

## MINUTES ● CREEK MEADOWS OWNERS ASSOCIATION ● DIRECTORS MEETING

Wednesday, June 3, 2020 ● Zoom Conference

### Establishment of Quorum

Bryan McMurray established there was a quorum and called the meeting to order at 6:03. In attendance were Board Members Bryan McMurray - President, Nancy Mader - Vice President, Resty Villegas - Architectural Compliance Committee, Cheryl Calame - Landscape Improvement Committee, Jaime Slade - Secretary and Toni Meyers representing Beal Property Management.

### Pool Discussion

The board met to discuss options for potentially opening the pools in a safe manner. Bryan opened the meeting highlighting the need to ensure that if the pools opened, all of the minimum protocols must be in place and that we must understand the liability that we are exposing the HOA and homeowners to, how to quantify that liability, and how to minimize that liability. Bryan stated that typically, insurance policies would backstop the HOA's financial liability to an extent if something would occur; however, most policies, including ours, do not cover illness from a virus. He also stated that if the board decided to open the pools, the board's goal must be able to minimize the liability risk to a comparable everyday risk level through required protocols and restrictions. He also noted that the governor had removed all restrictions on outdoor activities and raised physical pool use to 50% capacity. This is a significant change from previous restrictions considered at the previous pool vote.

The HOA attorney has offered some protocols to put in place to minimize liability at the board's request. These restrictions include:

- Individuals must maintain social distancing;
- No outside guests or visitors are allowed in the pool or pool facilities;
- No group events or birthday parties are allowed in the pool or pool facilities;
- All residents must adhere to reduced pool occupancy numbers; (define whatever number that is and state whether it is based on a first come, first serve basis, or whether they are invoking a time limit for everyone); and
- All residents are responsible for disinfecting their chairs and any other surfaces outside of the chlorine pool that they touch.

The HOA attorney also offered that having each resident sign a waiver to displace some liability into the homeowners using the pool, if they were to become exposed to COVID-19.

The HOA attorney also offered, through Toni via text during the meeting, that the board must communicate the new liability risk presented to the homeowners, the fact that insurance does not exist to help backstop the risk, and what actions the board is taking to minimize the risk created.

The board also agreed that if the pool was opened, the number of users would be restricted to 25% initially. The board is also considering utilizing paid staff to monitor the pools during peak usage in peak days to help ensure protocols are followed and keeping the risk low for the HOA. Additional restrictions

and protocols would include removing all chairs, closing the restrooms, and providing sanitizing wipes for use when opening and closing the gate.

The board agreed to take action to begin implementing each of these COVID-19 safety protocols immediately, regardless if the pool is opened, so that when the decision is made to open to the pools, they could be opened immediately.

The board agreed to immediately send above described communication out to all homeowners in regards to opening the pool with an invitation to provide feedback or concerns to Toni, with the intent of evaluating all actions taken and feedback from the homeowners on June 11 so that a decision can be put to a vote.

Toni will work to have attorney draft the required communication and request for feedback immediately, begin procuring the required signage and supplies for the pool, work with attorney to get required waivers drafted, and begin turning off all key fobs so that they can be reactivated once the waivers have been received from the homeowners.

The board will reconvene on June 11 for another special meeting regarding the status of the pools.