

BANNOCKBURN HOMEOWNERS ASSOCIATION

P.O. BOX 211 FRANKTOWN, CO 80116

October 2022 Annual Meeting Minutes

Date: 15 OCT 2022

Location: Franktown Fire Station

Board Attendees: Jack Shuler, Steve Shkilevich, John Edwards, Nathan Toland, Kurt Leyendecker

Not Present: Mike Bertsch, Renee Grimes

Resident Attendees:

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|--------------------------|
| Residents present |
| Susan Passmore |
| Edwards, Tammy |
| Goetz, Cynthia |
| LaFon, Neal |
| |
| Rogers, James |
| Root, Jeremy & Debra |
| |
| Shuler, Carin |
| Sowada, Clinton |
| |
| Wilcox, Glen & Kaye |
| Wyles, Blair |

Meeting called to order by Jack at 11:07

Greetings and Quorum Determination

President Jack opened the meeting. The Annual meeting did not have enough attendance to establish a quorum of members to conduct any official business, other than 2023 budget ratification.

Remarks

Jack delivered opening remarks, discussing what the HOA has done over the last year.

- Maintained and updated the website and membership communications
- The Sundown development will start soon. The HOA has been engaged to voice our interest in not having the Bibles Hill Road to be pushed through. Douglas County has told us this is not going to happen.
- We have asked the county to remove dead trees along road easements. We are currently in line.
- We are working on our dues collection policy to align with new laws

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- Special thanks to the Grimes family for their contributions, most notably the Annual Picnic (tent, tables, chairs, port-o-potty rentals and meat were all donations from them).
- Special thanks to the membership that donated above and beyond our annual dues.
- Our budgets show we may need to revise our \$25 annual HOA dues, but donations have held that conversation at bay.

Treasurer's Report

John Edwards delivered the treasurer's report, covering our financials. Handouts delivered to all attendees.

- Balance Sheet with previous year comparison
- P&L Statement with previous year comparison
- Proposed 2023 Budget

Key points highlighted for the budget were:

- Dues and subscriptions were our Microsoft Office Suite licenses
- Our insurance is likely to be increased to suits raised by resident Rogers
- Budget for future ballot attempts, mailing and postage
- Professional Fees as a result of Rogers complaints
- No new website or hosting fees are required for 2023 as we prepaid to 2024

Treasurer Q&A

"Why did the Grimes family donate to the annual picnic" – Jack answered, speaking for the Grimes family – they are like other residents that believe in the Bannockburn community and want to contribute to the needs of the community.

"Where is Quickbooks Backed up" – John answered - The Bannockburn HOA Office Suite cloud.

"If the HOA Prevails in law suits, does the person filing suit have to pay back the legal fees "(HOA recovery of losses) – Jack answered – We are too early in the process to have an answer to that question given no legal proceedings have been conducted. Steve added, the Bannockburn insurance company provided an attorney and once we know the outcome of charges brought by Rogers those results will be communicated to all residents. John Edwards added – the HOA will aggressively defend, and aggressively seek recovery of any Associations legal costs.

"Is the Grimes Donations Covered in the P&L" – No, the donations are not reflected in the P&L as the receipts were not run through the HOA books the Grimes paid for picnic and related costs.

"What are the lawsuits we are facing" – Jack answered – We have three, possibly four, current lawsuits. All suits are because resident James Rogers claims the HOA did not respond in a timely manner to numerous inquiries for documents, invoices, bills, written records, etc. The BOD has responded to each inquiry. We are waiting on next steps from mediation hearing(s) or county date to be established.

"Do we have money in reserve" – Jack answered – Yes, about \$21K as shown on the financials delivered.

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Budget Voting

Jack announced that after a review of the budget and questions from residents that the Budget presented will be ratified at the meeting given a quorum of residents is not present. Mr. Rogers stated that he doesn't agree - this is a meeting as there is no quorum present, therefore we can't take a vote. Jack rebutted that according to our counsel, regarding budget ratification, we do not require a meeting to ratify/approve the budget. Minor back and forth discussion continued, at which conclusion Jack called for a vote of all present no objections, except Rogers. This same subject had been addressed previously with counsel - same answer.

Mr. Rogers requested that the following be added to the minutes regarding his protest:

"Article 2 paragraph 3 of the Bylaws states we must have a quorum to conduct business. Taking a vote on the proposed budget is conducting business."

Jack responded that he would confirm the previous stance from Counsel is correct (that a quorum is not required at annual meeting to ratify an annual budget), and Counsels response will be communicated to all present at the annual meeting.

Environmental Report

Nathan delivered the Environmental report for Mike. This years projects reviewed by the Environmental Committee:

- House Paintings – 1
- New Siding – 2
- Solar Panel Requests – 2
- New Barns/Structures – 2
- Full residence remodel approved – 1
- Windmill structure – 1

Other items of interest:

- There were a few rooster complaints, but the residences, except one, were never officially identified. The HOA board can only act if we know who or where issues are. The known complaint was handled successfully. Other complaints are unidentified as to the source.
- One Revegetation complaint was monitored by the HOA, but the county stepped in with their requirements to handle that issue. Case was successfully resolved.

Social Committee

Nathan delivered the Social Committee report for Renee.

There are a number of activities coordinated by the social committee. Easter Egg hunt, Neighborhood Garage Sale, Halloween Hayride/Trick or Treat/Annual Picnic. Renee has done a great job on this year round.

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Governing Documents Report

John delivered the report - The last attempt at renewing our covenants and documents, the approach was to compartmentalize the voting components so no one piece could be a hang up for all the rest. That breakdown was Animals, Building Materials and Covenants.

John did a review of last year's vote. The HOA did not receive enough responses to pass the proposed covenants but did receive overwhelming support of those residents who did vote. We needed more participation to pass the proposed covenants and replace the current 2012 covenants which are not in compliance with current HOA law in Colorado.

The current covenants are old and out of date; contradictory in areas and create a lot more work for the board. We have enough interest to pursue the new covenants, so those efforts by the Governing Document committee and board will continue.

We feel we have a responsibility, based on vote counts and expenditures to continue this effort and enough continued interest. We will pursue this effort to replace/revise the 2012 covenants.

Q&A

“Are our covenants up to law?” – Kaye answered – We are a Pre 1992 HOA, we own no communal properties, so this is simplified and less of CCIOA applies. We have some lack of compliance in our current covenants (voting and records retention namely). Assessments are also added to the new covenants. John added – most of the heavy work is done – the committee would welcome residents to join and help.

“Will we move to Electronic Voting” – Several answers – Currently we have a covenant requiring US Mail. It was suggested that we move that to a policy vs a covenant and the HOA will continue to address this question.

Nominations

Jack solicited Nominations from the floor for open board positions. None received.

Jeremy Root, a resident in good standing, and a candidate identified by the nominating committee prior to the annual meeting, expressed interest in joining the Bannockburn HOA board. Mr. Root delivered reasons for his interest in joining the board and made a statement at the meeting about his background, past HOA experience and reasons for serving the Bannockburn community. These comments were also on the Bannockburn website prior to the annual meeting. His approval to join the Bannockburn board will be addressed at an upcoming board meeting.

Renee Grimes (current Social director) and Steve Shkilevich (member at large) are reappointed for a new term given their request to remain with the board. Jack Shuler, Nathan Toland, & John Edwards will continue in their current terms. Kurt Leyendecker (member at large) will advise the board at the next meeting of continuing interest or resignation. At an upcoming board (possibly November 2022) the board members will vote to approve new positions for each board member for the 2023 term.

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Jack Shuler thanked all attendees and formally adjourned the annual meeting at 12:27pm.