

## **Cottonwood Bluffs HOA Annual Meeting**

### **May 2, 2024**

The meeting of the Cottonwood Bluffs HOA Annual Meeting was called to order by President Patricia Justice at 6:31pm. The only other board member present was Brad Minney. Greg Cash, Vice President, was unable to attend due to illness. Julie Grode had resigned effective April 30, 2024 giving written notice to the board. Mary agreed to take notes of this meeting.

Roll call was taken to determine if we had a quorum. The definition of a quorum was questioned and President found it in the CCRs and read outloud. Per our bylaws a quorum consists of 40% of the HOA membership, i.e. a minimum of 16 lot owners. In attendance were 12 households with 2 proxies totalling 14. A quorum was not achieved.

The minutes from April 20, 2023 Annual Meeting were read. It was moved and seconded to approve the minutes.

The 2023 financials were presented. It was noted that in 2023 the board decided to move our bank account to Bank of the San Juans located on Acrin Ave. Glacier across from City Market. This was done to save on banking fees and for convenience to our subdivision. The 2023 comparison of budgeted vs. actual income and expenses was presented. The income was exactly as projected and expenses were very close: \$128 less than projected expenses. The Reserve fund had a year end balance in 2023 of \$1361 and is projected to only increase by \$114 in 2024. The proposed 2024 budget was submitted as approved by the board. Olan recommended membership input. There were no member questions and a show of hands indicated all present also approved.

Discussion followed with a suggestion that we set aside any increase in the reserve fund in 2024 to be used towards funding fencing maintenance.

The HOA insurance policy was shopped around due to a huge price increase by American Family Insurance in excess of 200%. The Board decided to purchase coverage through Auto Owners which was comparably priced to our last year's expense for insurance premium.

#### **OLD BUSINESS;**

Mesa County Fire Protection District was unable to burn the slag wood piles on the common area riverfront due to unfavorable weather conditions...not enough snow or rain to raise humidity to acceptable levels. They will consider an alternate approach this year as department time and budget allows.

It was brought up once again that the fence along the front roadway needs maintenance, specifically restraining. The president said there was not enough money in the budget to accomplish that this year, Julie said perhaps have a volunteer day. Hotdog lunch was suggested as an incentive. Bill said perhaps we could set aside the projected budget overage of \$114 and start a “fence fund” within the reserve fund, earmarked just for the fence.

#### NEW BUSINESS:

Someone noted there was a pile of gravel on our front property by the road. President said she would make inquiry of adjacent homeowner, Mathew, if he placed it there or knew who had.

Olan talked about the house he has listed for sale at 320 Mayku Way noting that some buyers had expressed interest in making it into a short term rental (STR). A discussion ensued whether or not our covenants allowed short term rentals. Patricia, president, said she believed they were restricted by our CCRs referencing **page 6 section 3.3 A (Home occupations) and 3.4A (Restrictions on Occupants and Pets)**, which she read out loud. Olan thought we should get a legal opinion because he believed that language was not strong or clear enough to preclude. Someone brought up that there might be a current STR in the neighborhood, although very low key just using it on weekends. Most present were not aware of that. Julie thought perhaps that it was grandfathered in. Olan suggested we gauge the sentiment of the present group to amend our covenants to preclude STR or at least restrict it to a minimum of 90 days rentals, such as for traveling nurses. Most of those present thought that we should, but no quorum. President also thought we should get a legal opinion before proceeding. Bill suggested a committee or another meeting to discuss before hiring an attorney. Olan thought we should not wait.

Richard said if we were going to discuss CCR violations there were other infractions, and brought up an advertised business using home address within the subdivision. President said she had already talked to them and they list they only sell at shows and online, and that no one comes into their home for purchases. President said anyone noticing retail traffic should report the violation to her. One member said he had first hand experience with that in the past within a different subdivision in a different state. He noted that the homeowner who was in violation of covenants was notified by hoa and an ugly lawsuit ensued and it essentially bankrupted the HOA. He believed the HOA has since had to dissolve.

The topic of the group home at 309 Kava was discussed and noted that it too might be out of bounds of our covenants. No one present knew exactly how it ever got incorporated into the subdivision. All present thought it had been there since the very beginning and the thought was it had been negotiated between the developer and the county to include the STRIVE house. None present had any objection to the use as a

group home for the developmentally disabled and it was mutually agreed it was very likely grandfathered in.

Regarding the topic of CCR amendments, it was the sentiment of those present that we needed to have a meeting with a quorum present before hiring an attorney to draft changes. President suggested we form a committee to review all the CCRs, as she has noticed several discrepancies, contradictions and conflicting language. She requested someone to volunteer right now to make a table of content for the existing CCRs, ByLaws, and Amended Policies documents. Greg Doyle volunteered.

The topic of needing a new Secretary Treasurer was brought up, since Julie Grode resigned. No one volunteered. Bill said we should form a committee to solicit one. President said she had sought quotes in 2022 for professional management and those were too expensive for our budget and that we would need to raise dues at least a couple hundred dollars per household to accommodate. None present liked that idea and it was state we may be reduced to that since President was unwilling to do it all herself. Tom Guido said he would take over the position as an interim until a willing replacement could be found. Those present agreed to that proposal.

Meeting adjourned at 7:45pm.