



# Bent Tree Property Owners' Association, Inc.

Greg Davis, President

P.O. Box 2631, Monument, Colorado 80132

[www.btpoa.net](http://www.btpoa.net)

## BTPOA Annual Meeting

Dear Bent Tree Property Owner,

Colorado law and the Bylaws of the BTPOA require the association to hold an Annual Meeting. Our Bylaws specify it must be held "on or about September 13<sup>th</sup>". The BTPOA Board of Directors has scheduled the meeting as follows:

Day	<b>Thursday, September 13, 2018</b>
Time	<b>6:30 to 8:30 p.m.</b>
Location	<b><u>Tri-Lakes YMCA</u></b> 17250 Jackson Creek Parkway, Monument CO, 80132
Directions	Higby East to Jackson Creek Parkway. North on Jackson Creek Parkway to the YMCA located on the East side of the Road. The BTPOA Annual Meeting is held in their Community Room, Located on the ground floor.

**Please mark your calendar.** It is very important for all Bent Tree property owners to attend this meeting. The Bylaws we adopted at our Annual Meeting November 13, 2008 require that a minimum of 39 lots must be represented in person or by proxy at the meeting. To help us meet the quorum requirement, if you cannot attend the meeting, please complete the **enclosed proxy form** and give it to someone who will be attending. Note that no person can represent more than two proxies in addition to their own vote(s). The covenants specify there is one vote per lot. To vote on matters that come before the meeting, you must be current on payment of the annual assessment of \$120 per lot. If you have not yet sent in your payment, please do so now.

We have some very important matters to discuss. Agenda items include:

- **Discussion of Possible Covenant Changes.** There are a number of issues which the board is considering putting up for a vote, and we'd like the input of the community. There are 5 issues which have come up over the last few years: Short term rentals, Marijuana grow houses, CCIOA exemption, Group homes, and Parking changes. The association attorney is working on some proposed wording for these changes which we will distribute via email as soon as we can and we will have printed copies at the annual meeting for discussion. Please note that this will be a discussion of what should be on the proposals and whether or not we should have a vote on each of them. Since this would be for changes to the Covenants, any changes would be held via a secret mail in ballot administered by the association attorney, with approval requiring a 2/3 vote of the entire membership in favor of each proposed change.
- **Election to Fill One Position on the Architectural Control Committee.** The position up for election in 2018 is the position occupied by Matt Dunston. To serve on the ACC, you must be a Bent Tree property owner and a Bent Tree resident. Please contact me if you would be willing to be a candidate for this position. Candidates may also be nominated at the annual meeting.
- **Election to Fill Two Positions on the Board of Directors.** Mark Weidner and Eric

Hammersley currently occupy these positions. To serve on the Board, you must be a Bent Tree property owner. Please contact me if you would be willing to be a candidate for these positions. Candidates may also be nominated at the annual meeting.

- **Beautification and Trails.** The Beautification and Trails Committee will report on work performed over the last year and planned changes for the future.
- **Volunteers for covenant compliance committee.** We could really use a couple of volunteers to help out with this vital task. We're down to two people, two busy people, and it's just not reasonable to foist the entire load on them. A couple more people helping out is necessary if you want to see good, quality enforcement of the covenants, bylaws, and rules.

Draft minutes of the 2018 Annual Meeting and the Annual Budget Meeting held February 15, 2018 will be available at the meeting.

This meeting September 13th will be an excellent opportunity to make important decisions regarding the future of Bent Tree, meet your neighbors, catch up on what has been happening in Bent Tree and the surrounding area, and discuss any concerns you have.

I hope to see you all there. Please contact me if you have questions or comments.

Sincerely,  
Greg Davis  
President  
Bent Tree Property Owners Association  
gregeidavis@btpoa.net



# **Bent Tree Property Owners' Association, Inc.**

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## ***2018 Annual Meeting Agenda*** **Thursday, September 13, 2018**

Since we have many items to cover, with the exception of those giving reports, all other speakers will be limited to two (2) minutes each. No one will be allowed to speak a second time on a topic until all who want to speak on the topic have had a chance to speak.

- 1) Determination of Quorum**
- 2) Call to Order, Introductions, Conduct of the Meeting**
- 3) Approval of the Agenda and Acceptance of the Election Officials**
- 4) Review/Approve September 14, 2017 Annual Meeting Minutes**
- 5) Review/Approve February 15, 2018 Budget Meeting Minutes**
- 6) ACC Election to Fill One Position**  
Fill one 3-year position previously occupied by Matt Dunston.
- 7) Board of Directors Election to Fill Two Positions**  
Fill two 3-year positions currently occupied by Mark Weidner and Eric Hammersley.
- 8) Discuss possible Covenant Changes**  
Proposed change language will be emailed as soon as it is received from the association attorney and distributed at the annual meeting.
- 9) ACC Report**
- 10) Committee Reports**
  - a) Beautification and Trails**
  - b) Covenant Compliance**
  - c) Forest Management/Wildfire Mitigation**
  - d) Neighborhood Watch/Crime Prevention**
  - e) Water Augmentation**
- 11) Meeting Schedule**
  - a) Annual Budget Meeting Date: Thursday, Feb. 21, 2019, 6:30 p.m.** (“on or about Feb. 21st”)
  - b) Board Meetings: Second Tuesday of each month, 6:30 pm, Monument Sanitation District board room, 130 Second Street, Monument.**
- 12) Any Other Business**
- 13) Adjourn**
- 14) A brief board meeting will be held following the annual meeting**

**BENT TREE PROPERTY OWNERS' ASSOCIATION**

**VOTING PROXY FORM**

Property Owner Name(s): \_\_\_\_\_

Lot Number(s): \_\_\_\_\_

I give \_\_\_\_\_ authorization to vote on my behalf on all issues put to a vote by the homeowners association during the **Bent Tree Property Owners' Association Annual Meeting, September 13, 2018, at the YMCA at 17250 Jackson Creek Parkway, Monument CO, 80132**

Please check one: \_\_\_\_\_ I am a Bent Tree resident

\_\_\_\_\_ I am not a Bent Tree resident

Property Owner(s) Signature: \_\_\_\_\_

Printed Name of Property Owner(s): \_\_\_\_\_

Date: \_\_\_\_\_

**Notes to Proxy Holder**

- You are limited to two (2) votes in addition to your own.**
- To be valid, proxies (whether using this form or a written statement):**
  - Must identify the person authorized to vote.**
  - Must be signed and dated.**
  - Must identify the meeting for which the proxy is valid.**
  - Must be mailed to the BTPOA Secretary sufficiently in advance of the meeting or must be presented at the meeting.**
- Proxy forms are non-transferrable; that is, only the person named in the proxy form may cast ballots based on the proxy form.**



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## Rules of Order for BTPOA Meetings

### General

- Meetings will be conducted in accordance with *Robert's Rules of Order*. The Chair rules on procedural questions. A majority vote is needed to override the chair's ruling.
- Please remain quiet and respectful while others are speaking. There must be no outbursts including applause, cheering, booing, heckling, etc. Avoid private conversations as they make it difficult for others to hear the proceedings.
- Display of signs and placards is distracting and is to be avoided.

### Agenda

- Once the agenda is approved, a majority vote is needed to make changes.
- Motions not in keeping with the approved agenda will be ruled out of order.

### Speaking

- Raise your hand and wait for the chair to call on you before speaking. This is called "obtaining the floor."
- State your first and last name and your home address slowly and clearly.
- Address your remarks to the chair, not to one another, or the group.
- During debate on a motion, it is best to start by saying something like "I support the motion because..." or "I oppose the motion because ..."
- Be sure your remarks are germane to the current motion or topic. If the chair judges that your remarks are not germane, you will be ruled out of order.
- Each person will be limited to two minutes each time they are recognized.
- No person may speak a second time on a topic until all who want to speak on the topic have been heard. No person may speak more than twice on a topic.

### Motions

- A member qualified to vote obtains the floor and states, "I move that ..." and then sits down. A second member qualified to vote seconds the motion.
- Once a motion has been moved and seconded, those wishing to speak on the motion or offer amendments may seek to obtain the floor.
- If an amendment to the motion is moved and seconded, debate and voting on the amendment must be completed before continuing debate and voting on the main motion.

### Debate is closed:

- When it is evident to the chair that all who wish to speak have spoken, or
- When a motion to close debate is passed, or
- When the time allotted for debate on the topic expires and is not extended.

### Voting

- To be allowed to vote, you must be a Bent Tree property owner of record and current in payment of the annual assessment.
- Voting in the ACC election is restricted to property owners who live in Bent Tree (“owner-occupants”).
- Voting will typically be handled in one of four ways:
  - **Unanimous consent:** The chair will ask if there are any objections. If none are voiced, the motion passes. If there is objection, the chair will typically then use one of the other methods of voting.
  - **Voice vote:** The chair will ask for all in favor and then all opposed and determine the outcome based on the responses. If the outcome is in question, the chair will typically then use a show of hands or balloting.
  - **Show of hands:** The chair will ask for all in favor and then all opposed and count hands raised in each instance. If the outcome is in question, the chair will typically ballot the issue.
  - **Balloting:** For each item voted on, each person will receive one ballot for each lot they own. One vote per lot. Ballot results will be read aloud.
- Most motions such as main motions and amendments require a majority vote, that is, “more than half of the votes cast” (i.e., a majority of 19 votes cast is 10, a majority of 20 or 21 votes is 11). Some motions such as to close debate or close nominations require a vote of at least two-thirds of the votes cast (i.e., two-thirds of 30 votes is 20, two-thirds of 31 votes is 21, two-thirds of 32 or 33 votes is 22). Abstentions, including the return of blank ballots are not counted as votes cast.
- The chair votes only when balloting is being used or when the chair’s vote would change the outcome.

## Elections

- At the chair’s discretion, elections may be conducted by unanimous consent or balloting.
- Each candidate must receive a majority of the votes cast in order to be elected.
- If not enough candidates to fill all the open positions receive a majority of votes, the results will be announced and another vote will be conducted for the remaining positions.

## Recess and Adjournment

- A motion for recess is in order except when another person has the floor or a motion to adjourn is pending. A motion for recess must specify the time for resumption of the meeting.
- A motion to adjourn is in order except when another person has the floor.



## ***2017 Annual Meeting Minutes*** **Thursday, September 14, 2017**

**Board Members Present:** Greg Davis, Mark Weidner, Matt Dunston, Paul Baker, Chris Mettes

**1) Determination of Quorum**

**39 Property owners were needed for a quorum. Since only 29 property owners signed in (including proxies), no quorum existed.**

**2) Call to Order, Introductions, Conduct of the Meeting**

**Meeting was called to order by Greg Davis at 6:40pm.**

**3) Approval of the Agenda and Acceptance of the Election Officials**

**A motion to approve the agenda was made by Matt Dunston, seconded by Paul Baker, and unanimously approved. Two property owners volunteered to be election judges if an election was necessary during the meeting.**

**4) Review/Approve September 22, 2016 Annual Meeting Minutes**

**Since no quorum was present, there was no vote on approving the minutes of the 2016 Annual Meeting.**

**5) Review/Approve February 23, 2017 Budget Meeting Minutes**

**Since no quorum was present, there was no vote on approving the minutes of the 2017 Budget Meeting.**

**6) ACC Election to Fill One Position**

**Fill one 3-year position previously occupied by Brandon Ware.**

**Linda Hoyt volunteered to fill the vacant ACC position. Since there were no other volunteers or nominees, Linda was unanimously accepted.**

**7) Board of Directors Election to Fill Two Positions**

**One 3-year position currently occupied by Matt Dunston, and one 1-year position is open that is currently held by Chris Mettes who is resigning due to moving.**

**Matt Dunston volunteered to serve another term on the board. Eric Hammersley volunteered to take over the board position vacated by Chris Mettes. There were no other volunteers or nominees for these positions. Matt and Eric were elected by acclamation.**

**8) ACC Report**

**Matt Dunston reported on Architectural Control Committee responsibilities and activities. There were no questions from the floor. As indicated above, Linda Hoyt will serve on the committee.**

## **9) Committee Reports**

### **a) Beautification and Trails**

Paul Baker reported that there had been two mowings of the monuments and curbside and that a third mowing will be done this Fall. Board members have trimmed the monuments and removed dead trees. The Scottswood entry monument was improved this summer. 2,100 feet of the Roller Coaster trail was trimmed and widened by board members and volunteers. A contractor will be widening and laying down roadbed rock along this section of trail in the Fall. In addition, the contractor will be regrading lower sections of this trail and installing drainage pipes. The next 1,500 foot section of trail along Roller Coaster will get similar treatment in 2018. A “Chipping Day” similar to that done in Higby Estates is planned for 2018.

### **b) Covenant Compliance**

Mark Weidner described the operation of the Covenant Compliance Committee. When covenant violations are reported, the first step is to contact the property owner by phone or email and request a correction. If no correction is noted, an official letter is sent out to the property owner requesting remediation. Second and third letters are sent out as appropriate. If the problem is still not remedied, a hearing date is set to review the problem with the property owner. At this point, fines and liens can be levied. Mark asked for volunteers to serve on the CC committee. Pete Hoyt and Debbie Romano volunteered to serve on this committee.

### **c) Forest Management/Wildfire Mitigation**

Mark Weidner reported that a Forestry Inspection was conducted this year. This inspection was skipped during the past two years because of the generally good condition of our trees. During this inspection, issues were noted on 17 lots including beetle kill, IPS, dead or leaning trees, and ladder fuel.

### **d) Neighborhood Watch/Crime Prevention**

Herb Wetzel reported that we all need to be watchful of our neighborhood. We need to know our neighbors and be aware of strangers in our area. The El Paso County Sheriff's Department has a non-emergency incident reporting phone number (719-390-5555). “Neighborhood Watch” signs have been posted near each entrance into Bent Tree. Cameras such as doorbell cameras or wired or wireless cameras can be a great deterrent.

### **e) Water Augmentation**

Matt Dunston reported that the yellow water use reporting cards are required by the state and that we should all return them promptly. The health of the Dawson Aquifer was discussed. It is generally believed that the aquifer is in good shape and that there is no evidence of the water level dropping.

### **f) Engineering & Drainage**

Matt Dunston described the area's water drainage engineering design and reported that a review of the retention basins in Bent Tree is done annually.

## **10) Financial Report – Review and approve 2017 budget**



**Greg Davis presented the 2017 budget, balance sheet, and reserve study. There were no questions from the floor. No quorum was present to vote on the 2017 budget.**

**11) Meeting Schedule**

a) Annual Budget Meeting Date: **Thursday, Feb. 15, 2018, 6:30 p.m.** (“on or about Feb. 15<sup>th</sup>”)

**Next Annual Meeting to be held on Thursday, September 13, 2018.**

b) Board Meetings: **Third Tuesday of each month**, 6:30 pm, Monument Sanitation District board room, 130 Second Street, Monument.

**Future board meetings to be held October 17<sup>th</sup>, November 21<sup>st</sup>, and December 19<sup>th</sup>.**

**12) Any Other Business**

**No other business was raised.**

**13) Adjourn**

**The meeting was adjourned at 7:50 pm.**

**Minutes were prepared by Board Secretary Chris Mettes, September 15, 2017.**



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## *2018 Budget Meeting Minutes* **Thursday, February 15th, 2018**

**Board Members Present:** Greg Davis, Mark Weidner, Matt Dunston, Paul Baker, Eric Hammersley

### **1) Determination of Quorum**

**There was no quorum. Only 5 homeowners were present, consisting of the Board of Directors. Greg Davis, Paul Baker, Matt Dunston, Mark Weidner and Eric Hammersley**

### **2) Call to Order, Introductions, Conduct of the Meeting**

**Meeting called to order at 6:42pm.**

### **3) Review/Approve September 14, 2017 Annual Meeting Minutes**

**There was no quorum, so minutes could not be approved.**

### **4) Financial Report, Budget Discussion and Approval**

**Out of the 5 homeowners present, all voted to approve the budget.**

### **5) Architectural Control Committee (ACC) Report**

**Nothing to report since all members present were Board members and had already been provided updates in their regular meetings.**

### **6) Covenant Compliance Committee (CCC) Report**

**Nothing to report since all members present were Board members and had already been provided updates in their regular meetings.**

### **7) Water Committee Report**

**Nothing to report since all members present were Board members and had already been provided updates in their regular meetings.**

### **8) Financial Report**

**Nothing to report since all members present were Board members and had already been provided updates in their regular meetings.**

### **9) Meeting Schedule**

**a) Proposed Annual Meeting Date: Thursday, Sept. 13, 2018, 6:30 p.m.**

**b) Board Meetings: Second Tuesday of each month, 6:30 pm, Monument Sanitation District board room, 130 Second Street, Monument.**

### **10) Any Other Business**

**None**

### **11) Adjourn**

**Motion to adjourn by Paul Baker, seconded by Mark Weidner. Meeting adjourned at 6:52pm.**



## PROPOSED BTPOA 2018 BUDGET VS. REVENUE AND EXPENSES

Expense Category	2017			2018			Description	% Budget
	Budget	12/31/2017	Diff	Budget	8/22/2018	Diff		
Architectural Control	\$ 100		\$ (100)	\$ 100		\$ (100)	ACC committee expenses	0%
Bank Charges	\$ 50	\$ 41	\$ (9)	\$ 50		\$ (50)	Service fees, return check charges, etc.	0%
Beautification & Trails	\$ 6,000	\$ 4,000	\$ (2,000)	\$ 4,500	\$ 1,125	\$ (3,375)	Maintenance of entrances, trails, roadside	25%
Dues & Subscriptions	\$ 175	\$ 54	\$ (121)	\$ 175	\$ 130	\$ (45)	NEPCO, HOA Registration, CO Corp. Report	74%
Flood Control	\$ 100		\$ (100)	\$ 100		\$ (100)	Engineer's review plus maintenance work	0%
Forestry Committee	\$ 2,000	\$ 1,248	\$ (752)	\$ -		\$ -	Beetle and mistletoe survey	#DIV/0!
Insurance	\$ 2,700	\$ 2,835	\$ 135	\$ 3,000	\$ 2,864	\$ (136)	Gen. liability, officers and directors liability	95%
Legal and Professional	\$ 1,000	\$ 425	\$ (575)	\$ 1,000	\$ 425	\$ (575)	Attorney time, tax return preparation	43%
Meetings	\$ 600	\$ 549	\$ (51)	\$ 600	\$ 451	\$ (149)	Meeting room, refreshments, door prizes	75%
Plan review refunds	\$ 900		\$ (900)	\$ 1,350	\$ 450	\$ (900)	Refund of plan review fees	33%
Printing, Mailing & Supplies	\$ 800	\$ 638	\$ (162)	\$ 800	\$ 113	\$ (687)	BT Log, directory, notices, office supplies	14%
Secretarial/Admin Support	\$ 9,000	\$ 8,013	\$ (988)	\$ 10,000	\$ 6,556	\$ (3,444)	Administrative assistance	66%
Taxes	\$ 100		\$ (100)	\$ 100		\$ (100)	Income taxes	0%
Utilities	\$ 450	\$ 410	\$ (40)	\$ 450	\$ 266	\$ (184)	Lights at Scottswood and Highway 105 + phone	59%
Water Augmentation	\$ 5,100	\$ 5,683	\$ 583	\$ 5,700	\$ 5,702	\$ 2	BTPOA share in Great Divide Water Company	100%
Web Site	\$ 200	\$ 209	\$ 9	\$ 225	\$ 178	\$ (47)	Web site hosting, software tools, etc.	79%
Welcoming Committee	\$ 250	\$ 178	\$ (72)	\$ 250	\$ 80	\$ (170)	Printing or purchasing materials, birdhouses	32%
<b>Total Annual Expense</b>	<b>\$ 29,525</b>	<b>\$ 24,282</b>	<b>\$ (5,243)</b>	<b>\$ 28,400</b>	<b>\$ 18,339</b>	<b>\$ (10,061)</b>		<b>65%</b>
Reserve Website Redevelopment	\$ 5,000	\$ -	\$ (5,000)	\$ 5,000		\$ (5,000)	Redo website allow owner directory & water entry	0%
Reserve Trail Improvement	\$ 10,000	\$ 4,540	\$ (5,460)	\$ 7,000	\$ 3,665	\$ (3,335)	Major trail improvements	52%
Reserve Redo Scottswood entry landscaping	\$ 2,000	\$ 2,615	\$ 615			\$ -	Redo Scottswood entry monument landscaping	#DIV/0!
Reserve New Laptop Computer					\$ 825	\$ 825	Redo Scottswood entry monument landscaping	#DIV/0!
Reserve Donation to Black Forest	\$ 2,000	\$ -	\$ (2,000)			\$ -	Donation to Friends of the Black Forest	#DIV/0!
<b>Total Expenditures</b>	<b>\$ 48,525</b>	<b>\$ 31,437</b>	<b>\$ (17,088)</b>	<b>\$ 40,400</b>	<b>\$ 22,829</b>	<b>\$ (17,571)</b>		
Revenue Category	Budget	12/31/2017	Diff	Budget	1/23/2018	Diff	Description	% Budget
Dues (incl late fees)	\$ 30,840	\$ 31,150	\$ 310	\$ 30,840	\$ 31,020	\$ 180	257 lots x \$120 per lot + late fees	101%
HOA Statements	\$ 1,000	\$ 2,200	\$ 1,200	\$ 1,000	\$ 1,600	\$ 600	\$100 statement fee for sale/refinance	160%
Plan Review Fees	\$ 200	\$ 200	\$ -	\$ 200	\$ 100	\$ (100)	Fee portion	-
Plan Review Fees Refundable	\$ 900	\$ 900	\$ -	\$ 900	\$ 450	\$ (450)	Refundable portion	-
Interest	\$ 275	\$ 272	\$ (3)	\$ 335	\$ 158	\$ (177)	Interest on Reserve CDs	47%
Fines	\$ -		\$ -			\$ -	Fines for Covenant Violations	-
Ads	\$ -		\$ -			\$ -	Ads in the directory	-
<b>Total Annual Revenue</b>	<b>\$ 33,215</b>	<b>\$ 34,722</b>	<b>\$ 1,507</b>	<b>\$ 33,275</b>	<b>\$ 33,328</b>	<b>\$ 53</b>		<b>100%</b>
<b>Net Change to Reserves</b>	<b>\$ (15,310)</b>	<b>\$ 3,284</b>	<b>\$ 18,594</b>	<b>\$ (7,125)</b>	<b>\$ 10,499</b>	<b>\$ 17,624</b>	<b>To/From Reserves</b>	
<b>Surplus (deficit) through 12/31/17</b>		<b>\$ 3,284</b>		<b>\$ 10,499</b>		<b>8/22/2018 Surplus (deficit)</b>		
\$ -				\$ -		- Difference from balance sheet		

