



A Message from the President

What is the role of the HOA Board of Directors?

Your HOA Board of Directors are bound under state law—in Colorado it is referred to as CCIOA, Colorado Common Interest Ownership Act—to exercise a duty of care and loyalty to the HOA. We differ from elected public officials in that we are unpaid volunteers who represent the corporation which is the Conservatory Homeowners Association, Inc.

It is important to remember that your HOA Board of Directors have a legal fiduciary duty to protect the association from liability, to adopt rules and policies, and to enforce the governing documents. Residents depend on their homeowners' association to maintain, protect, preserve, and enhance the common areas, which as a result, protects property values.

We do not do this independently, as an association we employ advisors to assist us. Our management company, swimming pool contractor, attorney, financial advisor, and insurance representative are part of our team. We also properly vet our business partners for insurance and check references. We seek professional advice on matters because of our legal obligation to exercise good business judgement.

At the January Board of Directors meeting, we made the decision to add two advisors to our team. The two professional firms we engaged to assist us are (McDermott Associates) for the bathroom project and SBSA (Solutions Before Solutions After) for underdrain maintenance. 'Without counsel plans fail, but with many advisers they succeed' Proverbs 15:22.

As a board we have also set goals for 2021. These are listed on page 3 of the newsletter. Through this monthly newsletter, our website and community e-blasts we will keep you informed of our progress throughout the year.

Helen Hardin, President

Inside this issue

Social Committee Corner	2
HOA Goals	3
Chinese New Year.....	4
Signs of the Times.....	5
Design Review and Financials	6
Commercial Vehicles.....	7
Holiday Lights.....	10

Helpful numbers

Waste Connections
303-288-2100

Parks and Recreation
303-739-7160

Xcel Energy
Street Light Outages
800-895-4999
https://www.xcelenergy.com/outages_and_emergencies/outdoor_lighting_outages

A lot of information related to the HOA can be found on the association's website including important forms:

www.conservatoryhoa.com

SOCIAL COMMITTEE CORNER

REINDEER RENDEZVOUS

On December 19, 2020, the HOA sponsored the Reindeer Rendezvous at the parking lot behind the clubhouse so the children of the neighborhood could come visit the reindeer. We had around 270 residents sign up for the event. We also conducted a food drive for needy families in the Aurora Public School system. The response for the food drive was tremendous! Many thanks to all who donated.



While the reindeer was nice, the sleigh at the event that was available for family pictures was probably the most popular feature of the event. So much so that the Social Committee is exploring the possibility of constructing a sleigh to have available every holiday season utilizing neighborhood volunteers. Anyone who has woodworking skills and might be willing to work with a team to build this can contact Sharon Fisher at sfisher.conservatoryhoasocial@gmail.com.



SOCIAL COMMITTEE SURVEY

Thanks to all who participated in the Social Committee Survey that was conducted earlier this month. We received a lot of valuable suggestions and the committee will be reviewing this information to decide which events or activities would be good to add to the roster. Some of the potential events we may add are:

- **First Fridays** – this would be an ongoing event on the first Friday of each month with a different theme for each month.
- **Community Block Party Night** – choose one night during the summer to be a community block party night with numerous parties throughout the neighborhood.

One thing to remember, however, is that the more activities we plan, the more volunteers will be required. If you see an activity you think you would like to work on, please feel free to reach out and let the committee know. You don't have to commit to serving on the Social Committee; you can simply volunteer for one activity. We will share more of the survey results and upcoming plans in next month's newsletter.

SPRING CELEBRATION

Spring is just around the corner and the HOA Social Committee usually puts on an Egg Hunt to celebrate spring. This year, we aren't sure if we can conduct the usual Egg Hunt due to Covid-19 restrictions. However, we will have some sort of celebration on Saturday, April 3. So, save that date!

The Social Committee has formed a sub-committee to plan this event and will be conducting a virtual meeting at 7PM on Tuesday, February 2. If you would like to contribute and participate on this sub-committee. Please contact Sharon Fisher at sfisher.conservatoryhoasocial@gmail.com. More details on the event will appear in next month's newsletter.



BOOK CLUB

This is the only monthly activity that is still meeting. Right now, meetings are held virtually. If you are currently not part of the Book Club, but would like to join the group, please feel free to send me your email address and I will make sure you get all the details prior to our next meeting on February 9th at 11 AM. You can contact Sharon Fisher at sfisher.conservatoryhoasocial@gmail.com.



The books the group has selected to read in the upcoming months in 2021 are as follows:

Feb. 9	<i>American Dirt</i> by Jeanine Cummins
Mar. 9	<i>Little Fires Everywhere</i> by Celest Ng
Apr. 13	<i>Cutting for Stone</i> by Abraham Verghese
May 11	<u>Molilkai</u> by Alan Brennert
June 15	Still Life by Louise Penny
July 13	<i>Pachino</i> by Min Jen Lee
Aug. 10	The Guest List by Lucy Foley

Of the seven upcoming books, four are available through the library book club bags. On the other three (*American Dirt*, *Molilkai*, *The Guest List*) the latter two are scheduled further out in time to get your name on a waiting list at a library or those who have the books and finished them can lend them out.

2021 Conservatory HOA Goals

Enhance communication to the community.

- Use technology to interact and provide paperless process.
- Reach out to all people groups.
- Add an electronic sign to the clubhouse monument.
- Keep monthly board meetings informative and concise.

Maintain our property.

- Determine needs and complete improvements to the bathrooms.
- Improve Clubhouse Security and electronic systems.
- Implement the maintenance schedule for the Underdrain.
- Open the Pool and keep it safe with the challenges of COVID.

Look forward and plan.

- Actively manage a proposed Reserve Fund Budget.
- Implement succession planning for management of services, Website management, Security systems and Design Review processes, recognizing that volunteers may not be available in the future.
- Revise Design Review Guidelines and HOA Policies to reflect changing trends and community needs.

Chinese New Year 2021—Year of the Ox

2021 is a year of the Ox, starting from February 12th, 2021 ([Chinese lunar New Year Day](#)) and lasting until January 31st, 2022. It will be a Metal Ox year. Having an honest nature, Oxes are known for **diligence, dependability, strength and determination**. These reflect traditional conservative characteristics. (<https://www.chinahighlights.com/travelguide/chinese-zodiac/ox.htm>)



Chinese New Year is the most important holiday in China. In 2021, Chinese New Year will begin on February 12. Tied to the Chinese lunar calendar, the holiday was traditionally a time to honor household and heavenly deities as well as ancestors. It was also a time to bring family together for feasting. With the popular adoption of the Western calendar in 1912, the Chinese joined in celebrating January 1 as New Year's Day. China, however, continues to celebrate Chinese New Year with the traditional greeting, "Kung hei fat choi."

Lunar New Year

The ancient Chinese lunar calendar, on which Chinese New Year is based, functioned as a religious, dynastic and social guide. Oracle bones inscribed with astronomical records indicate that the calendar existed as early as 14th century B.C., when the [Shang Dynasty](#) was in power. The calendar's structure wasn't static: It was reset according to which emperor held power and varied from one region to another. The Chinese calendar was a complex timepiece. Its parameters were set according to the lunar phases as well as the solar solstices and equinoxes. Yin and yang, the opposing but complementary principles that make up a harmonious world, also ruled the calendar. Chinese New Year typically begins with the new moon that occurs between the end of January and the end of February, and it lasts about 15 days, until the full moon arrives with the Festival of Lanterns.

Chinese New Year Food

Most important was the feasting: On New Year's Eve, the extended family would join around the table for a meal that included as the last course a fish that was symbolic of abundance and therefore not meant to be eaten. In the first five days of the New Year, people ate long noodles to symbolize long life. On the 15th and final day of the New Year, round dumplings shaped like the full moon were shared as a sign of the family unit and of perfection.

<https://www.history.com/topics/holidays/chinese-new-year>



Snow Removal Responsibilities

Snow and ice on sidewalks can be slippery and dangerous, not only to mail carriers and other delivery people but also to senior citizens, children, disabled people and the public in general.

As a resident or property owner, it is your responsibility to keep city sidewalks adjacent to your property free and clear of snow and ice, even though the sidewalks may be behind or outside the rear and side fences and adjacent to any street.



Snow and ice must be removed within 24 hours after a snowfall ends, and 48 hours after a snow emergency is declared by the city.

Signs of the Times

There's no doubt that 2020 threw us some curve balls with Covid-19 and a contentious presidential election. Students weren't able to have in person continuations or graduations. Many people found themselves working from home and some inadvertently became home school teachers to their children who were unable to attend school in person.

Because of the new normal in a chaotic environment, several residents used signage to post their positions to the current events unfolding around them. In Conservatory, displays of signage are restricted to those approved by the Design Review Committee or political signage following the "placed out no more than 45 days prior to the election and removed within 7 days post election." So where does that put the social justice signage throughout the community?

The Board of Directors discussed this in the January Board meeting. In an effort to accommodate those who wish to have signage to present their position on social justice, the Board unanimously agreed to allow one (1) sign per yard to remain until March 31st when they will re-evaluate the situation. The Board agreed that this position was a good compromise to the restrictive sign covenant.



What about my right to free speech? Free speech applies to government entities not private community associations..."there is no state action in the operations of community associations, and therefore, no application of the Constitution's protection of free speech, free expression or free association to the operations of community associations. Community associations are controlled by the contractual relationship between the Association and its members created by the declaration, articles of incorporation, bylaws and rules and regulations." excerpted from <https://www.cohoalaw.com/what-the-courts-say/a-constitutional-right-to-free-speech-in-your-association-not-yet/>.

The Design Review Committee

The Design Review Committee is comprised of a group of volunteers from The Conservatory who are tasked with reviewing requests for exterior improvements. These individuals review requests that include the following:

- Concrete Installations or Replacements
- Decks
- Exterior Painting
- Fencing
- Gazebos - Pergolas—Awnings
- Hot Tubs—Hot Tub Screen
- Landscaping—Trees, Shrubs, Grass, Gardens, Xeriscaping
- Playsets
- Radon Installation
- Roofing/Gutters Replacement
- Storage Containers (not sheds as those are not allowed)
- Solar Panels
- Window Replacements
- And whatever else that would fall under Other.

Between January and November, the committee reviewed 292 requests for exterior modifications. Please remember that **ANY** exterior improvement to your lot **MUST** have approval **BEFORE** you move forward with the project. The appropriate form and guidelines can be found at www.conservatoryhoa.com.

Show Me the Money

Although we are in January 2021, the December end of month and full end of year financials are being finalized. Starting this year, financial information will be provided to you in the newsletter. If you would like more information about the financial health of the HOA, please attend the Board meetings at 5:30pm on the second Thursday of each month. The next meeting is February 11th.

November 2020 Financials

Current Assets in each fund for end of November:

Operating=\$201,846

Reserves=\$353,606

Underdrain=\$1,461,511



Assessment income for November is \$3,976 behind the budget plan. Total expenses are \$12,197 below budget so at the end of November we are plus on budget by \$5,627. In November we also received a Federal Tax Refund of \$5,141,77 so the total refund in 2020 was \$7,416.77.

Please note that we were not making tax payments in 2020, so we may owe when taxes are calculated in 2021.

Delinquencies in November continued to grow to \$39,481. \$10,103 of these funds is actually past due assessments, The remaining amount consists of late and legal fees as we attempt to collect the debt.

Remember that Sunday, February 14th is Valentine's Day!



A Note from the VP—James Lawrence

The new year is firmly underway and with it; hopefully a great start to the new year for this community. Our first Board meeting is behind us, and with it came the opportunity to engage thoughtfully with residents and to make important decisions that protected community assets and moved the neighborhood forward. I was encouraged by resident participation and the thoughtful questions and dialogue that occurred; thank you for the invaluable role you provide during these meetings!

2021 brings with it a sense of hope and optimism that we can come together as a community and be better, striving to put old wounds behind us and to move towards communal bonds. The Social Committee is doing a great job of taking ideas for events and trying to navigate the COVID landscape to make them happen. Bonding with neighbors and friends at events allows us to “buy into” the community from a personal standpoint. I’ve long thought that the best way to protect property values and to enhance the community was for its residents to come together and take a shared sense of responsibility for its upkeep and direction; I’ve been greatly encouraged thus far. Let’s move forward together and take the opportunity of the new year to put a renewed focus on our community.

COMMERCIAL AND RECREATIONAL VEHICLES

Commercial and recreational vehicles continue to be an issue within the community. Vehicles with flatbeds or a trailer behind a truck; work vehicles such as Comcast/Xfinity, roofing, plumbing, etc.; semi tractor trailers and/or the cabs; RVs and boats; work trucks with ladders all need to be stored in the garage or offsite away from The Conservatory.



These are also not allowed to be parked along streets whether within the residential parts of the community or along the main roads such as Conservatory Parkway or S. Jericho Way. If they are parked here, the city will be contacted and their parking enforcement will take the measures they deem necessary.



We all have those times when life gets in the way and the time may exceed 24 hours that the vehicle needs to be at the property. Please send the manager a notification to cylinda@westwindmanagement.com letting her know your particular situation and she will advise as to the steps you will need to take.

The next two pages are directly out of the Rules and Regulations with regard to commercial vehicles. Please read these and comply to what is required.



V. Commercial Vehicles

1. Introduction

The Declaration of Covenants, Conditions, and Restrictions for The Conservatory (as amended and supplemented from time to time, the “Declaration”) provides very general restrictions on activities related to commercial vehicles within The Conservatory community (“Community”).

Section 3.24 of the Declaration states that the following activities are prohibited:

“The following vehicles shall not be stored in, on, or about any Lot or any street within the Community except within a garage unless approved by the Design Review Committee: boats;, campers (on or off supporting vehicles); tractors; trucks; industrial or commercial vehicles (both cabs and trailers); towed trailer units; motorcycles; disabled, junk, or abandoned vehicles; motor homes or mobile homes; recreational vehicles; horse trailers or other trailers; or any other recreational vehicle. For the purposes of this covenant, ¾ ton or smaller vehicles commonly known as “pickup trucks” and “SUVs” shall not be deemed commercial vehicles or trucks . . .”

The Executive Board has determined to clarify the policies and rules implicit in this provision in order to provide better guidance to residents and to support enforcement of the Declaration and other governing documents.

Accordingly, the Board has adopted the following Rules and Regulations related to commercial vehicles and equipment parking and other related activities.

2. Definition of “Commercial Vehicle”

In addition to the vehicles identified in Section 3.24 of the Declaration, “Commercial Vehicles” means (i) all vehicles listed in Table 1, and (ii) vehicles that have at least one of the Other Commercial Identifiers listed in Table 2, as follows:

<u>Table 1</u> Vehicles Considered “Commercial Vehicles” (regardless of vehicle payload capacity or Gross Vehicle Weight Rating)	<u>Table 2</u> “Other Commercial Vehicle Identifiers”
<ul style="list-style-type: none"> • Box vans • Box trucks • Step vans (e.g. small postal trucks, ice cream trucks, or other similar vehicles) • Trucks without a bed • Flatbed trucks • Trucks with a roll-off or tipping bed • Buses (e.g., school buses, disability transport buses, tour buses) 	<ul style="list-style-type: none"> • Any vehicle that has commercial markers, logos, or signage that exceeds 20% of the vehicle’s surface area (excluding the roof, tires, wheels, hood and windshield), unless covered with unmarked magnetic sheets the same color as the vehicle body part being covered. • Vehicles with racks (e.g., ladder racks, side mount racks, etc.) or toppers that extend more than one foot above the height of the cab (or horizontal line drawn parallel to the ground even with the top of the windshield), or panels designed to

<ul style="list-style-type: none"> • Tractor cabs • Tractor trailers/semitrailers • Vehicles with two or more rear axles • Hazardous materials transport vehicles • Taxi cabs • Limousines, identified by the existence of a license plate consisting of red letters on a white background and the word "Livery" across the bottom of the plate • Farm equipment (tractors, wagons, implements) • Heavy machinery, backhoes, graders, skid steers, or construction equipment 	<p>carry equipment other than personal, recreational equipment, or equipment for physically impaired or disabled persons.</p> <ul style="list-style-type: none"> • Vehicles with scrolling lighted signs and exterior warning lights other than standard manufacturer installed hazard lights or Emergency Service Vehicles (as defined herein and by Colorado law). • Vehicles with ladders or similar commercial equipment attached or affixed to the vehicle, or stored on racks attached to the vehicle
--	---

3. Prohibited Vehicles and Activities

Unless within a garage or other approved facility specifically designated by the Association, no portion of an Owner's Lot or other real property within the Community, including, but not limited to the streets, driveways, alleys, or fire lanes, shall be used for parking, storage, display, or accommodation area for any type of Commercial Vehicle. Currently, the Association has not created designated parking or storage areas for Commercial Vehicles except within an enclosed garage.

Notwithstanding the above, otherwise prohibited Commercial Vehicles are permitted to park temporarily in the community during normal business hours as a temporary expedience for the purpose of serving any Lot or the common area, or in the event of an emergency; provided, however, this exclusion does not extend to an Owner/resident who parks a Commercial Vehicle at home.

4. Emergency Vehicles and Emergency Service Providers

There are no restrictions on the parking of Emergency Service Vehicles within the Community if the vehicle is required to be available at designated periods at the residence as a condition of the resident's employment and all of the following criteria are met:

- a. The vehicle has a Gross Vehicle Weight Rating of ten thousand (10,000) pounds or less;
- b. The resident is a bone fide member of a volunteer fire department or is employed by a primary provider of emergency firefighting, law enforcement, ambulance, or emergency medical services;
- c. The vehicles bears an official emblem or other visible designation of the emergency service provider; and
- d. Parking of the vehicles can be accomplished without obstructing emergency access or interfering with the reasonable needs of other owners or residents to use streets, driveways, alleys, or guest parking spaces.

2021 Board of Directors

Helen Hardin - President
James Lawrence—VP
Bill Fisher—Treasurer
Tim Siml—Secretary
Harlan Baldwin—Director
Bob Hunchberger—Director

Design Review Committee

Dave Sunstrom - Chair

Operations Committee

Jim Hardin—Chair

Communications Committee

Helen Hardin
Bob Hunchberger
Sharon Fisher
James Lawrence

Social Committee

Sharon Fisher—Co-chair
Patty Maetas—Co-chair

Conservatory Contact Information

Cylinda Walker CMCA, AMS, PCAM, GRI

Association Business Manager
Westwind Management Group LLC
303-369-1800 X130
cylinda@westwindmanagement.com

For account inquiries:

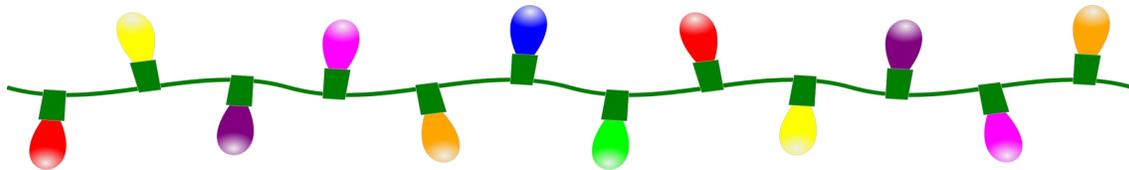
Pauline Rivera
303-369-1800 X126
pauline@westwindmanagement.com
vms.westwindmanagement.com (owner portal)

Conservatory Metro District

www.yourcmd.org

Holiday Lights

The National Western Stock Show is over indicating it is time to take down those holiday lights! For those of you unfamiliar with the tradition, dating back to the 1920's the holiday lights hung in Denver were kept lit until after the stock show was over. What started as a Denver tradition soon became a statewide tradition. <https://nationalwestern.com/christmas-light-tradition/>



Survey Results

Thank you to all residents who took the time to respond to both HOA surveys! The Social Committee has received some good feedback as addressed in the article on Page 2!

The Ad Hoc Clubhouse Bathroom Remodel Project is moving forward with the plans and specifications needed to have contractors bid on the work needing to be completed.