

**DLPOA Board Meeting Minutes:
Special session to review document revisions
March 10, 2021**

Attendees: Gary Sloneker, Whitney Donoghue, Maureen Stolhammer, Jamie Sebold, Garry Brown,
Dave Sprowls, Jim Modisher, Keith Puckett, David Hyde, Alex McConnell, Mike Lobato, Ken Martin,
Patricia Chavez

Topic 1: Articles of Incorporation

Article 11. Amendment

A question was raised around percentage of member agreement needed to make an amendment

- Jonah, DLPOA lawyer, says this is boilerplate
- We updated this recently to be 67%
- Awaiting Jonah's feedback
- Also, there is something similar to this in the bylaws

Topic 2: Bylaws

Section 3.2 Suspension of Member Rights

- Awaiting legal response to "Do we need to talk more about how a hearing would be handled?"

3.5 Voting Procedures

- Jim M. says % of owners needed to request a vote was changed from 20% to 10%

3.8 Voting list / membership list

- The following language was added: The Association will maintain a record of all names of all Owners "**consistent with Gilpin County records**"

6.3 Special Meetings

- This has been a controversial topic in the past. Most on this call agree that it's fine, but we should raise this with our lawyer (Needs legal follow up)

4.6 Quorum

- 25% of members is now considered a quorum

5.6 Removal of Directors

- The word “or” should be stricken from “with or cause” (Needs edit)
- We should remove the note “legal question about litigation” since it is not necessary (Needs edit)

5.7 Vacancies

- Awaiting legal review of question around electing members mid-term
- Jim M. expressed desire to keep continuity and retain board members for 2 years

6.2 Regular meetings

- Slight change to this addition: “Meeting may be held in person, by phone or by video call” should change to “**Meeting may be held in person, by phone or by video conference**” (Needs edit)

8.1 Designation and Qualification

- Whitney would prefer to use original wording if possible (in the bylaws). Awaiting legal feedback on adhering to what is in the Bylaws

10.1 Indemnification

- The language is drawn out but explains everything clearly. No need for a change just to shorten it. Will wait for legal review.
- Note: we can only share this information to agents who request it. Board members cannot share members’ dues status with others.

Topic 3: Declarations

Article 2. Definitions

Section 2.1 (c)

- Jim, Whitney and Gary agree the new proposed wording may make it more difficult for the board to do business (especially with bank accounts, maintenance etc.)
- Garry thinks this could allow board to run rampant
- Whitney: “Boards can’t run rampant, state statutes dictate what we can do”
- Gary: If there is ever an issue, board members can call for a special meeting
- Jim: This was previously agreed upon with Garry and Alayna
- Dave: maybe we can simplify this and say board needs to manage the day to day business
- Group decides to move on and await legal review with regards to the question around potential difficulties with doing business

Article 6. Maintenance Responsibility

Section 6.1

- Right of ways are typically green space or power lines

- Road right of way extends past the road- 50 feet: 25 feet in either direction from the center of the road
- Awaiting legal feedback with regards to whether this language is needed

Section 6.4

- This section does not need to undergo legal review (Needs edit to remove highlight)

Article 7. Covenants and Use Restrictions

Section 7.2 Use of lots

- Gilpin County has strict restrictions on short term rentals meaning the board can only make neighborhood restrictions stricter, not looser

Section 7.7 Pets

- Group agrees to leave it up to Gilpin County and keep our language broad
- Zoning laws regulate a lot of things already
- Dave: Missouri Lakes has different language that is more restrictive.
- Jim: You could say what we allow and don't allow
- Whitney: But what about people who already have all these animals? Would they be grandfathered in?
- Whitney: If anyone has suggestions or examples of restrictive language, we'll consider it
- William Loboto: Gilpin County allows owners to have 1 horse
- Next steps:
 - The board needs input from the community and decides to send out surveys (proposed topics: ADUs, short term rentals, animals)
 - We should include a link to the Gilpin county website as a resource (section 2.6)
 - We should ask an open ended question about animals people would be opposed to having in the neighborhood, rather than a specific list

Additional discussion

Jim: A property on West Dory has trailers along the road. Sometimes skid steer loaders and an excavator. It's in the way of plows. Something for the county to address?

Whitney: Similarly, a resident on Lodgepole Dr. has 15 cars in their driveway

Topic 4: Architectural Rules

I. General building requirements

- Gary: Gilpin County regulations say certified blueprints aren't necessary for structures under 250 ft

- Garry: Will a survey be necessary to do something like build a shed?
- Jim: An Improvement Location Certificate (ILC) can take the place of a full survey
- Our current setbacks are not correct

A.7

- Suggestion to delete the last sentence (Modular, fabricated) **Needs edit**
- Keith P: There are high-end kit homes. However, most pre-fabs wouldn't meet the wind and snow load requirements needed
- Jim: It's required to have an engineered foundation to build a home
- Jim: This section will be tweaked to remove mention of ADUs and rework language

D.1

- We should remove "with a building blueprint of less than 1200 SF" **Needs edit**

Page 3 of 8: 1.

- Whitney: Don't want these to be too specific with regards to materials. We should be future proofing these docs since updates don't happen often
- Dave added additional items (no bright colors, etc)

Page 4 of 8: 2.

- Whitney suggests keeping animal restrictions in the Declarations
- Jim suggests moving the entire section to the Declarations: "Only one horse...."
- All agree to remove 2b from the Architectural Rules and include it in the declarations **Needs edit**

Page 5 of 8: Driveways

- Dave suggests referencing Gilpin County requirements for driveways. County website has specifics
- Remove website URL from the document **Needs edit**

Page 6 of 8: M. General

- Remove website URL from the document **Needs edit**
- Jamie to add a link to Gilpin zoning regulations to the website

Page 7 of 8

- Jim: The ACC prefers to receive electronic plans
- Numbering is off in this section- Update B to D (missing a C) **Needs edit**

Page 9 of 8

B.

- Remove the note in parentheses **Needs edit**

C.2

- Construction work hours- this makes sense to list hours, however, we should remove days of the week **Needs edit**

E.

- Remove processing fee language and replace with “must be current on dues to receive approval”

Next Steps / To-dos

- Jamie put together the changes to the docs
- Dave and Jim to put together ACC edits
- Send survey to the community (Jamie, Maureen, Whitney)
- Create website survey (Keith suggests survey monkey in addition to the mailed survey and volunteers to help. Email: kyp26@comcast.net)
- Jamie to schedule next regular board meeting in April