills the critter instantly and collapses the burrow. Wildlife Services considers it a humane method. However, after deploying this method, Dru mentioned that the prairie dog families in neighboring burrows often come looking for their pals. So, it too becomes an endless process.
- Poison is not recommended due the possibility of unintentional poisoning of secondary animals such as hawks or dogs who consume the dead critter.
- Shooting/hunting is also not an option due to HOA regulations.
- Introduction of a natural predator, such as the black-footed ferret.
- Dru and Dennis are testing twenty (20) solar-operated sonic (aka sound-based) repellent stakes that can help deter critters from entering properties. They are available on Amazon at: <https://www.amazon.com/Upgrade-Stopper-Waterproof-Outdoor-Powered/dp/B07MZR6X1K>

NEW BUSINESS:

Community Concerns:

- **Road Maintenance** – there was general discussion about previous road issues as well as the current road hazard conditions of the cul-de-sac on McCara Court. While the Board does occasionally reach out to the County for road maintenance requests (such as when there are wide-spread repairs needed throughout the community), the general agreement is that homeowners contacting the County directly generates the quickest and most effective response, especially when neighbors who are directly affected collaborate and reach out together. That approach tends to carry more weight and obtain quicker action from the County. Contact information for the El Paso County Department of Public Works Department is as follows:

Ellen Heaverlo, Office Manager

Phone: (719) 520-6460

Website: DOTWEB@elpasoco.com

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- **Vehicles with Trailers Attached** – shortly after the meeting, a community member expressed concern about vehicles with “attached” trailers that are remaining in driveways for long periods of time, or on a daily basis. As a reminder, the HOA considers trailers (of all types) as recreational vehicles, regardless of their use. As such, they require **ACC approved** screening with proper garaging or fencing – whether they are attached to a vehicle or not. You may refer to paragraph **7.1 Community Parking** in the *PVM HOA Handbook of Rules and Regulations*. Thank you for your anticipated cooperation in getting those trailers screened, as continued complaints will likely result in violations and associated fines. If you have a specific circumstance that you wish to address, or have questions, please reach out to the Board for assistance. Communication is key!

Annual General Membership Meeting in December – Tentative date is set for December 5th. Stay tuned for more information! In the meantime, again, if anyone has contacts, ideas or suggestions... we welcome your help! Restaurants are going to book up fast! Catering is an option too, but we need location ideas (e.g., schools, churches, community centers, etc.). Typically, we have 40-50 people attend. Preferably, a location as close to PVM as possible. Please reach out to any of the Board members to share your thoughts! We appreciate you!

COMMUNITY MEMBER COMMENTS/CONCERNS:

- A community member asked about the possibility of bringing in a large dumpster for the clean-up event, so that homeowners can possibly discard larger items that the local trash service won't pick up. The Board shared that in the past there was a need to monitor dumpsters to prevent people from discarding prohibited items (such as batteries, electronics, paint, etc.). In addition, the location of the dumpster is a concern as it can draw attention from passerby's who opt to discard their unwanted items as well. Subsequent to the meeting, the Board decided to postpone the clean-up event until the Spring. This will allow for additional time to address these concerns and work out a game-plan.
- No other comments or concerns were expressed.

ADJOURNMENT: The meeting was adjourned at 4:26 PM. Planning is underway for the Annual General Membership Meeting in December... tentatively scheduled for December 5th. This event will also serve as the 4th Quarter HOA Meeting. A “call for agenda” will go out several weeks in advance.

Respectfully submitted, *Your PVM HOA Board/Officers*