

**Loma Linda Subdivision Homeowners Association**  
**Minutes of the Board Meeting**  
**July 13, 2024**

The meeting, held in-person at the CSU Extension building, was called to order at 11:32am by president, Maggie Fischer. Directors present: Maggie Fischer, Carolyn Schwulst, Terri Moser, Kim Campbell. Members present: Kent and Sharon Jennings, Al and Jo Myatt, Bill Trimarco, Lisa Jensen, Roger and Judy Puryear, Kirk Kohlschmidt, Rick and Bernie Sautel, Linda Steppenoff. A motion to amend the agenda to include the Perimeter fence in Old Business was made by Maggie Fischer, seconded by Carolyn Schwulst, and approved by a vote of Maggie-Yes, Carolyn-Yes, Kim-Yes, Terri-Yes.

A motion to approve the minutes of the May 14, 2024 Board meeting as written was made by Carolyn Schwulst, seconded by Kim Campbell, and approved by a vote of Carolyn-Yes, Kim-Yes, Maggie-Yes, Terri-Yes.

**Public Comments:** 1) Lisa Jensen asked that the start time of the Annual business meeting be publicized so those not able to come for the luncheon and socializing could still come for the business. The Board agreed that the start time would be delineated in writing for future annual meetings. 2) Bill Trimarco was concerned about the dues increase to be discussed, noted that the CCRs specify what items funds can be spent on, and felt there was no need for the increase. He commented that he thought dues/contributions should not be used to offset deficiencies caused by a developer or to fix a home not properly built. He noted the Winterwood information sheet online was a good idea and that it should be supplied to local realtors.

**Treasurer's Report:** Kim noted that Year-to-Date Dues Income was under \$14,000; some annual dues payments are in arrears. Net Income exceeds Total Expenses for the first six months of the year. Insurance expenses were the largest costs, including Directors & Officers Liability Insurance, with an increase of 11.7% over 2023. The Year-to-Date budget amounts cover half of the annual budget and are prorated for the six months passed. D&O insurance does not include a \$1,551 payment made in July so is close to budget. Meeting room rental appears to be over budget but includes a \$500 deposit which will be refunded. The Checking Account balance is \$33,677 and the Reserve Fund balance is \$42,635. A motion to approve the financial reports as presented was made by Maggie Fischer, seconded by Carolyn Schwulst, and approved by a vote of Maggie-Yes, Carolyn-Yes, Terri-Yes, Kim-Yes.

**Old Business:**

a) Maggie shared that an information sheet concerning Winterwood was posted on the HOA website under Resident Information to provide clarity to anyone interested. Dan Harper, of Archuleta County Road and Bridges, oversees giving access and driveway permits to those properties. He visited Loma Linda to give current data to board members gathering information on the Winterwood situation. Lots can be bought but owners cannot do anything until a road is put in that is up to County standards; cannot have an access permit and cannot camp on the property, etc. Instead of responding to individual realtor inquiries, realtors can be directed to the information listed on the website. The HOA will not use HOA funds to pay any fees for surveys, permits, etc. It was stated that the HOA owns the 60' easement.

b) The HOA oversees maintaining the subdivision's perimeter fence. Work was last done in 2009. A copy of the invoice for fencing repairs completed by a fence contractor at Dan Cases's property, in the amount of \$1,821, will be requested. The HOA has \$3,000 for Environment Projects under Expenditures from Reserves in the 2024 Budget that can be used for the fencing repair. Future repairs on the perimeter fence should come from the Reserve Fund. Colorado Parks and Wildlife Fencing guidelines will be followed which specifies a smooth top and bottom fence wire with two strands of barbed wire in between. Carolyn will continue research on fencing status, permitting, etc. Property lines may require surveying to ensure

where the fence belongs. Approval of the bill and further discussion will be tabled until the September board meeting.

**New Business:**

a) A motion to open discussion of increasing annual fees from \$80 to \$88 was made by Kim Campbell, seconded by Carolyn Schwulst, and approved by a vote of Kim-Yes, Carolyn-Yes, Terri-Yes, Maggie-Yes. The HOA board can increase dues by 10%. Revenue has been lost due to owners combining lots; these property owners pay dues for one lot when consolidated. The attorney said the HOA was in their right to charge dues based on the number of actual lots before consolidation, but this HOA had determined they would not change the present procedure. Certain costs, including insurance, mailing/postage, and legal fees, continue to rise. The budget presented at the September meeting will further detail the \$80 versus \$88 dues. A question was raised as to whether the current HOA account balance was still enough for operations without a dues increase. Further discussion will be tabled until the September meeting.

b) The names of Kirk Kohlschmidt and Linda Steppenoff, both of whom answered the call for volunteers, were presented as prospective members to the ACC Committee. Each answered in the affirmative when asked if they would abide by the governing documents, rules, and policies and base decisions made on the ACC committee based on these policies. They were introduced to the current ACC Chairperson, Jo Myatt. The Board unanimously agreed to appoint Kirk and Linda to the ACC committee. The next ACC meeting is on August 5, 2024. The Board thanked them for taking on this job to maintain the standards of Loma Linda.

c) The Colorado Legislature passed new House bills, HB24-1233 and HB24-1337, affecting HOAs. A motion to pay \$235 to Altitude Law to draft updates to the Collections Policy was made by Terri Moser, seconded by Kim Campbell, and approved by a vote of Terri-Yes, Kim-Yes, Carolyn-Yes, Maggie-Yes. Discussion-Any financial charge against a property owner must be sent in writing via Certified Mail at a cost of about \$9. One of the bills removes the requirement to post a notice on the door of the property owner. Payment plans have been increased from six months to eighteen months. Altitude Law is offering to draft a free Registration of Email/Phone policy. The Board will review this to determine if it is necessary for the HOA to have such a policy. Senate Bill 24-134 prohibits HOAs from banning Home-Based businesses by owners or their residents though reasonable rules governing architectural controls, parking, landscaping, noise, and nuisances can be adopted by the Association. The HOA will review the Covenants to determine if changes are required. If State law overrides current HOA covenants, then the covenants can be changed. House Bill 24-1091 allows fire-hardened building materials.

The next Board meeting has been changed to September 3<sup>rd</sup>, 2024. The date will be changed on the HOA website and in email notifications.

This meeting was adjourned at 12:12pm.

Sharon Jennings/Recording Secretary

Minutes approved September 3, 2024 as corrected.