

RECORD OF PROCEEDINGS
THE BOARD OF DIRECTORS
CHERRY HILLS NORTH METROPOLITAN DISTRICT

A Special Meeting of the Board of Directors of Cherry Hills North Metropolitan District was held at The Cherry Hills Village Council Chambers 2450 East Quincy Avenue Cherry Hills Village, CO 80113 at the hour of 6:30 p.m. on the 28th day of May 2014.

Present were: Dan Conway, Vice President and Acting Chair
 Marcus McAskin, Assistant Secretary/Treasurer
 Keith Bierman, Director and acting Secretary

Director Conway assumed the role of Acting Chair. This was a joint meeting with the Cherry Hills North HOA, and the HOA business was taken first. We have recorded only comments that are germane to the District. Director Conway took the gavel from the HOA at approximately 8 p.m.

No actions were proposed or taken, other than a Motion to Adjourn at 9:20 p.m.

As the purpose of this Special Meeting was to obtain community input, here is a summary.

PUBLIC COMMENT: ENTRANCE SIGNS

There was extensive discussion of the history, desirability, and current status of the signs. Comments about the desirability of the signs included:

- ❖ Provides a “classy” identity for the neighborhood
- ❖ Provides critical navigation aids, especially at night since there are no streetlights (so conventional signage would be of limited value at night)
- ❖ Represent a considerable investment over the years

HOA Treasurer Donovan noted that the HOA had “ so much cash” and explained that insurance money had been received for two damaged signs (B, and G)¹ but that only one was being rebuilt. There was great community concern about the HOA Board’s decision to not rebuild “sign G”. HOA Director Odendahl observed that the homeowner (himself)

¹ As identified in the survey map located on the District website in the Document Archive. [signsurveys2013.pdf](#)

was not consenting to any easement for the HOA and that the sign was located completely on his property.

It was also noted that another sign had been taken down by a property owner (somewhere on Sanford Circle).

The opinion was expressed that removal of signs was very unfortunate, and that Homeowners had purchased properties with the signs (referred to during the meeting as Monuments) and that there was a presumption that they would always be in place and maintained. The HOA Board noted that no records could be found regarding the original building, and that the covenants are silent in this regard. Resident Roybal who had been on the HOA committee to renovate the signs a decade or so ago provided historical context, and observed that it made little sense to invest in rebuilding or renovating if homeowners are entitled to remove them (possibly shortly) thereafter.

HOA Director Weide also noted that a couple of the other signs (on Nassau Circle East) have had their power cut by the contractor doing the gas line work, and according to the City as well as the contractor that repairs are outside of the Contractor's obligation under the contract. Director Weide did get Xcel to agree to get the rest of the signs surveyed and to have the Contractor endeavor to not cut any more power lines. Since the Contractor has accepted liability for repairs of property owners sprinkler lines, there was considerable confusion about why the power lines to the signs should be treated differently.

The HOA Board assured the community that a contract was in place and that sign "B" would be "repaired" in place in the near future.

DISTRICT FINANCES

Director Conway provided background and history and outlined the issues before us. Director Bierman spoke to the slides and walked the community through the handouts. Director McAskin provided some in-depth perspectives. There were many different viewpoints shared by community members, some highlights:

- ❖ There was agreement that the last ballot initiative was poorly handled. The community did not feel that they understood what was at stake, "who" the District is and what function it serves, and that there was significant concern about the upper cap that had been proposed.
- ❖ There were several speakers who agreed with the desirability of the flexibility that the District requested, but were uncomfortable with the prospect of future Boards not being as careful with taxpayer funds
- ❖ Other speakers were less happy with the notion of a higher cap than is required to restore the reserve to its appropriate value
- ❖ There was mixed input about the desired communication. One speaker wanted 5 years of audit records and details as to the sinking fund and similar technical (accounting) details. Others urged us to spend money on a brochure, and others wanted the entire communication to fit on a single page.

Some expressed the opinion that a simple fixed rate hike, with suitable explanation (perhaps with revised Service Plan that articulates the District's scope of function) would be much more palatable than the previous proposal.

ADJOURNMENT

There being no further business to come before the Board, and upon motion duly made, second and unanimously carried, the meeting was adjourned at 9:20 p.m.

NOTICE OF WAIVER AND MINUTES APPROVED:

Daniel Conway

Marcus McAskin

Keith Bierman