

**Westbrook Village Community Association, Inc.**  
**Board of Directors Agenda and Meeting Minutes**  
**April 18, 2025**

1. Meeting was called to order at 2:00pm Friday at 3612 Boxelder Dr. Members present: John Marlin, Linda Fetterman, Brian Harpole, Larry McConahy. Don Rinner was excused. John Marlin suggested we try recording minutes using the App: Minutes AI from his I-phone. Linda will also write them.
2. Minutes were reviewed & approved from the last meeting, which was the annual meeting, held on Zoom, December 4, 2024. These were posted on our website.
3. Notice of this meeting was posted on the WBV website under Upcoming Events. There were no questions received from the association members to be discussed. At this point, John brought forth two Design Review Requests to be discussed:
  - i. Grossman residence, Lot 1, Block 3, 1045 Boxelder Circle. Since this property is not part of the AMA area, and it is consistent with the look of the whole HOA, approval was given. We are seeing more requests for raised beds for vegetables.
  - ii. Hochstein/Roberts residence, Lot 1, Block 2, is part of the AMA area and is getting to the heart of the types of issues that are much more prevalent within Blocks 1 & 2 regarding how and what can be approved to modify/change what is behind the red concrete curbing and, thus, what is the responsibility of the HOA to maintain and water said changes by this homeowner and any subsequent owners. John said that he would meet with the homeowner regarding their request for a raised bed on the south side of their property within the red curbing and possible movement of sprinkler heads and care of a large tree that is within that area also.
  - iii. Request from Meadowview HOA located to WBV's west to trim a couple of trees and bushes impeding their fence which they will be repainting in two weeks. Brian Harpole will be handling this, plus any other trimming needed for sprinklers.
4. Old Business: Begin formal discussion of the last three months of attorney, Peter Dauster, Zoom meetings with the board and Debra Lyford (person who contacted this HOA attorney) to review and proceed with his recommendations of HOA rules.
  - i. The board reviewed and discussed the proposed new **Bylaws**. The following points are to be discussed with the attorney: **a.** eliminating the use of percentages in Meeting of Members, instead set it as a number, which the board decided would be 12, which is about 25%. **b.** Clarify that our policy is and has been "one Lot, one Vote" under Entity Owners. **c.** Under Power of Directors, clarify that the board can now adopt and ratify Bylaws as well as Rules and Regulations, whereas, the original Bylaws created by the Declarant had to have a 2/3 vote of the association. **d.** Number of Directors to be 5 and that their term is two years, alternating two directors one year, and the next year three directors to be elected. **e.** Reference to Fidelity Insurance to mean Commercial General Liability and O & E Insurance, which our HOA maintains at \$1M annually. **e.** Under Execution of Instruments note that the bookkeeper only writes/signs checks after being authorized by a director. The board voted to approve the revised **Bylaws** with adjustments noted above.

ii. The board reviewed and discussed the proposed **Governance Policies (Policies and Procedures)**, noting that the attorney said these updates are required to be compliant with current Colorado law. June 1, 2011 was the date of the original **Policies and Procedures**. Suggest the attorney number the revised as 1-8 and create a directory for clarity when we upload them to our website. The original **Policies and Procedures** had 9 policies and clarification needed on whether number 8 from the old list, "Cooperating with sellers and the Disclosure of certain information", has been restated elsewhere in the revised. This brought back up the need from our attorney to draft a form that can be filled in as needed for any variances to homes in Blocks 1 & 2 regarding the Association Maintenance Areas (AMA) that would then be recorded in Boulder County to be part of the deed of the named property (warranty deed). Clarification needed on whether the HOA or the homeowner is responsible for any expenses related to recording the changes; if the homeowner requests the change, they should pay for it. Upon the future sale of homes within WBV, it needs to be clear what the prior homeowner has opted out of so that it follows that home. There have been several other Rules and Resolutions drafted over the years to clarify items in the CC&Rs and the question to the attorney is can the CC&Rs be revised to incorporate these? Is there a more updated format to use to address issues that arise within the revised CC&Rs going forward, so that we do not have to incur the expense of re-writing the CC&Rs as Colorado and CCIOA rules change? Goal is to consolidate CC&Rs to clarify rules.

iii. Simplifying CC&Rs. The board reviewed the directors' proposed CC&R language specific to Section 4.4 "Duty to Manage and Care for Common Areas and Association Maintenance Areas" and Section 4.5 "Changes in Association Maintenance Areas (AMA)" and 6.25 "Maintenance of Lots and Dwellings" and Section 6.26 "Association Irrigation System." The board approved these changes. John added that any request for modification must be in writing on the Design Review Request form, specifically identifying the areas to be excluded from the AMA and must then be recorded with the Boulder County clerk. Linda has a file on the Design Review Requests that have been approved and John would like to scan them to make an electronic copy as back-up. The board reviewed the specific lot cases within the AMA area that had a Resolution written, but that have not yet been recorded. John said he would have discussions with these homeowners to decide what happens going forward. John said that the front lawn area of the AMA cannot be altered and must remain as grass. The plan is to have Brian Harpole with ProScapes work on getting the drip system to run to each home in Block 1 and 2 based on what the Declarant originally had for original plantings. The board authorized using \$1000 of the budgeted amount for sprinkler repair to see what can be achieved. The original CC&Rs state that if the drip system is not flowing the way the homeowner desires, special irrigation may be required and the homeowner with approval from the board can install a private system connected to their house water. This change is recorded and will follow the house for future owners. Exclusion from AMA refers to area between the house and the curbing only.

**iv.** Discussion of how/who to respond to the attorney. John and Linda will meet April 23 & 26 to rewrite sections of the CC&Rs that are unclear or are causing confusion. John will reference Chris Beck's emails regarding her interpretation of the CC&Rs in re-writing some of the contention areas. Linda will work on the Assessments to remove confusing/outdated language to clarify how assessments are determined and allocated.

**v.** Announcements and Other Items. Linda passed around the Balance Sheet and the Budget to Actual financial statements, both as of March 31, 2025. We are within budget on all expenses and all dues are current. Our savings account has a balance that will not be needed immediately and approval was given to purchase a 5-month \$45,000 CD that will pay 4%/annum that will mature end of September, 2025. There are not any homes for sale currently in our development. Michelle, our bookkeeper, is doing a very good job getting all bills paid timely. Snow removal has \$4,150 left for late Fall/Winter to December 31, 2025. The Colorado annual report has been filed in January with the Secretary of State, as well as the 1120-H Federal tax return filed by March 15, 2025 with the Internal Revenue Service.

**vi.** Adjournment done at 4:30pm.

Respectfully submitted, Linda Fetterman, Secretary/Treasurer