

PRAIRIE VISTA MEADOWS (PVM) HOA BOARD MEETING MINUTES

Saturday, September 24th, 2022 at 3 PM

Board Attendees:

Dru Dukart, President

Rich Butler, Director-at-Large

Jeff Maas, Director-at-Large

Kathy Delaney, Director-at-Large

Gayle Mass, Treasurer

Bridget Bailey, Secretary

Community Member Attendees:

Dennis Dukart

Kenneth & Jackie Welshans

Mark & Meghan Stidd

Anthony Voss

Ronnyah Hamilton

Ron & Teresa Maksyn

Richard & Pat Nassivera

Ralph Hoeflich & Michelle Calvin

Pat & Brenda Ellis

MEETING NOTES:

The PVM HOA Board of Directors (BOD) met for the 3rd Quarter meeting as part of the Annual Fall Potluck Picnic. Thank you to all who attended! And a huge Thank You to Kenneth & Jackie Welshans along with Carol's son, Derek, for providing tables and chairs! Dru called the meeting to order at 3:00 PM, welcomed everyone, introduced the attending board members to the membership and proceeded with the following agenda items:

2nd QUARTER MEETING: The June 20, 2022 HOA Board Meeting Minutes were unanimously approved as presented.

REPORTS of OFFICERS, BOARDS and COMMITTEES:

President – Dru's officer report focused on the following topics:

- **Legislative Bill Update** – in June, the Governor signed seven new bills related to HOAs. Of those, three bills that impact PVM became effective on August 10, 2022. The Colorado HOA Information & Resource Center has created a public webpage to help people learn and navigate through the new laws. The webpage location is: <https://dre.colorado.gov/ccioa-and-other-state-local-and-federal-laws>. These are also uploaded on the PVM HOA website at: <https://prairievistameadows.com/aboutus.php>

Acts that will impact PVM:

- SB22-059 – Homeowner's Association Voting Proxy Limitations (this pertains to a new 11-month limit for Proxy designations in terms of general voting). The PVM Board has relied on proxies for general voting in the past, when needed. This can continue, with one change: proxy designations automatically expire after eleven months, or sooner, if the designated proxy wants to terminate early.
- HB22-1137 – Homeowner's Association Board Accountability and Transparency (this concerns the practices that HOAs use to carry out enforcement activities and collect unpaid assessments, fees and fines as well as providing for a small-claims court option). In talking with our attorney, Altitude Law, they confirmed that this new law will impact several HOA activities, including: 1) conduct of meetings; 2) covenant enforcement; and, 3) collections. When collections are necessary, this bill allows PVM to continue to charge the existing \$25 late fee. In addition, it allows for an additional charge of 8% interest per annum on unpaid balances. Altitude Law attorneys have also advised that service fees on delinquent accounts, including attorney fees, remain the responsibility of the property owner. The new law does bring one significant change regarding delinquency notices: the 3rd notice must be sent certified mail

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with return receipt AND the HOA must also physically post a notice of delinquency on the owner's property. To avoid inadvertently trespassing when attempting to meet this requirement, the attorneys suggested staking the notice into the ground at the property line (i.e., end of the driveway) and then taking a date-stamped picture as a record of the occurrence.

- The third new law pertains to the policies and procedures for covenant violations that potentially threaten public safety; examples are – excessive garbage accumulation, toxic spills or unresolved septic related issues. In these cases, this new law shortens the time that owner has to correct the public safety violation. The time is now 72-hours to correct. It also comes with a \$50 fine, every other day, until the violation is fully corrected. In contrast, covenant violations that do not threaten public safety (the most common type in PVM), are now subject to new mailing requirements: each notice must be sent certified mail – return receipt required. Finally, this law caps penalty related fines at a total of \$500 (our previous maximum was \$600). No additional fines are allowed. Cases that are turned over to our attorneys will, however, incur legal fees that are also the responsibility of the property owner (in addition to any unpaid balance and the \$500 in fines).

- **Unscreened Trailers** – as a reminder, please screen trailers from public view. Currently, there are several violations and associated complaints regarding this chronic topic – notices will go out this week.

Treasurer – The *YTD Cash Flow/Budget Sheet* as of September 2022 was shared and discussed:

- All but two (2) lots have paid dues which were due March 30th. The other two were turned over to Altitude Law.
- Bills are paid and the budget is overall on track for 2022.
- The new certified mail – return receipt requirement will necessitate an increase in the postage budget.
- The approved \$395 for policy updates was paid to Altitude Law.

ACC Chair – There are several recent approvals:

- New roofs: Filing 1 – Lots: 8 and 17
- New roofs: Filing 2 – Lots 1 (along with workshop siding), 3, 4 and 20
- New roof: Filing 3 – Lot 4
- Deck replacement: Filing 1 – Lot 4
- New home: Filing 2 – Lot 21

As a reminder about **roof replacements** related to recent hail. The ACC has requested that home owners who are replacing a roof please fill out the ACC Application Form, even if you are not changing the color. This will help the ACC better track and manage roof replacements.

The ACC Application form is found at:

<https://prairievistameadows.com/pdf/important-documents/ACC%20Application%20Form.pdf>

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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.
- **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:

Community Clean-up Day – What a success! Thank you to everyone who joined in to help clean up PVM! And a special Thank You to Kathy & Tim for use of your dumpster!

Culverts– two of three county maintenance tickets were taken care of. One remains open. Summary as follows:

- Drainage issue on McKissick & Prairie Vista Lane – complete.
- Tree removal on McCara Court & Prairie Vista Lane – complete.
- Asphalt repair for McCara Court cul-de-sac – open ticket.

Current Attorney Cases:

- As mentioned by the Treasurer, two cases of unpaid 2022 dues that were due March 30th.
- Long-term covenant violation – finally corrected on September 20th, but attorney fees were already incurred.

NEW BUSINESS:

- **2023 Budget Meeting**– the Board of Directors plans to set a date to update the budget for next year.
- **Three (3) board positions are expiring in March:** Dru, Carol & Kathy. Thus, it's that time! Time to encourage PVM members who are interested in becoming a board member to let us know! We need you! It's a two-year term and you'll have a great team to work with!

COMMUNITY MEMBER COMMENTS/CONCERNS:

- There was a question about when prospective buyers are notified of PVM rules & regulations, HOA policies and procedures, etc. Dru explained that all ownership information is provided before closing as part of responding to the status request from the title company. A follow-up question/suggestion was to have the buyer sign an acknowledgement of having received the HOA related documentation. An excellent suggestion. Although we cannot legally require prospective buyers to sign an acknowledgement, we will certainly ask them to do so moving forward.
- Reminder: please communicate your plans when you have trailers out beyond a day or two. **Communication is key!** It can help avoid violations.
- No additional comments or concerns were expressed.

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ADJOURNMENT: The meeting was adjourned at 3:30PM. The next meeting is scheduled for **Sunday, December 18, 2022 at 5:00 PM**. This is the Annual General “Dinner” Membership meeting which will also serve as the 4th Quarter Board of Directors meeting.

Respectfully submitted, *Your PVM HOA Board/Officers*