

SUNDANCE HOMEOWNER ASSOCIATION ANNUAL MEETING

Date: October 18, 2018

Time: 7:00-8:00 P.M.

Location: New Day Church, 2801 Jay Road, Boulder, Colorado 80301

Meeting Minutes

SHOA Board attended: KJ McCorry, President, Kim Rider, Vice President, Paul McCormack, Secretary, Samantha McBride, Treasurer, Leslie Ruprecht, Director and Lindsey Sharp, Director.

Homeowners Attended: Jane Paris, Dan McBride, Scott Troetel, Tom and Sarah Crocker, Victor Belenski, Jennifer and Mark Lynch, Seth Wingert, Ariella Futral

Welcome and Introductions

K.J. McCorry, President of the SHOA called the annual HOA meeting to order at 7:00pm. Member quorum was met with at least 10% of the members attending the meeting. The meeting began with introductions of the board members and the attending homeowners. The following board of directors, K.J. McCorry, Kim Rider, Paul McCormack, Leslie Ruprecht, Lindsey Sharp and Samantha McBride have all agreed to serve another year on the board. K.J. encouraged the HOA members to consider serving on the board. If interested, please complete the board nomination form and send back to Nick Conley.

Architectural Review Committee (ARC)

Kim Rider reviewed the responsibilities of the Architectural Review Committee (ARC). The current members of the ARC are Kim Rider, Ralph Doane, Thomas Ruprecht and Carrie Mabe. Scott Troetel has resigned from the ARC and was thanked for his five years of service. The other ARC members have all agreed to serve another year for 2020.

Kim reminded homeowners if they perform any of the following changes to their home, that they are required to submit the ARC form for approval. The form with details should be sent directly to the Community Manager, Nick Conley who will forward the request onto the ARC members. The ARC has 30 days to respond based on the current bylaws of the association. The following are the types of items that do require ARC approval:

- Paint on the outside of the home
- Landscaping
- Fence changes
- Remodel changes that affect the exterior and/or increase the footprint of the home
- Structures erecting on the property including sheds, outbuildings, playgrounds, etc.

There was a homeowner question about the ARC review process:

Question: Does the ARC pass homeowner requests on to the City for approval?

Answer: No, it is the homeowners' responsibility to acquire all necessary permits and ensure compliance with PUD, city, and state laws and regulations. And it was noted that the City of Boulder requires permits for many changes other districts do not (such as Boulder County).

K.J. McCorry reminded the attending homeowners that anyone is welcome to participate in the ARC and to contact Kim Rider, Chair of the committee if interested.

SHOA Financial Update

Nick Conley reviewed the financial statements of the homeowner's association. To date, the overall expenses have remained within the annual budget. The current 2019 income and expense report and balance statement were reviewed. (see attached financials). The total balance in the SHOA accounts (both checking and savings) is approximately \$100,268. The operating account is approximately \$27,000 and the reserve account is approximately \$73,000.

K.J. McCorry expressed having \$100k in reserves would be ideal as an HOA goal. One or two major driveway or fence replacements would consume a large chunk of the \$89,692 in total equity.

The 2020 budget was reviewed that was approved by the board of directors on September 11, 2019. Homeowner's dues will not increase for 2020. The HOA dues for 2020 will remain at \$77.00/ month. There were increases in the budget for the following categories: utilities, general clean-up, grounds maintenance, and tree maintenance.

The reserve study was updated in September 2019 and reviewed by K.J. McCorry. The reserve study is intended to be an estimate of future short and long-term maintenance costs of the HOA. The reserve study is located on the Sundance website under the Documents section. It was clarified that listing items under particular years (such as the playground in 2026) does not indicate a commitment to replace/repair at that time but merely acknowledges that the expected lifetime of that particular property expires in that year. It was remarked upon that there have been no special assessments during the HOA's history due to careful management and reserve study planning.

The following were questions addressed by the homeowners regarding expenses:

Q: Why are common driveway replacement costs (a significant fraction of the reserve study expenditures) not shared by neighboring homeowners?

A: The reason given was that those driveways are used by much of the community (unlike fences) and are subject to high wear from garbage trucks, etc.

Q: Can we get insurance to cover replacement costs of fences and driveways?

A: No, and even if we could, the provider would likely use a far more conservative amortization scheme than we can ourselves (in reserves).

Q: Why don't we use chemicals to save the ash trees (like neonicotinoids/permethrin)?

A: The board decided to avoid these chemicals to protect the animals, insects, pets, and children that frequent these areas. It was also mentioned that the trees would probably only live a few more years, even with these treatments.

Q: Why did the interest income increase mid-year?

A: The savings account was transitioned to a higher-yield account (1.5% APY). Other "safe" investment options with higher interest rates are under investigation.

SHOA Governance

K.J. McCorry, President, gave a presentation on the changes to the updated governance documents, the process by which the documents were rewritten and amended, and the reasons the update was necessary.

The following were other objectives covered in the presentation:

- Understand the hierarchy of governing HOA's
- Review and provide definition of HOA governing documents
- Review the timeline and process of revising the Declaration of Covenants and Articles of Incorporation
- Review of the reasons behind making revisions to the governance documents
- Understand key Article changes in the revised Covenant document
- Review voting and directed proxies process and procedure

The presentation will be available on the HOA website under the Meeting Minutes (<http://www.sundanceboulder.com>).

The following were topics and questions addressed by the homeowners:

Fences – the new covenants spell out a change in policy under which homeowners will share the cost to repair and replace fences that border both common areas and homeowner property. There were a few questions about how this policy applies to the fence along 28th street – there is a common area east of that fence, so the HOA would split the cost where applicable. However, where the fence borders property not owned by the HOA (such as the church), the homeowner would need to negotiate with the relevant 3rd parties to split costs.

Reason for proxy forms – If insufficient 'for' votes were collected at the meeting to achieve

67% approval of the new governance documents, the HOA board will continue to talk to homeowners. Every attendee at the meeting filled out a directed proxy to allow the board up to 11 months to collect the necessary votes.

Dissolving the HOA – A few homeowners wondered if the HOA would be as risk if the covenants were not passed. It would not – it would just be subject to the current governance documents. Dissolving the HOA would be prohibitively expensive (~\$50k) and would involve a court dispute that would probably be lost.

Short term rentals – Short-term rentals (VRBO/Airbnb) are allowed under the new covenants provided the homeowner acquire a permit from the City of Boulder and shares with the HOA. The city of Boulder requires the home be homeowner occupied and must reside in that property for at least 6 months out of the year.

The members were asked to complete a directed proxy to cast their vote on approving the revised Articles of Incorporation and Declaration of Covenants. In order to approve these new governance documents, it requires 67% vote of the homeowners or 47 votes. Once all proxies have been received the homeowners will be notified.

The following governance documents are available on the [Sundance website \(www.sundanceboulder.com\)](http://www.sundanceboulder.com)

- Bylaws and Covenants
- Articles of Incorporation
- HOA policies
 - Adoption and Amendment of Policies
 - Alternative Dispute Resolution Policy
 - Board Member Conflict of Interest Policy
 - Collection of Unpaid Assessments and other Association Charges
 - Conduct of Meetings Policy
 - Covenant and Rule Enforcement Policy
 - Inspection and Copying of Association Records Policy
 - Investment of Reserve Funds Policy
 - Reserve Study and Funding Policy
- HOA Insurance
- Reserve Study Calculation
- HOA Financials

Topics of Concern for Homeowners to address to Board of Directors

A number of homeowners discussed problems with raccoons, not only digging through trash and compost but also damaging siding and entering garages that are left open. It was recommended homeowners put their trash out on Tuesday morning instead of the evening before and that ammonia-soaked tennis balls discourage these animals from returning.

Several new homeowners wondered about the 2013 flood and whether flood insurance was needed. Even though many homes were flooded, the update flood plain maps do not include any properties located in the Sundance HOA.

Community Reminders

Samantha McBride, Treasurer, reviewed the community reminders listed below.

- **Trash Cans**- Please put trash cans out on the day of pick up, to reduce animal intrusion. Please remove from front of homes after Tuesday pick ups and inside garage.
- **Porch lights**- Please check lightbulbs on the front of your garage. This added light improves security.
- **Yard Maintenance**- Please make sure your yard is free of equipment and summer items are stored away.
- **Shoveling sidewalks**- It is the homeowners responsibility to shovel sidewalks in front/side of their

homes.

- **Driving/ Speeding-** Please drive 15mph in our neighborhood to keep our pets, kids and neighbors safe.
- **Dogs on Leash and Barking-** Please keep your dogs on a leash in our neighborhood. Be mindful of your dog excessively barking.
- **Open Burning-** Please be mindful there is no open burning in your backyard. Only electric grills are allowed. Please see city guidance <https://bouldercolorado.gov/fire-rescue/open-burning-regulations>
- **Fire Gate in Dawn Court-** It was requested to not use the fire gate along the east Dawn Court driveway. The gate has been repaired multiple times. Homeowners were asked to use the sidewalk along the east creek path to get to 28th street.

The meeting was adjourned at 8:10pm.

Meeting notes written by President: K.J. McCorry and Secretary Paul McCormack 10/16/2019
Meeting notes approved by all Board of Directors 10/18/2019

SUNDANCE HOMEOWNERS ASSOCIATION, INC.
a Colorado nonprofit corporation

By: 
Paul McCormack, Secretary

Date: 10/19/2019