

MINUTES OF
REGULAR MEETING OF
BOARD OF DIRECTORS
CRESTMoor PARK (2ND FILING) HOMES ASSOCIATION
(Date: April 11, 2022)

The regular meeting of the Board of Directors of Crestmoor Park (2nd Filing) Homes Association on April 11, 2022 was called to order by John Sadwith, President of the Board, at 245 Krameria at 6:15 p.m.

1. **Directors in Attendance.** John Sadwith, John Derungs, Tom Deline, Cecilia Retelle Zywicki, Mariette Bell, and Robert Brown; present by telephone – Jeff Burnside. Also in attendance were homeowners Kristin Brown and Bruce and Lorraine Greenstein.

2. **Approval of Minutes.** The Board of Directors reviewed and approved the draft Minutes submitted by Mr. Brown from the March 9, 2022 regular meeting.

3. **Homeowner Complaint.** Ms. Brown raised questions with the ARC as to certain uses of the adjacent property owned by the Greensteins including placement of two outdoor sheds, and a Port-a-Potty and basketball hoop in the Greensteins' driveway. Mrs. Retelle Zywicki described exchanges of email regarding these issues. Mr. Deline, on behalf of the ARC, explained that one shed had been in place for over six years and therefore, even if it were improper, the Association could not object to it based upon an applicable Colorado statute. The Port-a-Potty was not prohibited in the front setback and the Design Guidelines, in fact, requested homeowners to place Port-a-Potties on their property rather than in the right-of-way. The temporary shed being used for storage in connection with construction of kitchen improvements was permitted as being neither an outbuilding nor a structure. The basketball hoop, being a non-permanent installation, was not a "structure" and therefore not prohibited in the front setback, all as provided in the Design Guidelines. Ms. Brown raised concern regarding third parties, possibly homeless people, using the Port-a-Potty and creating safety concerns. Mr. Brown sympathized but explained that this was not a matter over which the Board had any jurisdiction and was a law enforcement concern.

Discussion between the homeowners revealed unresolved issues and Mr. Sadwith recommended the availability of mediation sponsored by the Denver City Council at no cost which was available if the involved homeowners were amenable.

4. **Sidewalks.** Neighbors in Crestmoor on Monaco Parkway were concerned that the City was improving the adjacent parkway along Monaco with sidewalks to aid in access to transportation by public bus. Mr. Sadwith reported that the Department of Public Works had no intention to violate existing policy and install sidewalks within the confines of Crestmoor. Subsequent to the meeting, Mr. Brown circulated copies of the applicable 2007 DPW Rules to the Board members

5. **“Open” Board Meetings.** Mr. Sadwith led a discussion regarding the transaction of business at Board meetings being transparent to the homeowner community. After discussion, the consensus of the Board was that Mr. Sadwith would distribute to the email list for the Association an approximately one week prior notice of upcoming Board meetings requesting email contact raising any issues and asking questions. Homeowners requesting to attend Board meetings would be invited to do so. However, because Board meetings were generally held in homes of the Directors, if more than several homeowners desired to attend, the Board would need to move the meeting to a facility that would accommodate a larger number which might entail additional cost to the Association. Mr. Brown noted this would be a reasonable compromise between reasonableness of the mechanics of a meeting and transparency of proceedings. The Board noted that Board minutes were being published monthly and posted on the Association’s website.

6. **Architectural Review Committee.** Mr. Deline presented the report.

a. **404 Kearney.** Mr. Deline noted that revised plans for 404 Kearney had been received showing an increased percentage of masonry on the proposed new construction as recommended by the Association’s review architect and moving the air conditioning compressor out of the side setback. Mr. Deline noted he would recommend approval to the ARC and would promptly circulate a proposed “yes” letter to the owner and architect.

b. **90 Jersey – Landscape.** Mr. Deline noted that revised landscape plans had been submitted eliminating a “chicken coop” since raising poultry is prohibited by the Covenants. He noted a garden shed had been added without any information as to size or materials. He also noted that the new plans moved the proposed fountain from the front setback. Mr. Deline recommended approval of the plans except for the garden shed because of the absence of information. Mr. Deline will prepare a draft conditional “yes” letter for approval by the ARC.

7. **Entry Islands.** Mr. Sadwith reported receipt from Sundown Design of an acceptable contract for planting of flowerbeds. Mr. Sadwith expressed frustration with the City for not having approved the planting plan that was submitted three weeks ago. Mr. Sadwith reported he has sent an email to the City notifying it that the flowers would be purchased and planted unless the Department of Public Works submitted its objections by close of business on April 12, 2022.

8. **Park Volunteer Day.** Mr. Derungs reported the scheduled date would be in early May and that arrangements were being made through City Council. Mr. Derungs planned to circulate email solicitations to homeowners as the plans solidified and a date certain was agreed upon.

9. **Bylaws.** Mr. Sadwith reported a tentative engagement of Orten Cavanagh, a law firm recommended by Mr. Brown, specializing in homeowner association matters for many decades. Mr. Sadwith agreed to forward a copy of the proposed engagement letter to Members who would review and vote approval during this week.

10. **Financial Report.** Prior to the meeting, Mr. Sadwith circulated financial statements prepared by the Association's accountant. Ms. Bell reported that the current information regarding annual dues showed that of 485 total households, 286 have paid by check, 133 had paid by credit card and 66 remain unpaid. She noted that fees paid by the Association connection with credit card payments amounted to approximately \$740.

Ms. Bell further discussed the possibility of payments by PayPal and reported a conversation with Roberta Millard, the Association's bookkeeper. Ms. Millard expressed concerns about cost and difficulties in ensuring that any PayPal payment would be identified by a property address recognizing that typically that kind of information was not submitted with respect to a PayPal payment notice.

Mr. Burnside raised questions about the efficacy of Association liens for unpaid dues and the need, or not, to file liens. Mr. Brown will review the policy to confirm the continuing existence of the Association's lien for unpaid dues without the necessity of filing annual lien statements.

11. **Adjournment.** There being no further business to come before the meeting, upon a motion duly made and seconded, the Board of Directors Meeting adjourned at approximately 7:40 p.m.

Respectfully submitted,

Robert L. Brown, Secretary

Approved by Board of Directors: June 14, 2022