



## **SROA 2020 Annual Meeting Minutes**

Online Zoom / by phone

September 12, 2020

**Call to Order:** The meeting was called to order by Board President Jackie Burghardt at 9:27 a.m. after all present were logged in. Secretary/Treasurer Mike Peterson reported a quorum was present with 66 lots represented in person and 19 lots by proxy for a total 85 properties represented. (Note: after a review of the meeting recording and recount of all the members present and proxies delivered to the Secretary/Treasurer before the meeting, the number of proxies was increased to 22, bringing the total lots represented to 88 lots).

Jackie welcomed everyone to the meeting and explained some procedural issues on proxies. Jackie introduced the current board members, Rob White, Vice President, Mike Peterson, Secretary/Treasurer, and Board Members Laura Biewick and Steve Josepho. Jackie also introduced Kylie Pontius as our Zoom meeting administrator/Sargent at Arms for the meeting and thanked her for volunteering to run the meeting.

The 2019 Annual Meeting Minutes were approved as written.

**Broadband Report:** David Shipley from South Park Telephone (SPT) was introduced and provided us with an update on the status of installation of fiber-optics lines for high speed internet. David thanked the association for its participation and announced that after the initial 65 members signed up, there was an additional 27 sign-ups, bringing the total to 92 members, and guaranteeing Silverheels will receive the maximum discount on pricing for life.

David also explained how our project has served as a great example of the process to apply for broadband. SPT is working on two other projects in Park County, the Burland Ranchettes area on Crow Hill, and the Pine area at the Park/Jefferson County line. David is available for any questions or concerns and can be contacted directly by phone or email.

**Treasurer Report on 2019-20 Budget and Balance Sheet:** Treasurer Mike Peterson presented a review of the prior year's income and expenses. Mike also reported there were still 7 lots unpaid for 2019-20 with 2 lots unpaid for multiple years.

**Committee Reports:** Jackie presented the Architectural Control Committee report, thanking outgoing ACC members Jimmy Brown and Todd Scholl for their years of service. Approvals included 2 new home builds, 2 new roofs, 3 homes for repainting, 2 fence builds, and one new residence pending approval from Park County.

**Maintenance Committee:** (Note: due to time constraints this report was not presented at the meeting but is included in these minutes). Common area maintenance is ongoing with Allan Pederson maintaining signs in the subdivision and picking up trash along the roads. The board is giving member volunteers Dave Slubowski and Patrick Buckley a big thank you for their taking on the task of spraying Canadian Thistle weeds showing up throughout the subdivision. Please contact the Board of Directors if you see any of these weed on your property or along the roads and open spaces.

**Broadband Committee:** Jim Burghardt thanked everyone for their participation and thanked South Park Telephone for their efforts.

**Roads Committee:** Laura Biewick presented the report on the status of negotiations with Park County. We are scheduled for road work in 2021, concentrating on drainage issues first. Discussions with the county continue and the committee is working to get the roads improved. There are issues with county management. The committee is asking for anyone willing to help to contact them to discuss the issues.

**Website Committee:** Mike Peterson reported the website has been updated to account for the new platforms and we hope to have the new site up and running in the next two weeks.

**SROA Directory Committee:** Mike Peterson reported 169 members are currently listed in the distributed Directory and invited anyone who wants to be included to complete a Directory form located on our website. The updated 2020 Directory will be distributed by the end of October.

**Discussion on Proposed Amended Covenants:** Jackie introduced Mark Payne, the attorney hired by the board to review our Protective Covenants for compliance with current state laws. They have not been updated since originally written in 1979. Mr. Payne noted the two laws currently in place that guide home-owners associations: the Colorado Common Interest Ownership Act and the Colorado Revised Non-Profit Association Act. The primary goal of the covenants is to serve as an “owner’s manual” for homeowners. The board, with the attorney, discussed all aspects of both current and proposed Covenants before presenting their proposed recommendations to the membership.

The meeting was then opened up to discussion of the proposed amendments. Comments were noted and will be reviewed and appropriately included in the amendments before the next submission to the members. The plan is for another review by the members before submission to all members for approval. The final version of the amended covenants must be approved by **101 property owners. 102 property owners (50%\*201+1).**

**Roads Assessment Issue:** Jackie provided an explanation regarding the status of the Roads Assessment approved by the membership at last year’s annual meeting for a road improvement project with Park County. Attorney Mark Payne gave his advice why the assessment no longer applies and why we should not attempt to collect it. The county failed in that its lack of communication resulted in an inability to come to any kind of agreement. Therefore, the Assessment as approved in 2019 is moot and will not be pursued.

Roads Committee member Laura Biewick reported that the committee continues discussion with the County about the road conditions in Silverheels and will continue to inform the membership.

Laura and Jackie both asked for volunteers to help Laura and Steve Josepho in moving forward with this project.

**Discussion and Vote on Proposed Dues Increase:** Jackie opened discussion after stating the question before the membership which states:

***“Shall the SROA members approve an increase in the Annual Dues Assessment from \$40.00 to \$120.00 effective January 1, 2021?”***

During discussion of the question, member Pate Cote proposed a new motion to “Suspend and cease to incur any further attorney fees or legal costs without direction from the SROA membership, determined by a proper majority vote”. Board President Jackie Burghardt explained that there was a motion already on the floor and her motion would need to be reintroduced later as a new motion.

After discussion, member Mark Hanks made a motion:

***“To amend the annual dues to a one-time charge of \$120 the first year (2021), then change the amount next year to \$80 per year.”*** Patrick Buckley seconded the motion. Further discussion on the proposed new motion led to an amended motion by member Tom Barret to:

***“ Shall the SROA members approve an increase in the Annual Dues Assessment from \$40.00 to \$80.00 effective January 1, 2021?”*** Mark Hanks rescinded his original motion. Patrick Buckley seconded the motion. After no further discussion was offered, the motion was put to a vote of the members.

The motion passed, 45 Yes, and 19 No. (Note: After the meeting was closed, a review of the recording of the meeting and a recount of the votes was done. The revised total votes are 52 Yes, and 26 No.)

**Election of Board of Directors:** Jackie noted there were three positions open on the Board of Directors and three members nominated, Jackie Burghardt, Robert White, and Steve Josepho. Jackie asked for any other nominations from the members, and there being none, the three nominees were voted in by Acclamation.

**Election of Board Alternate:** The Proxy and information sent to all members stated two nominations for one Board of Directors Alternate position, Mary Manka and Kylie Pontius. Kylie Pontius withdrew her nomination prior to the meeting. Jackie asked for any other nominations from the floor. Member Charles Rush nominated Leslie Hall. Jackie explained that our current covenants do not conform with state law that requires a secret paper ballot for Board of Directors or Trustees elections where there is more than one nomination. This is not required where there is one nomination for each position, votes of acclamation are allowed. After this meeting the Secretary creates a ballot and mails ballots and return envelopes to all members who would then cast their votes and return them in the voting envelopes to be counted. After Jackie’s explanation, Leslie Hall withdrew her nomination. No other nominations were presented so Mary Manka was elected as Board of Director Alternate by Acclamation.

**Election of Architectural Control Committee:** Jackie stated there are three positions open for the ACC, and one nomination, Tyler Pontius. Jackie opened the floor for nominations, and two members were nominated: Charlie Schultz and Inga Hanks. After no further nominations were presented, the three nominations were elected by acclamation.

**New Business:** Mike Peterson presented a request from a member asking the Board of Directors to send a letter to DIA asking them to spread out the flight patterns over Silverheels Ranch. The member is noticing an increase in air traffic over the subdivision and believes it is disrupting the peace he is used to. Board President Jackie Burghardt stated that this request was New Business not previously presented to the membership for review. and would need to be considered by the Board of Directors at a future meeting.

Jackie asked for any other new business to be presented. Hearing none, the meeting was adjourned at 12:54 p.m.

Respectfully submitted by Mike Peterson, Secretary/Treasurer.