

Loma Linda Subdivision Homeowners Association
Minutes of the Board Meeting
May 10, 2021

The meeting, held via Zoom online, was called to order at pm 6:04pm by president, Bill Trimarco.

Directors present: Bill Trimarco, Rita Jensen. Members present: Sharon Jennings, Al and Jo Myatt, Harold Orner, Nancy Dorenkott, Annie Pack, Mark Pfetzer, Steve Hendrix, Tom Highsmith, David Smith, Lisa Jensen.

Minutes: A motion to accept the minutes of the April 12, 2021 Board meeting as written was made by Rita Jensen, seconded by Bill Trimarco, and approved by a vote of Rita-Yes, Bill-Yes.

Homeowners Open Forum: 1) A question was asked as to when in-person meetings can resume. Bill said we had to follow County guidelines though we could meet outside if desired. 2) A resident complaint was received about loose dogs running throughout the subdivision. Bill will send an email blast to all residents reminding pet owners that they must be under voice command or leashed. Contact information for the Sheriff's Department will be included as will a reminder to keep trash safely stored until trash pick-up due to issues with bears.

Treasurer's Report: Bill shared the Profit/Loss Statement and Balance Sheet. Operating fund: \$50,996.77; Reserve Fund: \$22,606.53. On the Budget vs. Actual statement the title of General Comp. Insurance should be changed to General Liability Insurance. The approved \$750 donation to Wildfire Adapted Partnership has not been sent yet. A motion to accept the reports as shown was made by Rita Jensen, seconded by Bill Trimarco, and approved by a vote of Rita-Yes, Bill-Yes.

Committee Reports:

ACC: 1) Jo reported two resident requests were reviewed and approved: Firewood Shed for the Endres' on San Juan and a building extension for the Moser's on Saddleback.

2) The HOA Board was asked to send an email notice to all property owners that the ACC would be doing weed checks during property drive-bys in late May.

3) The draft of the policy on structures on a lot has been completed. Comments sent to the Board were summarized and sent to the ACC. The ACC asked that such comments be posted on the website. The president said that most communication to the HOA Board is considered confidential. A motion to allow resident comments to be made public on the website was made by Rita Jensen. The motion did not receive a second so it did not pass. Discussion: a) Opinions of homeowners pertaining to ACC issues should be public and should be addressed. b) There are processes for property owners to make comments, but they shouldn't be public; too much information can be confusing; ACC doesn't need to respond to individuals making comments. c) There are two sides to transparency issues. If the ACC received all comments regarding the ACC and the Board members had access to ALL communications that should be acceptable. d) Posting comments without owner names should be acceptable. e) If interested, some owners will read the website, others will not. f) The only Board response sent to residents are acknowledgements of receipt of their comments received during the comment period. Those asking about HOA business will receive direct replies. It would be okay to share comments without names with the ACC, but there is no need to reply to property owners just to acknowledge their comments. g) It is better not to withhold comments which some owners might find informational. h) A response to comments would allow members to know someone is aware of their concern.

This revised policy will be posted again for 30-day member comment. If comments to that posting are received, they will be considered by the ACC. Any comments deemed valid will be incorporated into a newly revised policy which will be posted for another 30-day member comment period. This would continue until no further comments are received.

The ACC asked the Board to create an SOP (standard operating procedure) on how the ACC should manage comments and resident responses.

Fire Wise: 1. Al spoke with a new homeowner and gave them the FireWise information packet. 2) They are working on getting information out to residents about the chipper program. 3) Tree planting is another area of

interest to FireWise. 4) AI is willing to help any resident with mitigation information, etc. 4) The Wildfire Adapted Partnership asked for a letter of support from the HOAs along the Highway 84 corridor so they can apply for a grant from the State of Colorado. A motion to write a letter of support was made by Rita Jensen, seconded by Bill Trimarco, and approved by a vote of Rita-Yes, Bill-Yes.

Old Business:

a) ACC Structures Procedure – Discussed in the ACC Committee report.

b) Fire Hydrant update – The HOA will use member volunteers to test the fire hydrants in the subdivision after receiving training from PAWSD representative, Justin Ramsey.

c) Board Vacancy – Harold Orner has expressed interest in the Board's Secretary/Treasurer position. The Board will speak with Harold by phone prior to the next meeting and wait to make a final decision on the appointment until the next meeting.

d) Ballot Process for CC&R Amendment – The petition to change the CC&Rs was a grassroots effort by interested members. This was not an ACC or HOA board decision. Lisa said that suggested changes will be sent to property owners by mail. The Board will first review those changes and submit it to the HOA lawyer for review before sending ballots out to the HOA membership. There will be no online comment period for the public; ballots will determine which changes are made. A concern was raised as to checking that petition signers were valid and appropriate lot counts were received (a couple of residents have combined their lots from two into one making their vote single). Twenty lot vote signatures were needed on the petition. Some signatures were received virtually (online).

e) USFS Easement - There is a utility and Forest Service easement on Eight Mile Loop between the Bradford's property and the next neighbor. The HOA owns the easement, and it is platted as an easement. It is not practical to move the easement to the other side of the property. The property owner may have to move the fence, which is on the easement rather than changing deeds, property lines, etc. It is important that the right-of-way be protected. Prior to building, the lot line should have been surveyed. The HOA previously hired a surveyor who located the property line marking pins. There appears to be a lag in the data updates on the County website.

New Business:

a) Annual Meeting – A date of Sunday, July 25 was set for an in-person annual meeting and lunch/dinner. Advance notice needs to go to the membership. Some location suggestions were Yamaguchi Park, Pagosa Brewing, old Shooter's location, and the Art Gallery (Bill will check on this one). Rita and Sharon will come up with a list of viable options (need a covered area with restrooms and catering ability).

b) ACC Operating Procedures – 1) A concern about lead times for their meeting was raised. The Board wants the agenda a week in advance of the meeting. For online meetings, the link needs to be supplied earlier; the link could be sent out with the email notice of meeting date. The ACC had previously set their recurring meetings to be on the first Monday of each month and the posted agenda specifies the date of the next meeting. 2) It was suggested that variance requests were on the increase. A resident comment was received that when property is purchased a buyer knows what type of lot they are buying and should take that into consideration before building. Another comment was that the 50' setback rule doesn't need to exist since it's not being enforced anyway. The ACC reviewed records and found that in the last four and half years variances were issued primarily for topographical issues (existing electrical and water lines; no flat location for building, an architect reviewed and building site and determined the new building could only be built in one specific spot). The ACC does not feel variances have been excessive. Two old variances had been given for a property on Saddleback in 1977 and a property on La Tierra that turned out to be partly in the National Forest. Our subdivision has numerous hills and valleys; there aren't many good home sites left. It was suggested that Realtors should be aware that when the 50' setback is taken into account there are some lots that are simply too small to sell and build on; Winterwood is another area of building concern. The HOA lawyer said that issuing variances is considered a spot amendment to the CC&Rs and should not happen. 3) The Board is ultimately responsible for what committees do. The ACC handles building and structure approval along with enforcing the Covenants. 4) Nancy said the ACC works long and tirelessly; they don't just waive through approvals, they ask questions and review carefully every submission. The committee is doing what's best for the community. Steve added that they are trying to be consistent on variance requests; property owners must demonstrate/prove the need for such a request. Bill appreciated these comments and said the Board will be able to share with inquirers the ACC's commitment to making careful decisions. Rita will do everything she can to uphold the covenants.

Next Meeting: Monday, June 14th at 6:00pm via Zoom online. This meeting was adjourned at 8:17pm.

Sharon Jennings/Recording Secretary

Approved at the May 10, 2021 meeting as written.