

Hello SP homeowner community,

We have been made aware that you may have received two (2) emails in mid-April 2026 from SP homeowner, Mr. Mark Pennington, at 3220 Van Teylingen Drive #A, with one email regarding tree removal work taking place in the community, and the other regarding his demand to have the scheduled April 2026 in-person HOA meeting be broadened to include a virtual attendance option.

First, after homeowners raised privacy concerns, we must note that we are not sure how Mr. Pennington obtained several residents' email addresses for his communications to the community. We assume it was from the WebAxis software, where an owner can choose to display their name, address, phone, and email for a Directory. Only those owners with a login account can view this Directory.

If you do not want anyone to see or use your personal information that may be visible from WebAxis, you can log in to your WebAxis account, click on the top tab - Account Information, then My Profile, then click on the gray Directory Tab. You can choose to display or undisplay your information with each of the slide tabs. If someone has contacted you using information displayed on your WebAxis account or elsewhere, and you wish them to stop contacting you, you must respond directly to that individual to make that request.

These emails were copied/forwarded to the HOA by thirteen other concerned owners (tree removal) and eight concerned owners (April meeting web attendance option).

Unfortunately, before sending his email messages to the SP community, Mr. Pennington did not reach out to the HOA Board or our property manager for information or to simply ask for details on the ongoing tree removal/fire mitigation actions that the Association has been working on, and reporting on, for the past two years, or about the current work that vendors are doing, what work is being completed, what the plans are, etc., nor did he engage in verbal conversations about virtual attendance options at HOA meetings, and specifically for the April 27th meeting.

The responses below are the official replies to each of Mr. Pennington's emails. If homeowners have additional questions on these matters or other projects, we encourage you to attend the monthly HOA in-person meetings, where all items and details are discussed and planned well in advance, or contact a member of the HOA Board or our Business Manager if you are unable to attend a meeting and hear the information in person. The HOA meetings are on the 4th Monday of each month (except if that falls on a Holiday or if weather causes a delay) at 5:30 p.m. in the Clubhouse, and all homeowners are welcome to attend, provide input, and stay informed through productive communication.

Sincerely,

The Board of Directors

EMAIL #1

#1. The following responses are provided to Mr. Pennington's 1st email regarding tree removal actions. His questions/comments are in blue font, and our responses are in bold, italicized, black font:

I/We are formally notifying the Board and Management that the current tree removal project is

- 1) an ultra vires act. No public agenda was posted, no public vote was taken, and no budget ratification occurred for an expense of this magnitude.

There is no requirement in SP rules/regulations for an agenda, public vote, or budget ratification for doing any type of maintenance or replacement work in the community, and the financial amount of any project does not trigger any other process or procedures.

- 2) Furthermore, I/We are aware that CCC, the concrete contractor does not have an ISA Certified Arborist on staff. Allowing an unqualified maintenance crew to clear-cut 35 mature trees—while ignoring high-risk flammable vegetation in Zone 0—is a gross breach of fiduciary duty. Any funds paid out for this unauthorized project are subject to a clawback, and I/We will hold each board member personally liable for the resulting devaluation of our property.

The HOA utilizes multiple vendors for tree work, tree removals, chemical applications, etc. Who is hired depends on the nature of the work, which then dictates what vendor(s) will be considered and utilized. In this case, two properly licensed vendors were used for tree removals (an Arborist for tall trees and another qualified vendor for anything under 12’). It is an interesting comment that removing a wildfire risk to the structures in the community “devalues them”.

- 3) If The contractor is not CCC Perhaps it is Front Range Arborists, Or someone else, even if They have a certified Arborist. The procedural requirements are the same.

Unfortunately, with this statement, Mr. Pennington makes it clear that he hadn't simply asked in advance about what vendors are doing what work, what the plans are, etc.

- 4) According to City Code § 5-64C (and subsequent ordinances 95-42, 01-42), any person or business paid to cut, train, prune, shape, or remove trees that are 15 feet or higher is legally required to hold a “Tree Service Business License. “
 - The 12-Foot Equipment Limit: A "General Tree Service License" is required for work done from or above the ground through climbing, aerial lifts, or any ladder exceeding 12 feet in height.
 - Legal Standing: It is unlawful to perform such work for hire within city limits without this license.
 - Requirement for Supervision: No person can engage in the business of tree work above 15 feet without employing a licensed individual to supervise the work.

The HOA used two properly licensed vendors for tree work (an Arborist for tall trees and another qualified vendor for anything under 12’).

- 5) While I/We recognize the need to satisfy insurance requirements for fire mitigation, insurance compliance does not grant the Board a license for the wanton destruction of healthy assets. Standard insurance-driven mitigation focuses on limbing and thinning to break the fuel ladder—not the wholesale removal of healthy trees that are well-spaced. By choosing the most extreme and destructive option without a professional arborist's oversight, you are trading one liability (fire) for another (diminution of property value and breach of fiduciary duty).

These comments are just not true, and Mr. Pennington has a misunderstanding of the public wildfire mitigation standards and guidelines.

- 6) The CSFD emphasizes that mitigation is not about clear-cutting. Their guidelines generally recommend:
- a) Limbing up the bottom 1/3 of trees (up to 10 feet) while retaining at least 70% of the canopy.
 - b) Creating a 15-foot separation between structures and hazardous trees (like conifers or junipers).
 - c) Removing only dead, diseased, or dying trees unless they pose a specific hazard near structures. www.coswildfireready.org

These recommendations are some of the generally accepted CSFD guidelines.

- 7) I/We demand the Wildfire risk assessment Report from the CSFD .

The Board and CSFD representatives meet on site regularly and conduct exercises at least once annually to ensure we are in compliance and that they are familiar with our property. In this case, we met on site and inspected the property together, noting trees (the FD marked so many trees they ran out of spray paint) and bushes to be removed, etc. The FD does not provide a written report; it's all verbal between the parties during the inspection, with the FD marking trees identifying what they expected would be removed. It is then up to the HOA to hire qualified vendors to complete the work.

- 8) The contractual agreement

We do not understand what Mr. Pennington is asking for in this statement. CSFD inspections are done for free, not under a contract.

- 9) Proof of the prior open discussions regarding this project.

The topic of wildfire mitigation has been discussed in Board meetings on multiple occasions, over several years as drought and wildfire risk has continued to increase.

- 10) I/we demand the action plan moving forward regarding the remaining stumps And what plans are in place to replace the trees with new smaller ones that will Preserve our property value, beauty and comply with fire mitigation.

Unfortunately, again Mr. Pennington didn't simply ask in advance of sending his email what the Association's plans are for continued mitigation work. The trees removed in this Phase had the stumps ground down where possible (if underground utilities, rocks, or other items interfered, the stump was cut low). The Association has not finalized plans for the next stages of mitigation work – such as removing Junipers and Pfitzer bushes throughout the community or planting new trees and bushes

further away from a structure that are less fire-prone (the city has an approved plant and tree list that we are prepared to utilize once we get to that point in the process).

It should be noted that Mr. Pennington also contacted the City Forestry Department, filing a complaint on this matter. The City Forestry Department shared the complaint and also their response to Mr. Pennington, with the HOA.

*This is a portion of the City's reply in response: ... **"This concern did not result in any citations being issued. The communication sent was an email outlining our public expectations for licensed tree care and tree contractors. Those expectations were met, as a properly licensed tree care contractor was on site. After speaking directly with both the HOA and a tree licensed contractor in good standing, it was confirmed that licensed personnel were present and overseeing the work. Because the trees involved are privately owned, and the contractor overseeing it is a licensed tree care contractor, this remains a private matter between the HOA and their residents."** It was also noted that Mr. Pennington issued fifteen (15) additional emails to the City Forestry Department.*

Email #2 below

#2. The following response is provided to Mr. Pennington's 2nd email regarding his demand that a virtual attendance option be provided for the April 27th HOA meeting. His questions/comments are in blue font, and our response is in bold, italicized, black font.:

As an owner with significant financial interest in this community, I am formally demanding that a remote access link (Zoom/Skype) be provided to the entire membership for the upcoming Board meeting on Monday, April 27, and all subsequent meetings. Providing digital access is a zero-cost measure that ensures transparency and aligns with the Board's stated goal of increasing owner participation. Please provide this link to the membership by the Wednesday, April 22nd deadline. We expect the Association to follow the law (CCIOA) and provide equal access to all owners.

The Board of Directors discussed this request at their April meeting. It was reiterated that the meeting schedule is published a year in advance, it is always held on a Monday (except for Holidays), is held on-site at the clubhouse, and starts after 5 PM.

Colorado law does not require an Association to hold board meetings virtually or to provide virtual access to physical meetings. After a discussion, the Board voted not to conduct meetings virtually.

Thanks,

The Board of Directors,
Sierra Pointe HOA



Sierra Pointe Homeowners

MAY 2026

Spring Community Updates

Board of Directors:



The Board consists of five (5) homeowners who volunteer their time to serve our community. They are:

Holly Schwarz (President)
Ken Cross (Vice President)
Becky Gaerlan (Secretary)
Hayden Jones (Treasurer)
Nancy Middleton (Director at Large)

The Board makes the financial, contractual and operational decisions for the Association. If you wish to speak with a member, please contact Derek Patterson.

Miscellaneous Items:

- **POOL: The opening date will be delay until late June or the first week of July for repairs.** When it does open, times are open from 9 AM to 9 PM. Please keep the entry/exit gate closed at all times. All users must have a Fob and an ID for entry or you could lose access to the pool for the year. If you are not current on the Dues, your fob will be de-activated.
 - Please do not feed stray/wild cats - this activity is attracting other wild animals.
- Please ensure all of your window and patio door screens are serviceable, in good condition and are on the windows/patio door;
 - If you see a security, carport or front door light out, please let Derek know;
- Patio storage doors are an owner's responsibility, please replace them as needed. They must be smooth surface and painted white, or teal.
- If you have an emergency or other situation for your home, please do not contact a Board member after 8 PM (no exceptions);
- If you need to replace your central air (condenser) and are not a top floor unit, you can install it on the ground versus the roof;
- **Water shut-off requests** must be submitted to Derek at BBCAM (Tuesday through Friday) and you will need to put up flyers on all doors to your building 48-72 hrs. prior to the set date/time window.

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Architectural Review:

If you plan on making any exterior change to your home (NOT on the ACC Pallet), your plans must be submitted to the HOA for review. This includes changing anything outside your home, such as windows, new A/C unit, any doors, the patio door(s), entry or closet storage door, etc. Ground level homes must have the A/C condenser located on the ground, not the roof.

NOTE: If an item is installed without approval, the owner could be subject to removal of the item and possible fines - pending an after the fact submittal and review process.

Owner Tips

- ◇ Make sure to check and caulk your windows at the stucco joint— this is an owner’s responsibility.
- ◇ Sewer lines—make sure to have the service line from your home out to the main line cleaned yearly. Even with this being a shared line in some situations, contact your neighbor(s) to share in the cost.
 - ◇ Please remember that vehicle repair work is prohibited on the property.
 - ◇ **Window A/C units may NOT extend outside the window screen.**

Please Keep It Slow - Caution!

Please drive slow while in the community ... adults, family members and pets may exit from a carport or sidewalk without being easily seen. Recreational games and sports, motorized scooters, roller blades, skateboards and street hockey are prohibited.

Fire Safety:

Please do not discard your cigarettes, cigars, etc. in the Common Areas, rear patios or the streets. Please make sure these items are properly extinguished and disposed of. Disposal containers are not allowed in the Common Areas or on stairs.

HOA Dues Payments: If you use online Bill Pay or mail a check, the payment address for the HOA’s Bank is:

Rental Properties:

If you rent your property you **MUST** provide the HOA with a copy of the lease and the tenant name and phone number for Association use.

**Sierra Pointe HOA
c/o BBCAM
P.O. Box 17323
Denver, CO 80217**

Please register with the Cinc WebAxis Portal ... this ensures your current contact information is up to date. You can also access your account in BBCAM’s software. Please visit:

<https://bbcam.cincwebaxis.com/sp>

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Rule Reminders

BBCAM:

As our property managers, BBCAM implements all of the Board's decisions. Any Association questions can be forwarded to:

Derek at
719-574-7202 or
Derek@
BBCamHOA.com.

Dues Payments go to: Sierra Pointe
c/o BBCAM
PO Box 17323
Denver, CO 80217

Any homeowner who has a problem, comment or suggestion is asked to submit a letter to BBCAM for proper follow-up and Board review.

The address for correspondence:

Sierra Pointe
PO Box 25696
C/S, CO 80936

Trash:

The service is provided by Apex Waste. They service the community 4 times a week. Ensure all trash is placed in the dumpster in sealed bags. If you have special items for pick up (furniture, appliances, mattress, etc.) please contact Derek and he will inquire for the price and arrange for the pickup.

Pool / Hot Tub / Gym / Access Fob (key):

New electronic fobs were issued in 2022. If you did not obtain yours, please email Derek. These are issued/programmed and can be mailed directly to you.

A replacement Fob costs \$75.00.

There are 6 **Laundry Rooms** in the community; they all are accessed by a physical key. If you need a replacement key, please email Derek; the fee is \$50.00.

Weather dependent: the **pool** is historically open from Memorial Day to Labor Day. **For 2026: the pool will be DELAYED until late June or the first week of July.** You must have the new Fob to enter the pool or the gym, they both work with the same fob (small round device about the size of a quarter).

Window Screens & Address Decals:

Window or Patio Door Screens needed? Try **Thomas Hunter** from EZ Screen Repair as he can make the smaller custom size patio door screens too, 719-399-3228 or visit www.EZScreenRepairs.com or call **John Mullert** at 719-357-9710 who can repair and make new screens.

Address Window Decals: If you need to replace your address window sticker, please email Derek, they are \$24.00 each. They are 5" tall and 11" wide and have reflective numbers/letters. You can pick these up yourself from a local vendor or an HOA vendor can install it for \$65.00.

Lawn Care Company:



The Association's lawn care provider is **Unlimited Landscaping Services**, who is responsible for grass mowing, trimming, edging, aeration, fertilization, weed control, fall and spring cleanups, pruning and sprinkler repairs. To report irrigation problems please email Derek at Derek@BBCamHOA.com.

Rule Reminders - Be Neighborly and Courteous: Please try and limit any outside noise and respect the quiet hours in the community - 7 PM to 7 AM; with many residents leaving their windows open. There will need to be a little give and take from everyone this summer, please do what you can.

Important Items Continued

Did you know?

If you are performing any work at your home which may impact other homes, please notify your neighbors; such as having the water shut-off, gas, or electric work.

Insurance: The Association's carrier is with **USI Insurance Services.**

If you think you may have an insured loss relating to your home, please contact Derek. **There is a \$50k deductible per claim** and a \$1.3M Wind & Hail deductible which could have a portion assessed to the Unit owner. All owner's are responsible for securing insurance for personal property, loss of use, loss assessment, the HOA deductible and personal liability.

Dog Owners - Pet Pickup Stations:



There are stations for your use. Some of the Association Common Areas are still being littered with pet waste.

- **Dogs must be cleaned up after immediately;**
- **Pets are not allowed to be left unattended on the balcony/patio areas;**
 - **All dogs MUST be on a physical leash at all times.**
- **Please do not allow excessive barking during the day or evening.**

If you're a pet owner, do your part and help keep the community clean.

Utility Conservation "Gas & Water":

As a reminder, the HOA pays for all individual water, electric, sewer and gas use. Please try to conserve and continue your efforts to reduce water usage. Thanks to everyone who installed programmable thermostats, replaced original fixtures and older windows and patio doors. For more information and conservation tips visit: www.csu.org.

Please inspect the following items:

- **Replace the batteries in all Smoke and Carbon Monoxide detectors.**
- **Have the dryer vent cleaned and ensure the vent is connected - it's also recommended to vacuum the rear vents of your dryer periodically.**
- **Have the sewer line cleaned from your home out to the "main" line.**

Individual Patio - Storage Areas: All storage areas must be kept in a safe and clean condition, to include replacing the entry door/lock. No hazardous materials are allowed to be stored in these rooms.

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