

**First Eagles Point Homeowners Association
Board of Directors Meeting
Minutes of July 18, 2023**

PRESENT: Mac McCurdy President
Vinnie Tomasulo Vice President
Michael Churchill Secretary Treasurer

ALSO PRESENT: Keith Lammey Association Manager

ABSENT: Kristina Gonzalez Director
Al Reuter Director

The meeting was called to order at 7:02 PM by Mac McCurdy.

Approval of Minutes

A **motion** was duly made by Vinnie Tomasulo and seconded by Michael Churchill to approve the April 4, 2023 minutes of the Board of Directors meeting. *Passed Unanimously.*

Manager's Report

The Association Manager submitted a short, written report including financial statements through June 2023. The past due accounts were discussed. Following a review of the June 2023 financial reports, a **motion** was duly made by Michael Churchill and seconded by Vinnie Tomasulo to approve the financial reports, as presented, through June 2023 subject to audit. *Passed Unanimously.*

New Business

Reinvestments of CD

The Manager explained that one of the Association's CD's will mature on August 14, 2023 and explained that, as of July 7, 2023, the CD rates being offered by Edward Jones were:

- 3-month 4.90%
- 6-month 5.20%
- 9-month 5.20%
- 12-month 5.20%
- 18-month 5.15%
- 2-year 5.00%
- 3-year n/a
- 4-year 4.55%
- 5-year 4.40%

Following a discussion on the issue, a **motion** was duly made by Michael Churchill and seconded by Vinnie Tomasulo directing the Association Manager to reinvest the maturing CD at the best available rate through Edward Jones for another twelve months. *Passed Unanimously.*

Colorado SB 23-178:

The Association Manager explained that the Colorado Legislature passed and Governor Polis signed SB 23-178 which is a bill regarding landscaping changes using water-wise methods. This bill will become law on August 9, 2023.

SB 23-178 mandates that Associations allow the Owners of detached single-family homes the following:

- The use of xeriscape, non-vegetative turf grass, which is also known as artificial turf, and drought-tolerant/nonvegetative landscaping in areas maintained by Owners.
- Vegetable gardens in the back, side, and front yards of an Owner's property,

SB 23-178 recommends that Associations of detached, single-family homes adopt design guidelines related to drought-tolerant plantings and hardscape; however, Associations must:

- Allow artificial turf in the backyard
- Allow an Owner to install at least 80% drought-tolerant plantings
- Allow vegetable gardens in the back, side, or front yard of an Owner's property
- Not unreasonably require the use of hardscape on more than 20% of the landscaped areas of an Owner's property

In addition to what is described above, Associations of detached, single family homes must adopt at least three (3) pre-approved water-wise landscaping designs for installations in the front yard of an Owner's property. Associations have the option to select a downloaded design from the Colorado State University Extension Plant Select or from a municipality in which the property is located, or from other entities that create garden designs, such as landscape designers or landscaping companies.

Associations that contain attached single-family homes (share one or more walls with another unit, such as townhomes, paired homes, etc.) while not subject to SB 23-178 must still allow the use of xeriscaping, artificial turf in the backyard only and drought-tolerant or nonvegetative landscape on the property for which the Owner is responsible for. And these attached single-family homes should have design policies similar to those required for detached single-family homes by SB 23-178.

After a long discussion regarding the lack of clarity regarding the bill, especially the three pre-approved water-wise landscaping designs, a **motion** was duly made by Vinnie Tomasulo and seconded by Michael Churchill to accept the proposal from Western Law Group to draft a new policy regarding complying with SB 23-178. *Passed Unanimously.*

Old/Other Business

Xcel Damage to Trail

Fortunately, the Association's irrigation system was not damaged by Xcel's contractor; however, the asphalt trail was damaged. The Manager explained that he had marked the sections of the asphalt trail that need to be replaced and has arranged with the BMMD to work with Frontier Paving, who does their asphalt patching, to have the trail repaired (and bill First Eagles Point) for the cost of the

repair. Once the asphalt has been repaired, the Association Manager will submit a claim for the damages caused by Xcel.

BMSA Delegate Report

Since Al Reuter, BMSA Delegate, was not at the meeting, there was no BMSA Delegate report.

Adjournment

With no further business to come before the Board, a **motion** was duly made by Vinnie Tomasulo and seconded by Michael Churchill to adjourn the meeting at 7:57 PM. ***Passed***