

BANNOCKBURN HOMEOWNERS ASSOCIATION  
P.O. BOX 211 FRANKTOWN, CO 80116

**OCTOBER 2021 ANNUAL BOARD MEETING MINUTES**

Date: October 16, 2021

Location: Meeting held at the Franktown Fire Station

Board Attendees: Jack Shuler, Mike Bertsch, Michelle Rozeboom, Renee Grimes, Steve Shkilevich, James Rogers

A Quorum of HOA Board members was present

Members Attending: Ames, Arthun, Bedell, Bertsch, Brodeur, Brown, Curry, Delgado, Duncan, Goetz, Grimes, Hargrave, Holman, LaFon, Leyendecker, Meighan, Miller, Nickerson, Rogers, Rozeboom, Sears, Shkilevichm, Shuler, Tilman, Westcot, White, Wilcox

A Quorum of members in attendance and via proxy was present

Guest in attendance: Aaron Goodlock, Attorney, Orten, Cavanaugh, Holmes, et al.

Meeting was called to order by Jack Shuler at 11:18 am

The meeting opened with welcoming the residents in attendance, board member introductions, a briefing on the covenant vote, improvements made to the HOA website, dead trees, and FCCII water concerns.

**Treasurer Report** Mike Bertsch summarized the years financials: Cash balances grew from the receipt of nine \$250 transfer fees for sale of Bannockburn properties, voluntary contributions, and enforcement of late fees, have improved our cash flow.

Using electronic payments such as Venmo was suggested by a member.

Thank you to the Grimes family for donating the meet to the annual BBQ resulting in costs \$700 below budget, and for cost of mailings, also coming in under budget.

**2022 Budget Ratification** Projected expenses for 2022 include Insurance, Microsoft 365 subscription for record keeping and communications, and utilities. Tony Westcott moved to approve. Motion carried.

**Environmental Committee** Mike Bertsch asked that all members confirm covenant parameters with the board before beginning new projects. Approved in 2021 were three new barns, four fences, one requiring a variance, one new deck, a pool, and new siding on three homes.

Brief update re: Independence Water Grab. The Water Referee basically ignored the many submitted objections to Independence's request to amend and expand their water usage rights in their development, and rubber stamped the amendment. The next step is bringing the case to court.

**Social Committee** Renee Grimes reported that Bannockburn followed Douglas County Covid guidelines in planning and executing activities this past year. Last year's hayride was a carpool caravan, the Easter Egg hunt candy was donated by the Grimes, and it went well (except for the melty chocolate on a warm day), the garage sale was a success. Seventy-five people attended the BBQ; every seat was filled, making the event a great success.

This year we are back to a Hayride/Candy Grab. Trucks/trailers to accommodate 50-75 kids are still needed. A Christmas lighting/decoration contest is planned for December. A Newsletter with save-the-dates for next year will come out shortly.

A suggestion was made to plan/schedule some activities at less busy times to prevent over-lapping and allow more participation.

**Documents Committee** Chairperson Kaye Wilcox explained that when definition and language are vague or ambiguous there can be multiple interpretations in various way. She further explained the history and progression of coming to the current proposed covenants, referencing the 2019 proposed covenants and CCIOA pre-1992 Colorado non-profit act, and considering what is still applicable from the 1992 documents. The proposed covenants were sent out to the community in 2020; Having received no response they were given to the law firm for review. Adjustments were made. The proposed covenants were again sent to the community for feedback in April of 2021; and again, little to no feedback was

received. The proposed covenants were then mailed to the residents to review before receiving, via USPS, their ballot to vote. Kaye also stated that the requirements for liability insurance needs to be incorporated into the covenants.

Aaron Goodlock explained that every neighborhood and their covenants are unique to each community. A member asked what we do now to come into compliance with state requirements since the vote didn't pass. Aaron responded that we must comply with the statutes regardless of what our governing documents state. The Bylaws are from 1998 making our governing docs somewhat out of date. As a general rule, that statutes supersede our covenants.

**Ballot Results** Jack Shuler summarized the results of the proposed covenants vote. Of the 179 ballots that were mailed, a minimum of 120 "approve" votes were needed to fulfill the 66 2/3 requirement for approval. Although there were not enough "yes" votes to pass the proposed covenants, overall, 83%-93% across the spectrum were positive votes.

The topic of internet voting was proposed as a means of improving neighborhood participation, in addition to utilizing volunteer canvassers, phone trees, etc. to promote ballots returned to have enough votes to pass anything. A suggestion was made to label envelopes with resident's name, secret ballot, the use of drop boxes, voting stations, and a voting booth. Julie Miller, Heather Stanton, and Tony Westcott volunteered to assist with these efforts.

### **Vote for 2022 HOA Board Members**

The requirement of members in attendance to conduct business at the annual meeting was met in combination with proxy votes that were provided in advance by members unable to attend. The candidates on the ballot for new board members were: John Edwards, Jack Shuler, James Rogers, Michelle Rozeboom, Nathan Toland, and write in candidate Kurt Leyendecker nominated by Carin Shuler, and Julie Miller nominated by Tony Westcott. Voting was conducted by secret ballot, and was counted by Tony Westcott, Phil Curry, and Ben Grimes. The new board members joining the board for a 2-year term beginning January 2022 are: Jack Shuler, Nathan Toland, Kurt Leyendecker, and Julie Miller.

Meeting Adjourned: 1:59pm