

UPHOA November 7, 2025 Special Meeting Minutes – Underdrain Discussion #2

November 7, 2025, 3:00 – 4:43pm, Virtual meeting (Zoom)

Presented by Wilson Hitchings, Secretary

Call to Order

The meeting called to order at 3:00pm by the Board President, Jim Mason. A roll call was made, and a quorum was present. Board members present were Jim Mason, Jon Scott, Jim Forman, Tim Larson, Judy Walton and Wilson Hitchings. Gary Schmidt was absent at the beginning of the meeting but joined at 3:10pm. The UPHOA attorney, David A. Firmin from Altitude Law, was also present.

Discussion

This special meeting had two agenda items: a) approval of the previous Special Meeting minutes, and b) Underground Drainage Failure at Colgate Drive.

Jon Scott made a motion to approve the previous Special Meeting minutes, Jim Forman seconded. Of the Board Members present, a unanimous vote approved the minutes.

Tim Larson made a motion to approve this meeting's agenda, Jim Mason seconded. Of the Board Members present, a unanimous vote approved the agenda.

Committee reports were deferred in order to proceed to the agenda item specific to the meeting.

Jon Scott presented a brief overview of the drainage issue upon a request by a UP home owner (Laurel LaRose, 5532 Saxon Lane). Ed Klich (1685 Colgate Dr.) offered to explain the issue to any interested party in the future. Gary Schmidt made a motion to enter executive session with the HOA's attorney. The motion was seconded by Jim Forman. All non-Board Members left the meeting and an Executive Session was begun at 3:18pm.

Executive Session

The Executive Session lasted one hour, in accordance with Colorado law and the UPHOA Bylaws, to receive legal counsel. The Executive Session ended at 4:16pm when all non-Board members returned to the meeting. David Firmin, the Altitude Law attorney, left the Executive Session and was not present for the remainder of the meeting.

Resumption of Open Meeting

Jim Mason conducted the open meeting announcement to the attendees. Jon Scott made the following motion to “accept/approve the estimate of The Rooter Guys, LLC to repair/correct the underdrain clog on Colgate Drive”. Gary Schmidt seconded the motion.

Homeowner Ed Klich (1685 Colgate Dr.) thanked the Board for its motion. Homeowner Jerry Novak (1750 Colgate Dr.) thanked the Board for its motion. Homeowner Nancy Bunker (4826 Diablo Valley Court) inquired as to the source of funds to pay for the repair. Jim Forman stated the repair will be paid as an operating expense this time as the underdrain is not yet listed as an HOA asset. In the future, maintenance will be paid from the Reserve Funds as it will be listed as an asset going forward.

The discussion ended, and Jim Mason called for a vote.

Voting Results

Voting on the motion was as follows: Jim Mason – yes; Jim Forman – yes; Jon Scott – yes; Judy Walton – yes; Tim Larson – yes; Gary Schmidt – yes; Wilson Hitchings – yes.

Jim Mason tasked Jon Scott to head up/continue the effort required to complete the project.

New/Unfinished Business

No new business.

Adjournment

The meeting adjourned at 4:32pm.