ENGLISH GARDENS 4 ASSOCIATION ANNUAL MEETING

February 11th, 2025, 6:00 PM
FELLOWSHIP HALL MONTROSE CHRISTIAN CHURCH
2351 SUNNYSIDE ROAD, MONTROSE

Call to Order

The meeting was called to order at 6:01 PM by Jeff Patterson, Board President.

Introduction

Board members Jeff Patterson, Ron Cairns, and Meghan Carney Reed, along with RaeAnne Hadley and Maddy Hadley from Design HOA were all present. A homeowner asked why the current board had stayed on so long, since the Bylaws state that the term for board positions is for two years. Jeff explained that without volunteers, the members who volunteered to serve on the board are required by CCIOA to remain on the Board. The HOA must maintain a board to comply with Colorado State Law.

Determination of Quorum

With sixty-two units represented in person and via proxy, the board deemed quorum was met.

ACC Report

Pete gave the ACC report. Pete stated homeowners are following the guidelines and he only had to deny one request. Pete explained he is looking for two more volunteers to help with the committee. He discussed the requests for fences, window replacements, doors or anything that faces the street will need requests. Pete discussed that the ACC follows what the City allows. He stated the position is easy and receives about twenty emails per year. He explained it takes maybe about two hours per year and he tries to get back to requests as quickly as possible. Bryan Goforth volunteered to join the board in November. Bob Bavin has also agreed to join the board immediately. If you are interested in serving on the committee, please email info@designhoa.com or reach out to Pete.

Neighborhood Watch Report

Jeneatte Maslonka was unable to attend and submitted the report. RaeAnne was to present the report to homeowners. RaeAnne explained that she had not reviewed the report as she spent the afternoon speaking with Sgt. Gehm regarding the situation at Alder Drive and would go cover what had been explained to her during Owner Comments. The Neighborhood Watch report is attached.

2024 Financial Reports

RaeAnne discussed that the profit and loss and balance sheets were sent out in the meeting packets. She asked if anyone had any questions. Jeff motioned to accept the 2024 financials as presented. Ron seconded, and it passed unanimously.

Nomination and Election of Directors

Ron Cairns and Megan Carney Reed stepped down from the Board. Ray Wieloszynski and Mindyjo Germann both volunteered to serve on the board. Jeff Patterson agreed to stay on the board. There were no other nominations and the election was uncontested. The board term is for two years for the newly elected board members. Jeff Patterson's position will be up this November.

Old Business

a) None

New Business

a) Passed Amendment to the Bylaws to Lower Quorum

RaeAnne explained the amendment to lower quorum to 25% passed. It will now be easier to hold meetings and vote. You can see the governing documents and the Bylaw amendment at www.designhoa.com.

b) Snow Clearing Volunteers

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RaeAnne explained that the volunteer homeowner who plowed the streets has left the HOA. RaeAnne discussed that the HOA does not require the streets to be plowed per the CC&R's and if the HOA wishes to have their streets plowed another homeowner must volunteer. RaeAnne also explained that the HOA could discuss adding snow removal onto next year's budget if homeowners want a vendor to come clear sidewalks. Jeff explained that homeowners can also hire vendors on their own to clear their driveways or sidewalks.

c) CTA and Board Volunteers

RaeAnne discussed the CTA, Corporate Transparency Act, which is an act Congress is trying to pass to eliminate money laundering. HOA's are required to file under the CTA but a current judge in Texas has put a hold on any small businesses from filing. RaeAnne explained that larger HOAs with larger incomes are not required to file. RaeAnne explained that she feels this is an over-reach of Congress and she will follow the court cases to see if the CTA will be reimplemented. RaeAnne explained that all board members will need to get a FinCEN number if the CTA requires filing. RaeAnne explained that volunteers to serve on the board are very important because the current board members cannot legally step down off the board unless another volunteer takes their place.

d) Compliance and Violations

RaeAnne explained Colorado State passed a new law requiring compliance and collection letters must be sent by certified mail in addition to a second method, which Design uses emails. All violations must have a date-stamped picture of the violation in addition to the description of the violation and how to cure it, giving them thirty days to comply. RaeAnne explained after the initial thirty-day warning, a second 30-day warning mirroring the initial warning guidelines must be sent again via certified mail and secondary method. RaeAnne stated that only after the two consecutive thirty-day warnings had been sent, can a fine be charged to the homeowner and the state capped the fine at $500.00 per violation. If the homeowner cures the violation within the warning period, a date-stamped image with a cured letter must be sent via certified mail, with a secondary method.

e) Reserve Account

RaeAnne discussed that per Colorado law, all HOA's must have an operating and reserve banking account. RaeAnne explained to keep the HOA current with state laws, a reserve account needs to be opened for the HOA. Megan Carney-Reed made a motion to open a reserve bank account at Alpine bank, Jeff Patterson seconded the motion, the vote passed unanimously.

Owners Comments

A homeowner asked why Design HOA was hired as a management company rather than a local entity. Jeff Paterson explained Design HOA was local but decided to move to Arkansas to better RaeAnne's family. Jeff explained RaeAnne was completely transparent with the move, the board decided to keep her as a management company anyway due to her knowledge of state laws, RaeAnne's reputation, commitment to her HOA's and lack of homeowner volunteers to manage the HOA.

A homeowner asked about the hostage situation that happened on Alder Drive. RaeAnne explained she called the police department to get an explanation for what happened. RaeAnne stated the man who had barricaded himself into the house was arrested the next morning and currently has five charges against him. The police got the hostages out of the house and placed them into a hotel for the night. The police left the house once the situation was beginning to deescalate, the next morning is when the police arrested the man. This is the same man who had been living in the shed prior to this situation. The homeowners denied that someone was living in the shed at the time. The man currently has a restraining order on the HOA property and is not allowed to come back. RaeAnne is following the case as it progresses to keep the board up to date.

Ron asked for volunteers to help him clear the weeds in the culvert between Hickory and Alder instead of using HOA money to do that. Ron asked volunteers to give him a call after the rainy season.

A homeowner asked if there was pre-emergent as she did not see it in the budget. Ray discussed that he turns on the sprinkler system every spring and fall and volunteers are critical for the HOA. Discussion went back to weeds along Niagara. Mindyjo asked if the HOA could include spraying for weeds at the entrance of Niagara. Jeff motioned to spray for weeds at the entrance of the HOA and Niagara St. Pete Germann seconded, and the vote passed unanimously.

Adjournment

The meeting was adjourned at 7:55 PM by Jeff Patterson.

Respectfully submitted by Maddy Hadley, Design HOA

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