

**CRYSTAL AT THE VILLAGE HOMEOWNERS' ASSOCIATION
BOARD/OWNERS MEMBERSHIP MEETING
NOVEMBER 17, 2023, 3:00 P.M. (MST) 4:00 PM (CST) 5:00 P.M. (EST)
VIA ZOOM**

MINUTES

1. Roll call, determination of quorum and certification of proxies.
Owners present: Tom Thorpe - Unit 10, Kathleen Rosson - Unit 12, Neal Elinoff - Unit 14, Jim Tholen - Unit 16, Billy Dimis Unit 18, John Degenova - Unit 20, Claudia Brunner - Unit 22, and Barton Prideaux - Unit 24
Also Present: Joe Solomon - HOA Attorney and Judi Balkind - HOA Manager

Barton Prideaux called the meeting to order at 3:07 P.M (MST).
2. Motion to approve/waive notice of meeting.
It was noted to the members that the notice was sent to the owners via email.
3. Determination of quorum of members – Majority of the total number of members entitled to cast, or of members holding proxies and entitled to cast fifty percent (50%) of the votes of members.
A quorum was deemed present.
4. Approval of Minutes from the Special Membership meeting on August 30, 2023
5. Approval of the Agenda
5. New Business:
 - a. Approval of the First amended and restated Declarations – need 67% of membership
 - b. Approval of the amended and restated Bylaws – need 67% of membership
 - c. Responsible Governing Policies – board has authority to approve but required to present to the owners and ask for comments
 - d. Rules and Regulations - board has authority to approve but required to present to the owners and ask for comments

Barton Prideaux noted there were two attorneys that reviewed the above documents. Neal Elinoff commented that he sent a detailed letter by email with a list of footnotes of the reason why we should not approve these documents. Elinoff noted that these document changes were created in executive session. Discussion ensued. Joe Solomon responded to how the board is not allowed to meet in executive session to review the governing documents.

More discussion ensued regarding the concern about not approving these documents. John Degenova stated he needed further clarification on the situation. How long will it take to respond to Neal Elinoff's questions? John would like Joe Solomon to respond Neal Elinoff's footnotes of questions regarding the governing documents. Joe will address Neal Elinoff's concerns and re convene at another meeting.

Barton asked Joe if we could extend this meeting to November 28th, 2023, without a two-week notice.

It was asked from the board - do we approve the changes to the decs now or do we defer the vote to later? Jim would prefer to approve them at today's meeting and then have Joe go through and review Elinoff's footnote remarks.

Joe would add to the Declaration's "single family use" Joe would like to have more than one family share the unit. Joe stated "Single family use shall be defined as a single housekeeping unit. Multiple families may utilize a single unit provided unit safe occupancy is not exceeded."

Tom Thorpe made a motion to add this as a friendly amendment to the Declarations. Kathleen Rosson seconded the motion. Vote 7/8 Owners yes.

A formal vote was taken: Tom – yes, Barton – yes, John – yes, Kathleen – yes, Claudia – yes, Neal - Abstained, Jim – yes, Billy – yes

Tom Thorpe made a motion to accept both Agenda items A + B. Kathleen Rosson seconded the motion.

A formal vote was taken: Barton – yes, Tom Thorpe – yes, John – yes, Kathleen – yes, Claudia – yes, Elinoff – no, Jim – yes, Billy – yes. A majority vote of 7/8 owners.

Joe Solomon noted that the updated plans were sent for units 16 + 20. Ground level patio, which is general common space, but Tholen can leave it as limited common element. This was approved in August. Tholen bumped into general space and is asking all owners to approve this.

Neal Elinoff made a motion to approve the changes to Jim Tholen's plan & designate the stairs as limited common element to Unit 16 and 20 and those units would be responsible for maintaining + insuring. Tom Thorpe seconded the motion. All in favor and the motion passes unanimously.

6. Adjournment

Barton Prideaux made a motion to adjourn the members meeting. Tom Thorpe seconded the motion, and the meeting was adjourned at 4:31 P.M.

Board Meeting:

1. Roll call, determination of quorum and certification of proxies.

Board Members Present: Tom Thorpe - Unit 10, Billy Dimis - Unit 18, John Degenova - Unit 20, Claudia Brunner - Unit 22, Barton Prideaux - Unit 24
Other Members Present: Kathleen Rossen - Unit 12, Neal Elinoff - Unit 14, Jim Tholen - Unit 16
Also Present: Joe Solomon - HOA Attorney and Judi Balkind - HOA manager

Barton Prideaux called the meeting at 4:31 P.M MDT.

5. New Business Continued:
 - c. Responsible Governing Policies – board has authority to approve but required to present to the owners and ask for comments
 - d. Rules and Regulations - board has authority to approve but required to present to the owners and ask for comments

Barton Prideaux made a motion to approve the Responsible Governance Policies + the updated Rules & Regulations. Tom Thorpe seconded the motion. All in favor and the motion passes unanimously.

Barton Prideaux - yes, Tom Thorpe – yes, John DeGenova – yes, Kathleen Rosson – yes, Neal Elinoff – yes, Jim Tholen – yes, Billy Dimas -yes, Claudia Brunner – yes

Barton Prideaux called a property meeting to order.

Owners Present: Barton Prideaux, Tom Thorpe, John DeGenova, Kathleen Rosson, Jim Tholen, Neal Elinoff, Billy Dimas, Claudia Brunner

A waiver of notice was approved at this meeting. All in favor.

A vote was taken regarding the special assessment.

John DeGenova made a motion to approve a special assessment of \$2,000 in December to engage Joe Solomon as legal counsel to address Neal Elinoff's document comments + report back to the HOA. Billy Dimas seconded the motion. All in favor and the motion passes unanimously.

Barton Prideaux made a motion to adjourn the meeting at 4:45 P.M MDT.

Respectfully submitted,

By: *Judith Balkind*
Jarmik Property Management, Inc
Judi Balkind, Crystal HOA