

2023 ANNUAL MEETING MINUTES

Morningside HOA

June 14, 2023, 10:45am – 640 Belford Ave, Grand Junction CO 81501 (Bray Education Center)

The meeting was called to order by Mark Shoberg from Bray HOA at 10:52am.

In Attendance	Proxies	Management
Jesse Dryer, Vice President (6 units)		Mark Shoberg HOA Manager
Jay Taylor, President (10 units)		Annie Shoberg HOA Manager
Cheryl Burnett, Treasurer	0 proxies received	Cayce Haren Assistant Manager
Paulla Tillman		
Arlene Niccoli		
Trudy Weatherly		
Vera Johnson		

With 0 proxies received and owners from 20 units represented, quorum was not achieved (24 needed).

Introductions

Mark Shoberg introduced himself as the HOA Manager.
Annie Shoberg introduced herself as a HOA Manager.
Cayce Haren introduced herself as an Assistant HOA Manager.

The Board introduced themselves:
HOA Vice-President, Jesse Dryer
HOA President, Jay Taylor
HOA Treasurer, Cheryl Burnett

Approval of 2022 Minutes

There was a motion to approve the 2022 minutes.
First motion: Jay Taylor
Second motion: Jesse Dryer
None opposed.
2022 minutes were approved and signed by Jay Taylor.

Old or New Business

Amending declarations

- Mark stated that approval is needed from 75% of the membership in order to approve/amend declarations.

- The annual meeting did not reach the required threshold.
- CIOWA recommends quorum of 25%.
- The association can vote to amend the bylaws.
- Mark recommends a longer proxy window. Jay suggested more personal interaction to get proxies signed.
- Animals
 - Paulla noted the change from 3 to 2 animals (Article VII, Section 3)
 - Mark suggested that language could be added to grandfather in current owners who have 3 animals.
 - Jay stated that the declarations could be revised to permit 3 pets per owner.
 - Dryer expressed concern about animal noise levels.
 - Jay added that nuisance and failure to pick up is addressed in other areas.
 - The board was amenable to modifying the declarations to permit 3 animals per unit and agreed that the pet type could be changed to “Or any combination”
- Signs
 - Paulla opened a discussion about signage (previous declarations: 1 entry/sign per lot during construction of the lot, no sign poster billboard shall be allowed or displayed on common area)
 - There was a question about political signs
 - Mark stated that House Bill 1310 (2021) does not allow HOAs to restrict signage. HOAs are only permitted to limit the number and size of political signs on common and private lots.
 - Mark recommended the state regulated size.
 - The board gets to determine a reasonable number and placement of signs.
 - All signs are now considered neutral, regardless of content.
 - Mark recommends language such as: 1 flag, banner, or sign of x size in y location.
 - The old bill/rules allowed signage 45 days in advance and after an election.
 - Now the HOA must allow signs year-round.
 - The HOA can’t restrict signage based on timing.
- Holiday decorations
 - A member asked for clarifications about holiday decorations.
 - Mark stated that the board can create a policy or add to the declarations
 - Policies are a request and fines can’t be enforced
- Handbook
 - Jay expressed interest in creating a handbook.
 - Mark said it was possible, but it can get expensive to create, print, and distribute.
 - Mark added that it’s up to the board to modify the handbook (as long as it doesn’t contradict the declarations)
 - Paulla and Mark reiterated that the HOA must have 9 policies in order to effectively govern. This is mandated by the state. The HOA can add more and share the content online. The HOA can require landlords to provide this information to new tenants.
 - Jay plans to create a handbook for the HOA
- Weeds
 - Jay stated that there hasn’t been a lot of enforcement in the association and that it has been difficult to enforce weed control when the HOA hasn’t kept weeds under control. He felt that some enforcement is needed.
 - Paulla expressed a preference that the HOA would weed spray for the full association.
 - Mark clarified that the HOA can only spend HOA money in common areas; it can’t be used on private property.
 - Paulla suggested that additional owners could opt in
 - Services could be limited to designated areas, such as the front yard, at a reduced price
- Water

- Jay stated that yard irrigation has not been a cost effective use of resources in the community.
 - The system is set up on city water which is expensive to use
 - Repairing the system is costly.
 - There is interest in discussing xeriscaping which should reduce dues (after the initial special assessment)
 - The water is currently off because it's a huge chunk of the budget
- Jay stated that the current declarations say that the association will run and maintain the system, however, board members also have the responsibility to act in the best interests of the association.
 - It's expensive to be in compliance.
 - If asked, the HOA would respond that they're we're working on restoring water.
 - Meanwhile, there's a need to amend the declarations. There was a shared sentiment that the HOA shouldn't be an irrigation HOA because it's on city water.
 - An owner clarified that they still want to maintain property values.
 - The reserve was meant to redo the system. Mark stated that it's cheaper to create a new individual system than to turn on the full system.
 - "We're running a common element for a small number of people (4)."
 - The association "Shall maintain the irrigation."
 - Yes, we want to provide water.
 - If you want it, you'll be responsible.
 - If one owner wants it, they take on the expense of it at their own unit.
- Additional Discussion
 - Mark reiterated that the HOA must have 75% to achieve quorum and that they didn't meet the threshold at the annual meeting.
 - Jay added that the changes appear to be non-controversial and suggested that the HOA try to amend again by mail with the following changes:
 - Add VII: The board may adopt reasonable rules regarding the placement and display of decorations.
 - Parking on front lawns shall be allowed only if the area is hardscape/paved and directly connected to street.
 - This creates grounds for inoperable vehicles.
 - The next minutes/announcements will mention that parking outside of paved areas will be enforced in 1 year.
 - No members were opposed.
 - HOA Services will send a summary of events including the following items:
 - The amended declarations didn't pass; expect a new proxy
 - New rules on parking will be enforced in 1 year.
 - Paving is at the individual owner's expense
 - Paving must be approved by the ACCO committee
 - Parking will be allowed for 1 designated spot, not the full lawn.
 - Recently, an owner at 2846 Morningside completed an exterior roof change without ACCO approval. The board has chosen not pursue this situation, however this is a reminder to request ACCO approval prior to construction. Morningside HOA reserves the right to undo work that has not been approved.
- Recap
 - The board will pursue the following changes to the declarations and/or bylaws:
 - Section 6.7.3 shall be changed to 3 animals allowed
 - Section 7.6 The board maintains right to approval for placement and display of decorations. The board may adopt a policy regarding decorations.
 - Bylaws change to 25% for quorum

- Remove January 9th for annual meeting date (change to “at the discretion of the board for time and place”)
 - Create a special meeting to amend bylaws, vote on declarations
 - 1/2 of quorum shall be required for the adjourned meeting
 - The HOA needs 38% of members next time in order to achieve quorum.
 - The meeting shall be scheduled for late August/early September
 - The HOA still needs 75% approval in order to amend the declarations.
 - Mark recommends moving to 67% required to approve votes (required by CIOWA)
 - 11.6.1.a- should say 67% to amend declarations (64% may have been a typo, but in order to be legally compliant, it should be amended to say 67%)
 - Yard sale
 - Paulla inquired, “Are we able to use common area for yard sale so it doesn’t create a parking problem?”
 - Drainage space is shared so the board can review/approve this use. Please email contact@hoaservicesco.com to request board approval.
- Additional questions
 - Common areas
 - Paulla: Lot A has 3 homes on it. Is the association responsible for the common area now that there are homes on it? Ie: should weed abatement be the responsibility of the association or owners?
 - According to the assessor’s site, these are common elements.
 - Does this mean that anyone can park on the limited elements?
 - It operates like private property.
 - Mark stated that according to II.6, driveways are considered common, but the common driveways are for exclusive use by owners. It is the HOA’s responsibility to maintain the common areas.
 - Tradition is that homeowners have been responsible for maintenance.
 - Jay mentioned that at some point the parking lot will need replacement, and that will be the responsibility of the HOA.
 - Mark replied that amending the legal documents to put the responsibility on owners would be expensive
 - Jay suggested that citing owners for weeds in driveway on a common element could create an unfairness.
 - HOS Services will take on an action item to reach out for pricing from contractors on weeds. Paulla recommended Western Slope Pest Control as service levels from Peaceful Valley haven’t been great.
 - Driveways
 - Vera wondered how much space should remain when someone parks on the street near a driveway. She stated that it is sometimes difficult to leave the driveway when a car is parked nearby.
 - Mark stated that this regulation is managed by the county rather than the city or HOA. He recommended reaching out to the county, non-emergency sheriff line, for guidance on compliance. The number was provided to Vera, 970-242-6707.
 - Mark stated that if a vehicle obstructs the driveway, the sheriff can issue a citation.
 - According to Paulla, the requirements are 3ft from driveways, 5 ft from hydrants.

2023 Budget Discussion

The board has already ratified the budget for 2023. Jay stated that unless there are major objections, the budget will continue with no increase.

Jay mentioned that dumpster savings are intended to move into reserves. He suggested that as the \$1,400 of reserve from the dumpster savings grows, it could be used towards xeriscaping the common area.

There was a motion to approve the budget.

First: Jesse Dryer

Second: Jay Taylor

None opposed.

The budget passed unanimously and was approved for 2023.

As a recap, dues will be kept the same. The reserves will pay for xeriscaping. The HOA will maintain weeds. The HOA will replace Peaceful Valley and keep the weeds cut down. The members were in favor of spraying the driveways but not front blocks.

Elections

Management asked if anyone would like to serve on the board. There were no new members interested.

There was a motion for the full board to continue as is (Jesse, Jay, Cheryl)

First motion: Jay Taylor

Second: Jesse Dryer

None opposed.

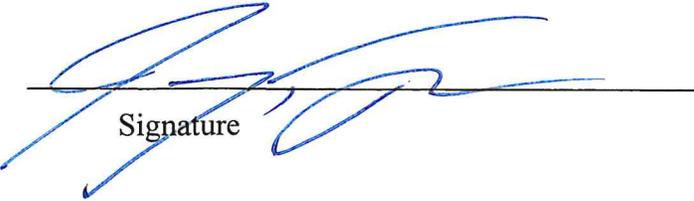
The full board will continue to serve.

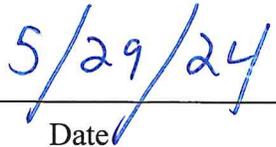
Adjournment

With no further business to discuss, Mark Shoberg asked for a motion to adjourn the meeting at 12:18pm.

None opposed.

The meeting adjourned at 12:18pm.


Signature


Date

