

CENTENNIAL GLEN HOA

BOARD OF DIRECTORS MEETING

6 OCTOBER 2021

The Centennial Glen Board of Directors and Architectural Review Committee meeting was held on 6 October at Lynn Dougherty's home. All members were present except Mary Mykra and Pat Kane. Jim and Ann Campagna also attended.

ON-GOING BUSINESS:

LANDSCAPING: Robertson's completed pruning and trimming trees and bushes throughout the area, including the trees along Centennial Blvd.

BUSH REPLACEMENT: Robertson's replaced the dead bushes in homeowner yards that homeowners requested to have replaced. Please remember to water the newly planted bushes until they are fully rooted.

COMMON AREA PLANS: Robertson's completed trimming trees along Centennial Blvd and removed a dead ash tree. Additional rock, grasses, and bushes will be installed along Centennial as our budget allows.

Annual Meeting: Our Annual Meeting is tentatively scheduled for Tuesday, 9 Nov at 7 P.M. at Wilson United Methodist Church. The election of our 2022 Board of Directors will take place at the meeting. Hope to see you there. If you are interested in running for the Board or serving on the Architectural Review Committee or the Strategic Planning Committee, please contact one of our current Board members.

Update to Resolution 2021-11 adopted: Recent changes to Colorado law regarding sign/flag policy and artificial turf installation policy required us to update Resolution 2021-11. A draft copy of the updated Resolution was emailed to each homeowner for comment/input. No comments were received from homeowners. The Board approved and adopted the updated Resolution 2021-11 and a copy is now posted on the website.

NEW BUSINESS:

ARCHITECTURAL COMMITTEE APPOINTMENT: Pat Kane was appointed as a new member of the Architectural Committee. The Architectural Committee now includes Pat Kane, Lynn Nelson, and Brad Shanks.

REMOVAL OF TURF IN COMMON AREA ALONG CENTENNIAL BLVD: Robertson's replaced a section of turf along Centennial Blvd near the North end of our neighborhood with rock. There was sprinkler damage in this area requiring significant maintenance, so the Board decided to replace the turf with rock as a more cost-effective option.

EDUCATION: Doug Rees presented an overview of frequently asked questions by homeowners regarding Dispute Resolution. The presentation is posted in the **Education** section or our website and is also attached to these minutes.

ADDITIONAL AGENDA ITEMS:

WATERING/MOWING: The HOA is now watering 2 times a week and mowing every other week. Also, if Robertson's installed a new bush in your yard, please water the bush. Even though the drip system is functional, the extra watering is necessary until the bushes are fully rooted.

NEXT BOARD MEETING: Our next Board Meeting is scheduled for 27 October at 7 P.M. at the Dougherty's.

EDUCATION FAQS

What is the best way to go about addressing a clear violation of The Colorado Common Interest Ownership Act or my governing documents by my board?

First, contact your board or management company in writing, addressing the issue, and pointing to specific sections of your governing documents and/or The Colorado Common Interest Ownership Act which support your position. If that is unsuccessful, try contacting them again, in writing, but this time via certified mail with a return receipt requested. This will ensure someone will have to sign for your correspondence and may escalate the issue to their attention. If that is unsuccessful, try asking your board and/or management company to engage in alternative dispute resolution. This typically involves mediation. The Colorado Judicial Branch's [Office of Dispute Resolution](#) offers affordable access to qualified mediators and has several professionals that specialize in issues related to Common Interest Communities. If alternative dispute resolution is unsuccessful, your last resort would be to contact an attorney and file suit in court.

What is a nuisance and what can I do about them?

In Colorado, a nuisance has been defined in the courts as an "unreasonable interference with the use and enjoyment of property." If you believe that you are experiencing a nuisance, the first and most practical step to take would be to address the issue with the appropriate party. Depending on what the nuisance is, this may involve a call to law enforcement for a noise complaint, a casual conversation with a neighbor about a barking dog, or it may be a formal complaint to the association. Whatever the nuisance and whomever the appropriate party, the best method of initially dealing with a perceived nuisance is courteous correspondence. Remember the old adage - "you get more bees with honey".

For more information on nuisances, see the Division's article "[What is a Nuisance and What Can You Do About Them?](#)"

I'm in a dispute with my HOA over assessments and they've placed a lien on my home. Can they do that?

One of the most powerful tools available to HOAs in Colorado is the statutory lien. The statutory lien exists on any unit for any assessment levied against that unit or fines imposed against its unit owner. Interestingly, unless an association's declaration provides otherwise, The Colorado Common Interest Ownership Act describes the term "fines imposed" to include fees, charges, late charges, attorney fees, fines, and interest charged. The association has a super lien meaning it has priority over all other liens. Generally, liens have to be recorded to be perfected. However, in Colorado, the recording of an association's declaration constitutes record notice and perfection of the lien. The association need not take any further recordation of any claim of lien for assessments for the lien to be valid. Interestingly, an association has six years from the time the full amount of assessments becomes due to institute enforcement actions. A lien for unpaid assessments is extinguished unless proceedings to enforce the lien are instituted within such time frame.

No one in my HOA wants to run for the board and soon we'll be left with no board members. What can be done?

Either the management company (if the association is professionally managed) or volunteer members of the association would need to solicit candidates for board membership, then schedule and hold elections. If there is no management company, no volunteer members of the association, or no willing candidates for board membership, then the association would simply go inactive. Generally, this means covenants ceased to be enforced and any services provided will cease to be provided. However, you should contact an attorney regarding the legal consequences of your particular association going inactive, as individual members may be able to enforce covenants via court action.