

Starbright Townhome Association
Minutes
Board of Directors Meeting
Wednesday, March 1, 2023, 6PM
Via Zoom

- I. Welcome/Roll Call: Meeting was called to order at 6:00 PM. Those present were Valerie Gilliam, President, Melanie Christian, Board Member, Jesica Martinez, Board Member. Absent was Keith Niccum, Board Member.
- II. Financial Review
 - a. No Past dues- How to read Aged Receivables Summary was discussed. The new board members were advised that the Aged Receivables Summary, a report that shows who has paid their HOA dues and who is behind on payment, is highly confidential and is not to be discussed outside of board meetings.
 - b. The current balances of checking and savings of \$16,193 was brought to the attention of board members per January 2023 Cash Balance Sheet.
 - c. Review of Income Statement - Board members were advised to pay attention to what bills are paid each month to familiarize themselves with expenses of the HOA.
- III. Old Business
 - a. Valerie provided a background on where the board stands regarding the rectangular plots in front of each unit. A copy of the Plat Map was provided to show what is owned individually by homeowners and what is considered common area. The rectangular plots are considered common area per the Plat Map. At one point, the board obtained estimates on having these rectangular plots xeriscaped; however, there has not been enough money in the bank to pay for this. The previous board decided that guidelines need to be developed as to what plants can be planted in rectangular plots. It is important to keep in mind that there are underground water and sewer lines that we do not want roots to get tangled in. Also, Star Bright Townhomes HOA wants to ensure that water is used sparingly for landscaping.
 - b. Illegal parking by Arlington Villas residents – it appears that situation has been resolved. There is one car parked in the Star Bright overflow parking lot which has been allowed by the previous board. This was allowed to alleviate a resident of Arlington Villas parking in a guest parking space at the end of the 257 building. We want to make sure that the car is not towed since the Star Bright board granted permission to park there.
 - c. Rules and Regs – Discussion ensued as to whether the HOA should allow short term rentals and if it should be presented to homeowners via a mailed-out ballot. It was pointed out that the CC&Rs clearly specify that it is not allowed so it is not an item that can be voted on. CC&Rs cannot be amended without a vote of 75% of owners and 75% of mortgage lien holders Reference: page 9, Article XXV., Revocation or Amendment of Declaration, 25.1.
 - i. The board voted unanimously to add the following verbiage to the Rules and Regs adopted by the board: “13. Short term rentals (less than 30 days) are not allowed in the Star Bright Townhomes Community. Reference: page 3 of the Declaration of Covenants, Conditions and Restrictions of Star Bright Townhomes, Article VII., 7.1.
 - ii. Valerie pointed out to the board that Rules and Regulations should be presented to homeowners and ratified at the next annual meeting per the By-Laws of Star Bright Townhomes Assn. Reference Page 7, By-Laws of Star Bright Townhomes Association, VIII, Duties and Powers of Directors, D. The By-Laws also state that (page 4 of the By-Laws) 51% of members must be represented in order to constitute a quorum. Since it is rare to have 51% of members at an annual meeting, ratification for the Rules and Regulations has been overlooked by the board. Please note that the Rules and Regulations adopted previously by the Board are rules that are in the CC&R’s and By-Laws. Therefore, a vote of the membership to ratify the Rules and Regulations is meaningless.
 - d. Unit listed for sale – it is good practice to take a photo of the For Sale sign with contact information for the Listing Agent and then passing along the Rules and Regs to the Listing Agent. Hopefully, that would

deter anyone from buying a home at Star Bright Townhomes that cannot conform to the Rules & Regs of Star Bright Townhomes Association.

- e. Insurance Review – the language in the CC&Rs states that HOA is responsible for fire insurance with extended coverage “...and coverage in an amount equal to the full replacement value of all improvements located on all of the units and all improvements located on the Common Area.” The policy for Star Bright Townhomes Assn. with Farmers Insurance does not cover the interior of the units. Each unit owner should have a policy that covers their homes from drywall in. An email to that effect needs to go out to each homeowner to ensure that they have proper insurance covering their homes.

IV. New Business

- a. Colorado Common Interest Ownership Act (CCIOA pronounced Kiowa) – new board members were made aware that State law requires HOA’s to adopt 9 Required Policies. These policies include a collection policy and a dispute policy. All 9 can be found at the HOA website for reference.
- b. New Board Members ‘positions – it is recommended that each board member think about what position might suit them best going forward. The positions are as follows:
 - i. President – typically calls for quarterly meetings of the board and oversees management of the HOA by Heritage Property & HOA Management.
 - ii. Treasurer – reviews financials each month.
 - iii. Secretary – prepare Agenda and Minutes for each board meeting. Keep a record of anything else important.

V. Other Business

- a. Quorum for raising dues more than 10%. Reference: CC&R’s – page 4, Article IX. 9.1 Revoked and deleted and replaced by an Amendment to the CC&Rs. See Amendment of the Declaration of Covenants, Conditions and Restrictions for Star Bright Townhomes. This Amendment is important to understand because it outlines what is a quorum when it comes to voting on a dues increase that is more than 10%. Valerie will send out her interpretation of quorum to board members.
- b. Star Bright annual budget: Valerie pointed out that the Board is responsible for creating a budget each year. Reference page 11 of the By-Laws under XIV. Fiscal Procedures. “D. The Treasurer, with the assistance of the Managing Agent, if appointed, shall annually prepare a budget for the next year’s operating expenses. The budget must be presented to the Board no later than February 1st of each year for consideration, revision and final adoption.” The budget does not have to be approved by the members – it is approved by the board. The board is able to increase dues by 10% without a vote of the homeowners; however, if it is deemed that an increase of more than 10% is warranted, then the board must have a meeting with a quorum as described in the Amendment of the Declarations of the Covenants, Conditions and Restrictions for Star Bright Townhomes. The quorum described in the By-Laws of 51% is not the quorum needed for an increase in dues greater than 10%. The Amendment clearly makes a distinction regarding quorum for assessments and the new board members are advised to be cognizant of this fact.
 - i. In contrast to the By-Laws regarding a budget that must be presented by Feb 1 of each year, the CC&Rs state that regular assessments for the units for each calendar year shall be estimated by the Board prior to December 31 of the preceding year. Reference: CC&Rs page 6, Article XI 11.1.
 - ii. Written notice of the regular assessment shall be sent to each owner on or prior to January 10 of the year for which the assessments are made.
 - iii. In conclusion, the previous board has adopted a budget prior to year end and provided notices to homeowner at the first of each year.
- c. Gutter clean – tabled
- d. Dumpster Diver – it was noted that the dumpster diver is back. Although not illegal, board members worry about liability. Therefore, the board voted unanimously to add a lock to the dumpster.
- e. Sewer & water lines are HOA responsibility – some discussion ensued about the fact that sewer lines and water lines from the main lines are the responsibility of the HOA. Reference CC&R’s page 3, Article VII 7.2 and page 5, Article X., 10.5.

TO DO'S

- Landscaping guidelines for rectangular plots needs to be developed. Task not assigned.
- New board members are encouraged to be cognizant of the fact that Arlington Villas resident in townhome #6 is allowed to park a vehicle in Star Bright's overflow parking lot.
- No short-term rentals need to be added to Rules and Regulations – Valerie
- New board member needs to take over alerting listing agents of the Star Bright Rules and Regulations. Task not assigned.
- Email needs to go out to homeowners re insurance requirements – Valerie.
- Order lock for dumpster – Valerie
- Interpretation of Quorum needed for dues increase above 10% to go out to board members.
- New board members to decide on positions for each.