

## **CANYON VIEW ESTATES AUGUST 10, 2022 BODs MEETING MINUTES**

The 2022 Summer Meeting was held Wednesday, August 10, 2022, 9:00 AM, at Jen Richardson's home, 2142 Redcliff Circle.

**Board Members in attendance:** Jen Richardson, Laurie Iversen, Janice Kiehl, Cindy Duta and Tracey Heritage.

**The meeting was called to order** by Jen Richardson, President, at 9:06 am.

### **OLD BUSINESS:**

- o Summary of Finances and HOA business (Tracey)  
Tracey reports Canyon View Estates is on budget with expenses. One resident (2145 S Canyon View Drive) continues to be in arrears with HOA dues and fines. A lien is in place on this property. Discussion followed about how to collect these dues pursuant to the new Laws passed by the State of CO pertaining to Dues Collection and Covenant Enforcement, House Bill "HB 22-1137". This Bill went into effect 8/9/2022.

It was decided that Tracey will document the actions and balance due through 8/8/2022 and then the board will determine next steps for collection in accordance with the new law.

### **New Business**

- o New Residents to be greeted (email contact info needed)
  1. Russell & Courtney Moses, 371 LIME KILN.  
Janice made contact on 8/5/2022. Gathered all pertinent information.
  2. Robert Struble & Laurie Wren, 330 SIENNA CT .  
Janice dropped off Welcome Letter. They will call Janice when they have a convenient time to meet. As of 8/12/2022 Janice has not yet been contacted. Janice will stop by their home and ask to set up a Welcome Meeting time.
  3. Jonathan & Michele Arnold, 2143 REDCLIFF CIR - close in August  
Janice dropped off Welcome Letter on 8/12/2020.
- o Overview of Irrigation activities - Jen  
The irrigation committee is gathering information and quotes for replacement of the drive electronics for the pump and motor for the HOA system. This is a major Reserve Component and is scheduled for replacement in the Reserve Study in 2023. We currently have a Yaskawa Variable Frequency Drive (VFD) for controlling pressure and flow and auxiliary electronics and pump equipment that is no longer used or has been out of service for a long time.

More than three manufacturers and service providers have been contacted to provide bids. Historically, the HOA contracted Munro for equipment and service. They are no longer providing electronics

programming service and are not authorized by Yaskawa. An authorized value-added reseller (VAR) has provided a quote for a replacement system (Yaskawa) and another bid is expected from a Phase Technologies VFD VAR. The latter system is US made and is expected to be less expensive than the imported unit from Japan. The irrigation committee will review the bids and provide a recommendation to the BOD.

This expense may be pulled into 2022 to accommodate equipment and installation lead times to avoid delay of system bring-up next spring. If this happens, the budget and Reserve Study will reflect the change.

- ACC Update
  - Summary of year to date  
See Exhibit A at the end of these Minutes.
  - Plan for approvals on development of 2147 Redcliff Circle  
The ACC will write up a plan/document listing the expectations and timeline for the development of this lot. After BODs approval, this plan will be provided to Frank Frigetto, who is planning to develop this lot.
  - Reference approval 2015 letter from CVE ACC for Jen Richardson's home build that started Dec 2015 - completed Oct 2016.  
This letter will help the ACC and the BODs to write up a detailed and accurate plan for the development of 2147 Redcliff Circle.
  
- HOA Laws Updates (House Bill "HB 22-1137")  
For Dues Collection Policy and Procedure, see Exhibit B at the end of these Minutes.  
For Covenant Enforcement Policy and Procedure, see Exhibit C at the end of these Minutes.  
These policies will be tailored for CVE, and after approval, posted to the webpage.
  
- Plan for 2023 Annual Meeting  
The 2023 Annual Meeting will be held the 2<sup>nd</sup> Thursday in January, January 12<sup>th</sup>, 6:30 pm, at Wingate Elementary School.  
Tracey will reserve the Wingate Elementary School cafeteria.  
Jen will send Tracey the preliminary 2022/2023 Budget.

#### BOD action outside of meeting

- Jen contacted the board and recommended that the fee for our manager be raised by 6%.  
Justification:
  - the percentage is based on an average cost-of-living index for our area from 2020 to now
  - Passage of House Bill "HB 22-1137" significantly affects Tracey's workload related to billing, communication and record keeping.
- A majority vote was achieved via email.

- o The BOD notified Tracey of the increase pending 2023 budget approval at the conclusion of the meeting.

Jen made a motion to adjourn the meeting at 10:36 am. Laurie seconded. All yea.

**Respectfully submitted by Janice Kiehl, BOD's Secretary, on 8/17/2022.**

**August 10, 2022 Canyon View ACC Report**

**Completed Projects**

- One - Installation of 19 Solar Panels.
  - 338 Redcliff Court
  
- Two - Landscaping Projects
  - 342 Sienna Court
  - 345 Redcliff Court
  
- One - Front Security Door Installation
  - 342 Sienna Court
  
- Two - Fences
  - 2185 Canyon View Drive
  - 2197 Canyon View Drive
  
- One - Painting Front Door
  - 2192 Canyon View Drive

**Requests in Progress**

- One – Landscaping
  - 2185 Canyon View Drive

**Homeowner Association**  
08/09/22  
**Dues Collection Policy and Procedure**

*The following procedures have been adopted by the Association pursuant to the provisions of Colorado Revised Statutes (C.R.S.) for Colorado Common Interest Owners Act (CCIOA) compliance. It has been updated 08/09/22 to comply with House Bill 22-1137 enacted by the General Assembly of the State of Colorado.*

**1. Scope:**

To adopt a procedure and policy describing the procedures to be followed when Assessments or Fines are invoiced and when accounts are past due.

**2. Specifics**

The Association shall levy and enforce payment of regular and special assessments. By accepting a deed to any lot, each owner agrees to pay the Association all assessments made.

**3. Processes**

a) Prior to any debt collection efforts or formal notice, the HOA must contact the Owner to advise them of the delinquency

b) The Association must send the Owner an itemized list of all outstanding money due and continue to do so monthly (at no charge to the Owner) until the debt is satisfied.

c) Interest on unpaid assessments, fines and fees cannot exceed 8% per year.

d) Notices must be posted on the unit, sent by certified mail AND one additional method (text, email, first class letter). The HOA must maintain records verifying how all notices were given to the Owner.

e) Notices of delinquency and pre-foreclosure must contain a provision that the Owner may enter into a repayment agreement to make equal installments of the balance due over a period of 18 months.

f) Should the Owner enter into a repayment plan, the Association may not proceed with other collection until the Owner has defaulted three times or fails to remain current with regular assessments as they become due. The Owner will have a 15-day grace period before the payment is considered in default.

g) Notices of delinquency must contain detailed information regarding what the delinquency concerns (unpaid assessments, fines, interest, etc) and those unpaid accounts may lead to foreclosure. The Association must disclose what steps it is required to take before legal action is commenced (this Policy) with all notices.

h) The Association's Board of Directors must formally vote to refer any account to an attorney or collection agency and must do so during an executive session.

i) The Association must wait 30 days from issuing a pre-foreclosure notice of default before turning over to an attorney.

j) The Association must any payments received first to assessments owed and then to fines, fees or other charges owed. An Association may not foreclose if the debt is anything except unpaid assessments.

**4. Supplement to Law**

The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the laws of the State of Colorado governing the Project.

**HOA Association  
Dues Collection Policy and Procedure**

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**5. Deviations**

The Board may deviate from the procedures set forth in the Resolution, if in its sole discretion such deviation is reasonable under the circumstances.

**6. Amendment**

The Board of Directors may amend this procedure from time to time.

**Board of Directors Certification:**

**Approved and adopted by the Board of Directors and in witness thereof, the undersigned have subscribed their names:**

President: \_\_\_\_\_ Date: \_\_\_\_\_

Vice President: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary: \_\_\_\_\_ Date: \_\_\_\_\_

Exhibit C

**Homeowner Association**  
08/09/22  
**Covenant Enforcement Policy and Procedure**

*The following procedures have been adopted by the Association pursuant to the provisions of Colorado Revised Statutes (C.R.S.) for Colorado Common Interest Owners Act (CCIOA) compliance. It has been updated to accommodate law changes made by House Bill 22-1137 enacted by the General Assembly of the State of Colorado.*

**1. Scope:**

To adopt a procedure and policy outlining the procedures to be followed for enforcing policies, rules and regulations and other governing documents of the Association.

**2. Specifics:**

Violations may be observed by the Board of Directors, the management company, a committee member or any owner in the Association. Complaints may be made by email, mail or telephone to the management company. The complaint must state specifically the violation observed and include who the violating party is, what was observed, date, place and time of violation and other pertinent information such as license plate numbers, etc. A Complaint Form is available on the Management Company's website and use of this is the preferred avenue to file the complaint.

**3. Violation Type:**

**Threatening public safety or health**

If the violation is one that *threatens public safety or health*, the Owner has 72 hours to cure the violation after proper notice is provided. If the violation is not cured in the 72 hours after notice was provided, fines may be assessed every other day until it is. The Owner should advise the Association when the violation is corrected and after confirmation that it has been, a notice will be sent to the Owner and future fines discontinued. Any fines that were assessed between the 72 hour deadline and the correction will also be billed with the notice of satisfaction.

**Non-Threatening**

If the violation is deemed not threatening, the Owner will have 30 days to correct. The Association will send written notice via certified mail to the Owner. The notice will describe the violation, what needs to be done to correct it and the deadline to complete the cure. The Owner should advise the HOA when the violation is corrected. Upon confirmation, the Association will send written notice to the Owner that they are no longer in violation. If the violation is not corrected in 30 days, the Association will inspect for compliance 7 days after the 30-day deadline. A fine not to exceed \$ 500.00 may be assessed for noncompliance. At this point, an invoice for the fine and a second written notice will be sent to the Owner with an additional 30 days to correct the violation. If the violation is not cured, legal action may then be taken.

**Homeowner Association**  
Page 2  
**Covenant Enforcement Policy and Procedure**

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Vice President: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary: \_\_\_\_\_ Date: \_\_\_\_\_