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CENTRAL PARK

Board of Directors

Meeting Minutes

2023 Q2 Regular Meeting

February 15, 2023

Attendance

Board of Directors

Shalise Hudley-Harris, President – Present in person.

Dana Elkind, Secretary/Treasurer – Present by Zoom.

Elisabeth (Lis) Cohen – Present by Zoom, arrived late.

Amanda Dorotik – Absent

Brooke Lee – Present by Zoom.

Community Delegates

District 1: Krista Brown – Absent

District 2: Heather Vasquez – Absent

District 3: Candi Loeb – Absent

District 4: Elisabeth (Lis) Cohen – Present by Zoom, arrived late.

District 5: Andrew Bartlett – Present in person.

District 6: Rebekah Henderson – Present by Zoom.

District 7: Vacant

District 8: Sarah Stabio – Present in person.

District 9: Susanna Kantor – Present in person.

District 10: Joseph Landen – Absent

District 11: Josh Dembicki – Present by zoom, arrived late.

Staff

Keven Burnett, Executive Director

Diane Deeter, Community Director

Jenifer Graham, Business Director

Jack Seward, Community Services Coordinator

David Firmin, Shareholder in Charge of Finance, Altitude Community Law

Record of Proceedings

I. Call to Order

At or around 12:06 PM, after notice duly given, Shalise Hudley-Harris (President) called the 2023 1st Quarter meeting of the Board of Directors of the Master Community Association (Association) to order. Ms. Hudley had two additions to the agenda,

concerning political affiliation and nominations to the Board of Directors of the Westerly Creek Metropolitan District. There was no objection to the addition of these items which were added to the agenda under Attorney's Report and Metro District Report respectively.

II. Public Comment

There was no public comment.

III. Open Member Forum

Brooke Lee inquired about note taking during the meeting. She was advised that Association staff take notes to compile the meeting minutes. The meeting minutes are the official record of proceedings from the meeting and are the only document of record maintained by the Association.

Ms. Lee inquired if the recording of the meeting could be posted for public access. Keven Burnett (Executive Director) advised that current Association policy is to retain the recording just long enough to produce the minutes. Jack Seward (Community Services Coordinator) advised that a policy amendment could be drafted and prepared for board approval at a subsequent meeting changing this policy. There was general consensus among the board that this was preferable.

IV. Approval of the Minutes

Mr. Burnett presented the [Minutes](#) of the 2022 4th Quarter Meeting of the Associations Board of Directors held on November 18, 2022 (Q2 Meeting). Ms. Hudley made a motion to approve the minutes of the Q2 Meeting. Dana Elkind (Secretary/Treasurer) seconded the motion. There was no discussion. The motion carried with 4 votes in favor and 0 votes against.

V. Financial Report

Mr. Burnett presented the Associations [Statement of Activities](#) from January 1 – December 31, 2022; Associations [Revenue/Expense History](#); and Associations [Consolidated Balance Sheet](#) from January 1 – December 31, 2022. Mr. Burnett advised the board that the Association has reconciled its books and ledgers for 2022 but they are not considered final until completion of the annual audit.

Mr. Burnett described that in 2022 expenditures exceeded revenue and were above budgeted amounts, this is due to a number of factors including ongoing supply chain shortages and inflationary pressures. The Association has balanced potential deficits utilizing existing reserve funding. Mr. Burnett advised that with the recently adopted monthly due increase the projected revenues will exceed the budgeted amounts

allowing repayment of the reserves. It is Mr. Burnett's desire to increase the size of the reserve fund over the next year. Mr. Burnett responded to questions from Andrew Bartlett (District 5).

Ms. Hudley made a motion to accept the financial reports as presented by Mr. Burnett. Ms. Lee seconded the motion. There was no discussion. The motion carried with 4 votes in favor and 0 votes against.

VI. Metro District Report

Ms. Hudley and Mr. Bartlett both members of the Board of Directors of the Park Creek Metropolitan District (PCMD) provided an update on the activities of the PCMD. They advised that the final stages of infrastructure development are underway.

Ms. Hudley advised that there is a current call of nominations for candidates of the Board of Directors of the Westerly Creek Metropolitan District (WCMD). Mr. Burnett indicated his desire to have a Community Delegate be nominated and elected to the Board of Directors of the WCMD but this individual could not be Ms. Hudley or Mr. Bartlett to prevent potential conflicts of interest.

In response to a question from Sarah Stabio (District 8), Mr. Burnett provided an overview of the role of the PCMD and WCMD in the Central Park community. Board members were advised that if they are interested in additional information regarding the PCMD or WCMD or may be interested in seeking nomination for candidacy to the Board of Directors of the WCMD they should contact Mr. Burnett.

The board expressed concern over the lack of consistent meetings by the Board of Directors of the WCMD.

VII. Attorney's Report

David Firmin (Shareholder in Charge of Finance, Altitude Community Law) provided an update on current legislation before the Colorado General Assembly. He reported on three bills of interest to the Association. House Bill 1105 creates task forces to examine issues affecting certain homeowners' rights, and, in connection therewith, creating the HOA homeowners' rights task force and the metropolitan district homeowners' rights task force. This bill has been introduced in the Colorado House of Representatives and is currently assigned to the Committee on Business Affairs and Labor. House Bill 1127 guarantee of a homeowners right to use energy. This bill has been introduced in the Colorado House of Representatives and is currently assigned to the Committee on Energy and Environment. House Bill 1131 would require homeowners' associations such as the Association to obtain a majority of owners consent at a meeting to adopt the annual budget. Mr. Firmin opined that in a community such as Central Park the bill would require a majority for the 10,000 plus members to both be present and vote in

favor of the annual budget. This bill was introduced in the Colorado House of Representatives and assigned to the Committee on Transportation, Housing & Local Government where it was postponed indefinitely.

After discussion regarding the legislation, the Association is generally supportive of House Bill 1105 and has no position on House bill 1127. Mr. Firmin then opined that it is his perspective that the legislature is actively seeking to make homeowners associations more like the closely held non-profit corporations they are legally organized as. Efforts are underway to make homeowners associations in the State of Colorado more transparent. While this is viewed in the press as a good thing, the proposals and some of the enacted legislation significantly impact the operations of homeowners associations.

Mr. Firmin then responded to an inquire from Mr. Seward regarding the release of records in the possession of the Association but not owned by the Association. Mr. Firmin advised that the Associations current [Policy and Procedures for Inspection and Copying of Association Records](#) states that the Association “may” withhold the requested records. Mr. Firmin advised that it was in the discretion of the Association if the records at question were to be released. After significant discussion among the board the general consensus was that the records at issue not be released absent consent from the owner of the records. The board also indicated desire to reevaluate the existing policy.

Ms. Lee requested that an Association consultant be permitted to attend the executive session scheduled later in the meeting. Mr. Firmin advised that was not possible and that under State law only Board members, staff and counsel may attend the executive session.

VIII. Governance

a. Appointment of Officers

Mr. Burnett presented the slate of officers for the coming year for approval. The slate is as follows:

Shalise Hudley-Harris, President
Dana Elkind, Secretary/Treasurer
Elisabeth (Lis) Cohen, Director
Amanda Dorotik, Director
Brooke Lee, Director

The slate represented no change from the previous year.

Ms. Hudley made a motion to adopt the slate as presented. Mr. Elkind seconded the motion. There was significant discussion over the question.

After additional discussion the question was called. The motion carried with 4 votes in favor and 0 votes against.

b. Appointment the Compliance Committee

Mr. Burnett presented the slate of candidates for appointment to the Compliance Committee. Mr. Burnett further advised the Association was moving to formalize committees at the advice of Mr. Firmin. Mr. Firmin opined that the formalizing of committees aligned the Association with the standards of a closely held non-profit corporation.

The slate was as follows:

Chair – Brooke Lee; Vice Chair Amanda Dorotik
Members: Krista Brown, Heather Vasquez, Candi Loeb, Joseph Landen, Amanda Dorotik
Staff Support: Jack Seward
Ex-Officio Members: Shalise Hudley, Keven Burnett

Ms. Hudley made a motion to adopt the slate of candidates for appointment to the Compliance Committee. Mr. Elkind seconded the motion. Ms. Lee asked multiple questions regarding the slate. after significant discussion about the role of the Compliance Committee and the need to formalize appointments to the committee, Ms. Lee made a motion to amend the slate and Ms. Hudley seconded. There was no objection, and the amended slate is as follows:

Chair - Sarah Stabio
Members: Krista Brown, Heather Vasquez, Candi Loeb, Brooke Lee, Joseph Landen, Amanda Dorotik
Staff Support: Jack Seward
Ex-Officio Members: Shalise Hudley, Keven Burnett

There being no further discussion the question was called. The motion carried with 4 votes in favor and 0 votes against.

c. Appointment of the Design Review Committee

Mr. Burnett discussed the purpose of the Design Review Committee and advised again that at the advice of Mr. Firmin we were formalizing membership on the committee. Mr. Burnett advised that the role of the committee was limited and the Community Declaration specifically outlined what the committee can and cannot review. Ms. Stabio inquired about what remedies existed in a specific situation and was advised that in the specific situation she related the

Association has no authority to intervene or review. Mr. Burnett clarified that Association only reviews exterior renovations.

Mr. Burnett presented the slate of candidates for appointment to the Design Review Committee as follows:

Chair - Dana Elkind, Vice Chair - Elisabeth Cohen
Members: Andrew Bartlett, Rebekah Henderson, Susanna Kantor, Josh Dembicki
Architectural Consultant: Eric Woods
Staff Support: Jenifer Graham
Ex-Officio Members: Shalise Hudley, Keven Burnett

Mr. Burnett responded to inquires about the criteria the Design Review Committee uses to make decisions by advising the Board that the Association has contracted an architect who opines as to if the applicant meets the [design criteria](#). Mr. Firmin further advised that it is in the Associations best interest to approve all applications that are not otherwise un approvable to avoid allegation of decisions being arbitrary and capricious.

Josh Dembicki (District 10) inquired if he could hold the vice chair position and Ms. Cohen advised that she was uninterested in that position. The slate of candidates for appointment to the Design Review Committee was updated as follows:

Chair - Dana Elkind, Vice Chair - Josh Dembicki
Members: Andrew Bartlett, Rebekah Henderson, Susanna Kantor, Elisabeth Cohen
Architectural Consultant: Eric Woods
Staff Support: Jenifer Graham
Ex-Officio Members: Shalise Hudley, Keven Burnett

Ms. Cohen made a motion to adopt the slate of candidates for appointment to the Design Review Committee as updated. There being no further discussion the question was called. The motion carried with carried with 4 votes in favor and 0 votes against.

IX. Management Report

Mr. Burnett made reference to advance materials and advised the board members review them in their entirety. Given the lateness of the hour there would not be time to discuss the items and discussion would be deferred to the next meeting. Mr. Burnett advised board members review the [Puddle Jumper Pool Fire Investigative Report](#) and the [proposal for pool security](#) improvements and [fence upgrades](#).

X. Executive Session

Ms. Hudley made a motion to enter executive session pursuant to CRS 38.33.3-102 for the purposes of reviewing recommendations for referral of delinquent accounts to collections. Mr. Elkind seconded the motion. The motion carried with carried with 4 votes in favor and 0 votes against.

Following executive session Ms. Hudley made a motion to exit executive session. Mr. Elkind seconded the motion. The motion carried with carried with 4 votes in favor and 0 votes against.

XI. Adjourn

Ms. Hudley made a motion to adjourn the meeting. Mr. Elkind seconded the motion. The motion carried with carried with 4 votes in favor and 0 votes against.

The meeting was adjourned at 1:56 PM.

The foregoing represents a true and accurate representation of the proceedings of the 2023 second quarter meeting of the Associations Board of Directors.

Jack Seward
Secretary for the Meeting