



**MINUTES FOR 29OCT22 MEETING OF  
THE CREEKSIDE I HOMEOWNERS' ASSOCIATION  
VOTE COUNT COMMITTEE**

*October 29, 2022, Cavegirl Coffeehouse, 1pm*

1) Confirmation of quorum

Per the Bylaws, quorum consists of 20% of all Owners eligible for voting. As of the day of the meeting, 156 of 157 Owners in the HOA were eligible for voting. Therefore, quorum is met when at least 32 ( $156 \times 0.2 = 32$ ) Owners have submitted a ballot. As of the published deadline for the submission of ballots, the Secretary was in receipt of 130 ballots. **Quorum was met.** The vote count proceeded as scheduled.

2) Call to order

The meeting was called to order at 1:10pm by Larry Hartsook, Chair, Vote Count Committee.

3) Ballot counting

Ballot counting was performed by a committee of five (5) volunteers who are not Board members:

Larry Hartsook (Chair), 2106 Creekside Drive;  
Nancy Crispe, 1931 Ridgeview Drive;  
Ron Crispe, 1931 Ridgeview Drive;  
Linda Hassett, 2059 Summitview Drive;  
Diane Utz, 2018 Ridgeview Drive.

a) Results reported by Chair:

I. Amended and Restated Covenants -

the owners of each filing have voted as follows:

Filing 1 Replat A	REJECT
Filing 1 & 2	APPROVE
Filing 3	REJECT
Filing 4	REJECT
Filing 5	APPROVE
Filing 6	REJECT

II. CCIOA Election – owners of Filing 1&2 voted to APPROVE.

4) Adjourn

Attached to these minutes:

Secretary's Declaration

Covenants Ballot Tally Worksheet and filing-specific vote tally sheets

CCIOA Election Tally Worksheet



October 28, 2022

TO: Creekside HOA Vote Count Committee

RE: VOTE ON THE PROPOSED AMENDED, RESTATED, AND CONSOLIDATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CREEKSIDE ("COVENANTS") AND CCIOA ELECTION ("CCIOA")

Ballots were mailed to Creekside homeowners on August 29, 2022, with a deadline of 5 pm October 28, 2022, for the receipt of all ballots. All homeowners were requested to vote on the proposed consolidated covenants (COVENANTS). Additionally, the oldest filings in the neighborhood (Filing 1 and Filing 2) pre-date the Colorado Common Interest Ownership Act (CCIOA) and the ballots for those filings include a vote on whether to accept provisions of CCIOA and be bound by the same set of laws as the rest of the Creekside community. The purpose of this document is to explain in plain language the requirements for QUORUM and for APPROVAL of the COVENANTS and CCIOA.

### CONFIRMATION OF QUORUM

Per the Bylaws (Section 4.6) the presence of Members holding at least 20% of the votes entitled to be cast in the Association at any meeting, in person or by proxy, shall constitute a quorum for any action except as otherwise provided in the Governing Documents. The requirement for QUORUM is shown in Table 1. As of the date of this declaration, being in receipt of 130 ballots, I have confirmed that quorum has been met.

**Table 1. General Quorum Requirement**

What	Description	Value
QUORUM	<i>In order for the Association to meet quorum, ballots must be returned by homeowners holding at least 20% of the total votes in the association.</i> There are 157 addresses in the HOA, 156 of which are currently in good standing and entitled to cast votes. Twenty-percent (20%) of 156 (31.2) is rounded up to 32.	(a) 32

### CCIOA ELECTION

The first vote count activity will involve determining whether Filings 1 & 2 have voted to adopt CCIOA. The quorum requirements for this vote are different than that for the Covenant vote, so take care in copying over the correct CCIOA-specific QUORUM and APPROVAL values from Table 2 to the CCIOA Election Tally Worksheet.

**Table 2. CCIOA ELECTION Quorum and Approval Requirements**

What	Description	Value
QUORUM	For the CCIOA Election, quorum is defined as at least 20% of the homeowners within the First/Second Filings. There are 25 addresses in these filings, 20% of which is 5.	(b) 5
APPROVAL	CCIOA Election is approved where 67% of votes cast by homeowners within the First/Second Filing 1 are cast in favor of CCIOA Election. As of 5:00 pm on October 28, 2022 (the published deadline for submission of ballots) I am in receipt of 21 ballots casting a vote on CCIOA Election, 67% of which (14.07) is rounded up to 15.	(c) 15

**COVENANTS VOTE**

Several of the votes are decided on a per-Filing basis. For your convenience, the number of homes per Filing is summarized in Table 3.

**Table 3. Addresses per Filing**

Filing 1 & 2 (including Filing 1 Replat A):	27
Filing 1 Replat A:	2
Filing 3:	42
Filing 4:	28
Filing 5:	15
Filing 6:	45
Total number of homes in Creekside:	157

The next vote count activity will involve determining whether each of the filings have adopted the COVENANTS. Note that Filing 1 & 2 and Filing 1 Replat A vote as a block and Filing 1 Replat A will also be counted a separate Filing 1 Replat A tally. Why? Filing 1 Replat A technically belongs to both of these filings. But remember, since the Covenants are approved or rejected on a per-filing basis, this double count of Filing 1 Replat A votes will not impact the outcome of any other filing.

Take care to copy over the correct APPROVAL values from Table 4 to the appropriate Covenant Vote Tally worksheets.

**Table 4. COVENANTS (A&R DECLARATION) Approval Requirements**

What	Description	Value
APPROVAL	Filing 1&2 (Includes Replat A)	<i>In order for the A&amp;R declaration to be approved, homeowners holding more than 50% of the total votes in the First and Second filing (with homeowners in the First/Second Filing voting collectively) must vote in favor to approve. There are 27 addresses in Filing 1, Filing 2, and Filing 1 Replat A, 26 of which are entitled to vote. Assuming 50.01% is required to approve (&gt;50%), 51% of 26 (13.026) is rounded up to 14.</i> (d) 14
	Filing 1 Replat A	<i>In order for the A&amp;R declaration to be approved, homeowners holding 67% of the vote within the filing must vote in favor to approve. There are 2 addresses in Filing 1 Replat A, 67% of which (1.34) is rounded up to 2.</i> (e) 2
	Filing 3	<i>In order for the A&amp;R declaration to be approved, homeowners holding 67% of the vote within the filing must vote in favor to approve. There are 42 addresses in Filing 3, 67% of which (28.14) is rounded up to 29.</i> (f) 29
	Filing 4	<i>In order for the A&amp;R declaration to be approved, homeowners holding 67% of the vote within the filing must vote in favor to approve. There are 28 addresses in Filing 4, 67% of which (18.76) is rounded up to 19.</i> (g) 19
	Filing 5	<i>In order for the A&amp;R declaration to be approved, homeowners holding 67% of the vote within the filing must vote in favor to approve. There are 15 addresses in Filing 5, 67% of which (10.05) is rounded up to 11.</i> (h) 11
	Filing 6	<i>In order for the A&amp;R declaration to be approved, homeowners holding 67% of the vote within the filing must vote in favor to approve. There are 45 addresses in Filing 6, 67% of which (30.15) is rounded up to 31.</i> (i) 31



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**ATTESTATION**

As the Secretary of the Creekside I Homeowner's Association (Creekside HOA), I hereby attest that the above information is accurate to the best of my knowledge at the time of this declaration, faithfully reflects my understanding of the current Bylaws of the Creekside HOA, and follows instructions for execution of this vote as provided by Creekside HOA legal counsel (Altitude Community Law). This Declaration is intended to facilitate but not replace any efforts by the Vote Count Committee. The Committee shall reserve the right to independently confirm the information contained herein as deemed necessary.

*Renee Hartsook*

Renee Hartsook  
Secretary  
Creekside HOA

*10/28/2022*

Date

# COVENANTS BALLOT TALLY WORKSHEET

**INSTRUCTIONS:** Complete the worksheet in ink. Once completed, sign and date on the reverse. This worksheet is specific to the vote on the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("COVENANTS").

<b>STEP 1. RECORD NAMES OF VOTE TALLY VOLUNTEERS</b>	
On the reverse of this tally worksheet, enter the name and address of each vote tally volunteer.	
<b>STEP 2. CONFIRM QUORUM</b>	
Count the number of ballots and enter that in Line (a)	(a) 130
Enter the Quorum Requirement from the <b>Secretary's Declaration Line (a)</b> in Line (b)	(b) 32
Is the number in Line (a) equal to or greater than that in Line (b)? Enter YES/NO in Line (c). If YES, proceed to STEP 3. If NO, STOP.	(c) YES
<b>STEP 3. SORT AND COUNT THE BALLOTS</b>	
Count the number of votes for each Filing using the Filing Worksheets provided by the Secretary. Copy the result of those counts to this section.	
<b>Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&amp;R Declaration") been APPROVED by homeowners?</b>	
Filing 1 & 2. Enter YES/NO in Line (d).	(d) YES
Filing 1 Replat A. Enter YES/NO in Line (e).	(e) NO
Filing 3. Enter YES/NO in Line (f).	(f) NO
Filing 4. Enter YES/NO in Line (g).	(g) NO
Filing 5. Enter YES/NO in Line (h).	(h) YES
Filing 6. Enter YES/NO in Line (i).	(i) NO
<b>STEP 4. SIGN THE TALLY</b>	
Sign and date next to your name on the reverse of this tally worksheet.	

# COVENANTS BALLOT TALLY WORKSHEET

## NAMES AND ADDRESSES OF VOTE TALLY VOLUNTEERS

Name of Owner (PRINT)	Address	Signature/Date	Initials
Blaine E. Ullz	2018 Ridgewood Dr		BU
Ronald Crispe (Ron)	1931 Ridgewood Drive		RC
<del>Linda Kelly-Hassett</del> Duplicate	<del>2059 Summitview Drive</del>		<del>R.K.H.</del>
Lawrence Hartsack	2106 Creekside Dr		LH
Nancy Crispe	1931 Ridgeview Dr.		NRC
<del>Linda Kelly-Hassett</del> <del>Copy do</del> <del>Copy - Hassett</del>	<del>2059 Summitview Drive</del>		<del>R.K.H.</del>

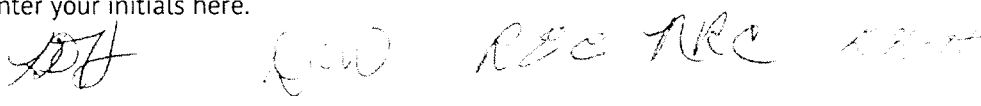
# FILING 1 & 2 VOTE TALLY - COVENANTS

INSTRUCTIONS: Complete the worksheet in ink. Once completed, in initial and date.

<b>STEP 1. COUNT THE BALLOTS</b>						
Count the number of ballots received for Filing 1 & 2 (including Filing 1 Replat A) and enter that in Line (a)					(a) 23	
<b>STEP 2. RECORD VOTES</b>						
For each address in Filing 1 & 2, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (b) and (c).						
Address	APPROVE	REJECT		Address	APPROVE	REJECT
			Total	(b) 19	(c) 4	
<b>STEP 3. CONFIRM THE COUNT</b>						
Sum the values in Line (b) and Line (c). Does it match that in Line (a)? Enter YES/NO in Line (d). IF YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (b) and (c) as appropriate.					(d) YES	
<b>STEP 4. REPORT THE RESULT</b>						
From the <b>Secretary's Declaration Line (d)</b> , enter the number of votes required to APPROVE in Line (e)					(e) 14	
Is the value in Line (b) equal to or greater than that reported in Line (e)? Enter YES/NO in Line (f). If YES, the A&R Declaration has been APPROVED.					(f) YES	
<b>Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&amp;R Declaration") been APPROVED by homeowners?</b>						
Filing 1 & 2. Enter YES/NO in Line (g).					(g) YES	
<b>STEP 5. INITIAL THE TALLY</b>						
Enter your initials here.						
LK GWW REC NRC - 1/14/22						

# FILING 1 REPLAT A VOTE TALLY - COVENANTS

INSTRUCTIONS: Complete the worksheet in ink. Once completed, in initial and date.

<b>STEP 1. COUNT THE BALLOTS</b>			
Count the number of ballots received for Filing 1 Replat A and enter that in Line (a)			(a) 1
<b>STEP 2. RECORD VOTES</b>			
For each address in Filing 1 Replat A, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (b) and (c).			
Address	APPROVE	REJECT	
<b>STEP 3. CONFIRM THE COUNT</b>			
Sum the values in Line (b) and Line (c). Does it match that in Line (a)? Enter YES/NO in Line (d). IF YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (b) and (c) as appropriate.			(d) YES
<b>STEP 4. REPORT THE RESULT</b>			
From the <b>Secretary's Declaration Line (e)</b> , enter the number of votes required to APPROVE in Line (e)			(e) 2
Is the value in Line (b) equal to or greater than that reported in Line (e)? Enter YES/NO in Line (f). If YES, the A&R Declaration has been APPROVED.			(f) NO
<b>Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&amp;R Declaration") been APPROVED by homeowners?</b>			
Filing 1 Replat A. Enter YES/NO in Line (g).			(g) NO
<b>STEP 5. INITIAL THE TALLY</b>			
Enter your initials here.			
			



# FILING 3 VOTE TALLY - COVENANTS

INSTRUCTIONS: Complete the worksheet in ink. Once completed, in initial and date.

<b>STEP 1. COUNT THE BALLOTS</b>					
Count the number of ballots received for Filing 3 and enter that in Line (a)					(a) 33
<b>STEP 2. RECORD VOTES</b>					
For each address in Filing 3, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (b) and (c).					
Address	APPROVE	REJECT		Address	APPROVE REJECT
→			Total	(b) 15	(c) 13
<b>STEP 3. CONFIRM THE COUNT</b>					
Sum the values in Line (b) and Line (c). Does it match that in Line (a)? Enter YES/NO in Line (d). IF YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (b) and (c) as appropriate.					(d) YES
<b>STEP 4. REPORT THE RESULT</b>					
From the <b>Secretary's Declaration Line (f)</b> , enter the number of votes required to APPROVE in Line (e)					(e) 29
Is the value in Line (b) equal to or greater than that reported in Line (e)? Enter YES/NO in Line (f). If YES, the A&R Declaration has been APPROVED.					(f) NO

## FILING 3 VOTE TALLY - COVENANTS

*Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&R Declaration") been APPROVED by homeowners?*

Filing 3. Enter YES/NO in Line (g).

(g) *NO*

### STEP 5. INITIAL THE TALLY

Enter your initials here.

*HH DW REC ARC CH*






# FILING 4 VOTE TALLY - COVENANTS

INSTRUCTIONS: Complete the worksheet in ink. Once completed, in initial and date.

<b>STEP 1. COUNT THE BALLOTS</b>						
Count the number of ballots received for Filing 4 and enter that in Line (a)					(a) 26	
<b>STEP 2. RECORD VOTES</b>						
For each address in Filing 4, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (b) and (c).						
Address	APPROVE	REJECT		Address	APPROVE	REJECT
			→	Total	(b) 17	(c) 9
<b>STEP 3. CONFIRM THE COUNT</b>						
Sum the values in Line (b) and Line (c). Does it match that in Line (a)? Enter YES/NO in Line (d). IF YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (b) and (c) as appropriate.					(d) YES	
<b>STEP 4. REPORT THE RESULT</b>						
From the Secretary's Declaration Line (g), enter the number of votes required to APPROVE in Line (e)					(e) 19	
Is the value in Line (b) equal to or greater than that reported in Line (e)? Enter YES/NO in Line (f). If YES, the A&R Declaration has been APPROVED.					(f) NO	
<b>Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&amp;R Declaration") been APPROVED by homeowners?</b>						
Filing 4. Enter YES/NO in Line (g).					(g) NO	
<b>STEP 5. INITIAL THE TALLY</b>						
Enter your initials here.						
<div style="display: flex; justify-content: space-around; align-items: center;"> <span>SH</span> <span>GW</span> <span>REC</span> <span>NRC</span> <span>2022</span> </div>						

# FILING 5 VOTE TALLY - COVENANTS

INSTRUCTIONS: Complete the worksheet in ink. Once completed, in initial and date.

<b>STEP 1. COUNT THE BALLOTS</b>						
Count the number of ballots received for Filing 5 and enter that in Line (a)					(a) 12	
<b>STEP 2. RECORD VOTES</b>						
For each address in Filing 5, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (b) and (c).						
Address	APPROVE	REJECT		Address	APPROVE	REJECT
				Total	(b) 12	(c) 0
<b>STEP 3. CONFIRM THE COUNT</b>						
Sum the values in Line (b) and Line (c). Does it match that in Line (a)? Enter YES/NO in Line (d). If YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (b) and (c) as appropriate.					(d) YES	
<b>STEP 4. REPORT THE RESULT</b>						
From the <b>Secretary's Declaration Line (h)</b> , enter the number of votes required to APPROVE in Line (e)					(e) 11	
Is the value in Line (b) equal to or greater than that reported in Line (e)? Enter YES/NO in Line (f). If YES, the A&R Declaration has been APPROVED.					(f) YES	
Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&R Declaration") been APPROVED by homeowners?						
Filing 5. Enter YES/NO in Line (g).					(g) YES	
<b>STEP 5. INITIAL THE TALLY</b>						
Enter your initials here.						
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">               JH         </div> <div style="text-align: center;">               JH         </div> <div style="text-align: center;">               REC         </div> <div style="text-align: center;">               ARC         </div> <div style="text-align: center;">               JH         </div> </div>						

# FILING 6 VOTE TALLY - COVENANTS

INSTRUCTIONS: Complete the worksheet in ink. Once completed, in initial and date.

<b>STEP 1. COUNT THE BALLOTS</b>						
Count the number of ballots received for Filing 6 and enter that in Line (a)					(a) 36	
<b>STEP 2. RECORD VOTES</b>						
For each address in Filing 6, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (b) and (c).						
Address	APPROVE	REJECT		Address	APPROVE	REJECT
				Total	(b) 26	(c) 10
<b>STEP 3. CONFIRM THE COUNT</b>						
Sum the values in Line (b) and Line (c). Does it match that in Line (a)? Enter YES/NO in Line (d). IF YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (b) and (c) as appropriate.					(d) YES	
<b>STEP 4. REPORT THE RESULT</b>						
From the <b>Secretary's Declaration Line (i)</b> , enter the number of votes required to APPROVE in Line (e)					(e) 31	

## FILING 6 VOTE TALLY - COVENANTS

Is the value in Line (b) equal to or greater than that reported in Line (e)? Enter YES/No in Line (f). If YES, the A&R Declaration has been APPROVED.	(f) NO
<b>Has the Proposed Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside ("A&amp;R Declaration") been APPROVED by homeowners?</b>	
Filing 6. Enter YES/NO in Line (g).	(g) NO
<b>STEP 5. INITIAL THE TALLY</b>	
Enter your initials here.	
<div style="display: flex; justify-content: space-around; align-items: center;"> <span style="font-size: 2em;">LTH</span> <span style="font-size: 2em;">GAW</span> <span style="font-size: 2em;">LEE</span> <span style="font-size: 2em;">NRC</span> <span style="font-size: 2em;">RKH</span> </div>	

# CCIOA ELECTION TALLY WORKSHEET

**INSTRUCTIONS:** Complete the worksheet in ink. Once completed, sign and date on the reverse. This worksheet is specific to the election to accept provisions of the Colorado Common Interest Ownership Act ("CCIOA") and be treated as a common interest community organized after June 30, 1992, consistent with all other filings within the Creekside Community (CCIOA ELECTION).

<b>STEP 1. RECORD NAMES OF VOTE TALLY VOLUNTEERS</b>					
On the reverse of this tally worksheet, enter the name and address of each vote tally volunteer.					
<b>STEP 2. CONFIRM CCIOA QUORUM</b>					
Count the number of ballots and enter that in Line (a)					(a) 22
Enter the CCIOA Quorum Requirement from the <b>Secretary's Declaration Line (b)</b> in Line (b)					(b) 5
Is the number in Line (a) equal to or greater than that in Line (b)? Enter YES/NO in Line (c). If YES, proceed to STEP 3. If NO, STOP.					(c) YES
<b>STEP 3. RECORD VOTES</b>					
For each address in Filing 1 & 2, check the box (APPROVE or REJECT) corresponding to the vote indicated on the ballot for that address. Tally the number of votes in the last row of each column in Lines (d) and (e).					
Address	APPROVE	REJECT	Address	APPROVE	REJECT
Total				(d) 19	(e) 2
<b>STEP 3. CONFIRM THE COUNT</b>					
Sum the values in Line (d) and Line (e). Does it match that in Line (a)? Enter YES/NO in Line (f). IF YES, proceed to Step 4. If NO, recount to identify the source of the discrepancy and correct Lines (d) and (e) as appropriate.					(f) YES
<b>STEP 4. REPORT THE RESULT</b>					
From the <b>Secretary's Declaration Line (c)</b> , enter the number of votes required to APPROVE in Line (g)					(g) 15
Is the value in Line (f) equal to or greater than that reported in Line (g)? Enter YES/NO in Line (h). If YES, the CCIOA Election has been APPROVED.					(h) YES

# CCIOA ELECTION TALLY WORKSHEET

Has election of provisions of the Colorado Common Interest Ownership Act (CCIOA) been APPROVED by homeowners?

Filing 1 & 2. Enter YES/NO in Line (i).

(i) YES

## STEP 5. SIGN THE TALLY

Sign and date next to your name below.

### NAMES AND ADDRESSES OF VOTE TALLY VOLUNTEERS

Name of Owner (PRINT)	Address	Signature/Date	Initials
Diane E Uitz	2018 Ridgewood		DW
Ronald Crispe (Ron)	1931 Ridgewood Drive		RC
Linda Kelly-Hassett	2059 Summitview Drive		LKH
Lawrence Hartson	2106 Creekside Dr		LH
Nancy Crispe	1931 Ridge- view Dr		ARC