**Timbers Estates Annual Homeowners Meeting**

**September 23, 2020**

The meeting was called to order by President Lilly Croke on 9/23/20 at 6:40pm

The attendance was taken: 21 owners representing 22 lots attended the Zoom meeting, 5 owners were represented by proxy, one owner did not attend nor submit a proxy. (schedule attached)

Cindy Latham made a motion to follow Roberts Rules of Order

Darren Reinstein seconded the motion

The treasurer’s report (including budget information) was reviewed.

Cindy Latham made a motion to accept the Treasurer’s Report

Jeff Brekke seconded the motion

A vote to approve the Treasurer’s Report passed with 27 votes for 0 votes against.

Lilly Croke put forth the Schedule of Fines for the required annual review. (schedule attached)

Cindy Latham made a motion to approve the fine schedule

Renee Wyatt made a motion to table the discussion and save it for a future meeting

Darren Reinstein seconded the motion to table the discussion

A vote to table the discussion failed with 8 votes to table, 1 abstention, and 18 votes not to table

Lynne Schwartau seconded the motion to approve the fine schedule

A vote to approve the fine schedule passed with 18 votes for, 1 abstention, and 8 votes against

The election for the two vacant Directors positions was discussed.

Lilly Croke reviewed the election processes and the third-party verification.

MaryAnn Thaxton read the election results with 6 votes for Ben Venuto, 9 votes for Renee Wyatt, 16 votes for Mike Crosbie, and 21 votes for Jeff Brekke. One lot recused themselves and one did not vote.

Cindy Latham made a motion to ratify the votes and the selection of the two new board members

Lynne Schwartau seconded the motion

A vote to accept the votes and the selection of the two new board members passed with 24 votes for and 3 votes against.

President Lilly Croke stated that we had finished with the agenda topics

Cindy Latham gave a report from the Wildfire committee

Dave Hartvigsen gave a report from the Timbers Estates Metropolitan District

Cindy Latham made a motion to adjourn the meeting

Jeff Brekke Seconded the motion to adjourn

Renee Wyatt requested time to report on the Design Review Board.

Darren Reinstein requested she be given time to report.

Lilly granted Renee the floor for 2 minutes.

Since the motion to adjourn had been made and seconded, Lilly Croke adjourned the meeting at 8:00pm

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|  | Timbers Estates Homeowners Association Annual Meeting 9/23/2020 | | | | | | |
|  |  |  |  |  |  |  |  |
| Address | Lot# | Name |  | Ballot received | | Representation | |
|  |  |  |  |  |  |  |  |
| 6820 | 7 | Brekke |  | yes |  | zoom attendence | |
| 6917 | 15 | Carlson |  | yes |  | zoom attendence | |
| 7147 | 23 | Croke |  | yes |  | zoom attendence | |
| 7186 | 25 | Crosbie |  | yes |  | zoom attendence | |
| 6737 | 16 | Curtis |  | yes |  | zoom attendence | |
| 6707 | 17 | Curtis |  | yes |  | zoom attendence | |
| 7077 | 21 | Gineiczki |  | yes |  | zoom attendence | |
| 7197 | 26 | Greer |  | yes |  | Proxy |  |
| 7187 | 24 | Gress |  | yes |  | zoom attendence | |
| 7086 | 3 | Hartvigsen | | yes |  | zoom attendence | |
| 6957 | 18 | Hillin |  | yes |  | zoom attendence | |
| 6827 | 12 | Jensen |  | yes |  | zoom attendence | |
| 7136 | 1 | Kaufman |  | yes |  | Proxy |  |
| 6797 | 9 | Koenigsberg/York | | yes |  | Proxy |  |
| 6766 | 10 | Kurth |  | no |  | no |  |
| 6767 | 11 | Latham |  | yes |  | zoom attendence | |
| 6997 | 19 | MacArthur | | yes |  | zoom attendence | |
| 6857 | 13 | Noble |  | yes |  | zoom attendence | |
| 6796 | 8 | Peden |  | yes |  | Proxy |  |
| 6887 | 14 | Pykkonen |  | yes |  | Proxy |  |
| 7107 | 22 | Reinstein |  | yes |  | zoom attendence | |
| 7026 | 6 | Rodriguez |  | yes |  | zoom attendence | |
| 7116 | 2 | Schwartau | | yes |  | zoom attendence | |
| 7066 | 4 | Thaxton |  | no |  | zoom attendence | |
| 7037 | 20 | Venuto |  | yes |  | zoom attendence | |
| 7176 | 27 | Westerhausen | | yes |  | zoom attendence | |
| 7026 | 5 | Wilhelm |  | yes |  | zoom attendence | |
| 7156 | 28 | Wyatt |  | yes |  | zoom attendence | |
|  |  |  |  |  |  |  |  |

Review of Schedule of Fines

From the Declaration (Dated January 4, 2005):

*“ 17.01 Interpretation of the Declaration.*

*Except for judicial construction, the Association, by its Executive Board, shall have the exclusive right to construe and interpret the provisions of this Declaration. In the absence of any adjudication to the contrary by a court of competent jurisdiction, the Association’s construction or interpretation of the provisions hereof shall be final, conclusive and binding as to all persons and property benefitted or bound by the covenants and the provisions hereof.”*

The executive board met this summer to adopt the governance policies.

The governance policies are required by the state of Colorado.

The purpose of the governance policies is to document how the executive board will implement the Declaration by which we are governed.

The governance policies do not change the Declaration. These policies state that if there is a discrepancy between the governance policies and the Declaration, that the Declaration will control.

It is required by the state of Colorado to review and approve the schedule of fines that are documented in the governance policies during the annual HOA meeting.

Schedule of Fines

This schedule of fines will be reviewed an approved annually at the Annual Homeowners Meeting. Before any punitive action is taken it must be approved by 51% of the lot owners eligible to vote.

Continuous Violations

Continuous violations are defined as violations of the governing documents that are uninterrupted by time. If an owner is determined as having a continuous violation , such owner may be subject to a daily fine of $50.00 per day per covenant violation if not corrected, following a notice and opportunity for a hearing as set forth in the Covenant Enforcement Policy. If the violation is not cured within 30 days after the commencement of the daily fine, the Board may elect to take appropriate legal action.

Other Violations

Violations that are not continuous in nature may be fined according to the schedule below. An example of a non-continuous violation would be the use of a recreational vehicle in the Timbers in a manner prohibited by the governing documents.

First Violation $100

Second Violation $200

(of the same covenant or rule)

Third Violation $500

(of the same covenant or rule)”