

Cherry Hills North Homeowners Association Board Meeting
January 11, 2011
Meeting Minutes

The meeting was held at Linda Carney's home located at 5411 Nassau Circle E. The following Board members were in attendance: Geoff Landry, Linda Carney, Kirsten Heckendorf, Larry Weide, and Alan Levine. The meeting was called to order at 7:15 pm.

Kirsten reported on the following related to communication with attorneys regarding the bylaws and covenants work:

- Kirsten and Margaret interviewed three attorneys regarding the updating of the CHN covenants and bylaws. All three attorneys said the covenants could be scaled back and made brief. Roof replacement and lighting issues, as well as other ACC specific guidelines, could be placed into a separate architecture guideline document to allow easy updates.
- All attorneys interviewed said the \$20,000 in fees paid to the former CHN HOA attorney, Richard Johnston, by the CHN HOA board to update the present covenants were appallingly high. In comparison, the most complicated, labor-intensive rework of covenants for condominium associations with lots of back and forth and contentious issues costs approximately \$10,000. They said \$20,000 was an appalling fee for what CHN needs.
- Kirsten received a bid for approximately \$6,000 to change the existing covenants, including all filing fees. There aren't many funds remaining in the CHN budget (~ \$1900).
- Covenant change is difficult and would require each home's information to be re-filed. It is very difficult to change covenants because of the number of homes required to approve.
- Because of the age of our covenants, CHN would not be subject to the rules of the Colorado Common Interest Ownership Act (CCIOA) as long as we remain a voluntary organization — unless we choose to be a part of it.

There is no need to state that we are not covered by CCIOA in the governing documents.

Other topics of conversation included:

- Discussed removing ACC issues from the covenant entirely, resulting in concise covenants and making the ACC document a guide for the ACC, which could be changed with the times as needed.
- Discussion regarding the recourse the board has to pursue owners who are not compliant with covenants. It was pointed out that our HOA has not been sued, nor has it sued, a homeowner in the past 30+ years.
- Alan suggested discussing with neighboring associations how their covenants are working and what their experience has been.
- A question was brought up as to how our covenants work with regulations in the city.
- The CHN bylaws need to clarify the definition of "member" and define an election protocol for board elections. The bid estimate for rewriting the bylaws is \$1100.

Geoff presented the Treasurer's report for CHN's bank account. 116 out of 144 homes have paid their CHN dues to date. In March, this year's dues statements will be sent out.

Larry was thanked for his time and for saving the association money by purchasing and installing lights at the entry signs.

The meeting was adjourned 8:10 pm.

Signed: G. Landry, acting CHN HOA Secretary