



CHATEAU CHAPARRAL GENERAL MEMBERSHIP MEETING

May 26, 2018

President's Message



Treasurer's Report

Arrears Accounts:

- 1 Payment Plan in place
- 10 Late Electric
- 7 Late HOA/Sewer Assessments

Account Balances:

Money Market	\$ 85,529.17
Kitchen/Social Account	\$ 4,796.88
Operating Fund	\$144,948.79
Debt Service Reserve	\$ 38,300.30
Asset Replacement	\$ 21,665.00
Construction (Sewer) Account	\$ 97,603.37

Balance Sheet/Profit Loss Statements:

Will be available on website & table outside the office

Sewer Loan #2 (\$6,000):

Paid in full

Sewer Project

- DSI & SGM's work is completed
 - ▣ Aerator equipment & plan awaiting state approval
 - 2 contractors interested in bidding on project that will also include upgrade additional lighting/electrical at SBR and upgrade on New Mexico lift station
 - ▣ Will seed & establish growth in common area by bathhouse on Oregon
 - ▣ Working with Colorado Rural Water Association to remedy the problem with the infiltration basin not draining properly.

Litigation Update

- Case on Lot # 29 has been resolved.
- Case on Lot #213: A final ruling on the injunction was issued in CCOA's favor, but is being appealed.
- Claims filed with our insurance company, United Fire and Casualty, resulted in reimbursement of:
 - ▣ \$1,900 (#29) \$9,079 (#213)
- You can check Chaffee County website for documents that have been filed

Building Improvements

- Lodge Update
 - Engineer has provided final specifications for repairs
 - Will meet with the engineer for final review before soliciting bids

Quarterly Newsletter

- Sent via e-mail & USPS to those who do not have e-mail
- Feedback & Information is ALWAYS welcome for future publications.
- Send articles/comments/photos to Ginger Padilla: ccoavicepresident@gmail.com

Reminders

- Bylaws require a permanent address be filed with the Association. It is the Member's responsibility to notify CCOA of any contact information changes, including e-mail, in writing.
 - Notify the office no later than Wednesday, May 30th, if you need to change your summer address.
- Work requests: Please be specific ie. If a shower is plugged, which bathhouse?

Reminders cont'.

- **Compliance concerns** can only be addressed by the Board. Forms are available on the table by the office door and must be signed.
- **Electric pedestals & water hydrants** are owned by and are the responsibility of the Association.
 - ▣ **No padlocks**, please. Security tags are available at your request.
 - ▣ **NO modifications** can be made to any element of the pedestal by an owner.

Reminders cont'.

- Payments** should be sent to the address clearly shown on the statement.
- Payments must be received at the Genesis office or postmarked by the last day of the month due to avoid late fees.
- Billing **inquiries** must be addressed to the CCOA treasurer. Genesis works for the Association, not individual owners.
- Checks** are deposited once a week. Please do NOT call Genesis to see if your check has cleared. Contact your bank.

Reminders cont'.

- Please check the signage on the roll-off before tossing items in.
 - ▣ Do not over-fill the roll-off.
 - ▣ If an item will fit in a regular trash dumpster, use it. Save the roll-off for items that will not go into the smaller ones.
- Pets must be under control by means of a leash or fence.
 - ▣ Remember to pick up after your pets.

Reminders cont'.

- CCOA Tool & Equipment Use Policy requires owners to sign the Use of Equipment Liability Waiver Form before using them. Both must also be signed out in the office.
- **Wind chimes:** Please be respectful of neighbors, especially on windy days & nights.
- Chaffee County Free Dump Day is June 2nd if you have items not allowed in the roll-off to dispose of.

Plat Map Modifications

- The Board has been researching ways to bring existing structures/conditions at CCOA into agreement with and eliminate future conflicts with Chaffee County requirements.
 - ▣ Consulted with HOA attorneys at HindmanSanchez
 - ▣ Discussed options with county Zoning & Planning Commission
 - Quickest, least expensive solution is to vacate the easements

Plat Map Modifications (cont')

□ Goals:

- CCOA controls our utility easements; not Chaffee County
 - Easements are no longer an issue when structures (some decks, sheds, etc.) require a county permit
- Setbacks on the Plat Map coincide with the Bylaws
- Address existing conditions through state statutes regarding nonconforming lot sizes that were approved by Chaffee County on the original Plat

Plat Map Modifications

□ **Process:**

- Series of pre-application meetings with Planning & Zoning Commission
 - Works out details/compromises before presenting to the Membership for approval and subsequently the Board of County Commissioners for final approval

- Contact Sangre de Cristo Electric and Century Link regarding specific easements they may require

Plat Map Modifications

□ **Process Continued:**

- Put forth Plat Map modifications to the Membership for a vote.
 - The Plat is part of the Condominium Declaration; a vote yielding a 67% majority of all lot owners in the affirmative is needed to modify it.
 - Modifications are only to the narrative; not lot lines or CCOA boundaries.
- Submit required documentation to the Planning & Zoning Commission for review

Plat Map Modifications

□ Addressing Concerns:

□ Vacating the easements does not:

- require revision of the entire Condominium Declaration

- allow for permanent residences to be built

 - (Condo Dec & Bylaws both require wheels on the ground for primary residence.)

- directly affect the Water Decree

□ Our HOA attorney, David Firmin, will attend the July 21st Board meeting.

Bylaws to be voted on

Amendment 1: Article I, Section 3, Paragraph D

3. GOVERNING DOCUMENTS OF CHATEAU CHAPARRAL

- A. Articles of Incorporation as filed with Chaffee County
- B. The Condominium Declaration as filed with Chaffee County
- C. The Bylaws as filed with Chaffee County
- D. Policies ~~Adopted as Required by State Statute~~
- F. Schedule of Fines

Reason for revision:

Changed to include all policies adopted by the Board, not just those required by state statute.

Bylaws to be voted on

Amendment 2: Article IV, Section 3, Paragraph B

B. To enforce compliance with the Association's Governing Documents as may be necessary for the operation, use, and occupancy of Chateau Chaparral. ~~Also with the right to propose amendments/changes to the Bylaws, subject to approval by a majority vote of the members.~~

Reason for revision:

Changed to clarify that the Board of Managers must follow Article 1, Section 4 in proposing Bylaw amendments.

Bylaws to be voted on

Amendment 3: Article IV, Section 3, Paragraph P, Subparagraph i
i. The following committees shall be standing committees of the Association:

- a. Architectural
- b. Elections (must have three members at all times)
- c. Finance
- d. Capital Expenditures/Building & Grounds
- e. **Bylaws**

Reason for revision:

A Bylaws committee is needed to verify that current language quoted matches the referenced Bylaw, proposed changes do not contain incorrect references to other Bylaw sections or conflict with other governing documents.

Bylaws to be voted on

Amendment 4: Article VIII, Section 2

2. MECHANICS LIEN – Each owner agrees to indemnify and to hold each of the other owners harmless from any and all claims of ~~Mechanic's~~ Lien...

Reason for revision:

Incorrect legal term. CCOA can impose a lien, not a mechanic's lien.

Bylaws to be voted on

Amendment 5: Article VIII, Section 4, Paragraph C

C. VEHICLE RESTRICTIONS - The Primary Occupant (owner) may have no more than three (3) visible vehicles for transportation while he/she is at the campground. Vehicles are considered to be any vehicle licensed to drive on Colorado roads. This includes, but is not limited to, cars, SUVs, pickup trucks, motor homes, campers, and motorcycles. None of these are to be parked in common areas unless specifically approved by the Board of Managers. **Motor homes used as a residence or used as temporary quarters to house Secondary Occupants are considered a secondary RV and are not considered a vehicle for transportation.**

Reason for revision:

Distinguishes the use of the motor home for clearer enforcement of paragraphs D – F of the same section.

Bylaws to be voted on

Amendment 6: Article VIII, Section 4, Paragraph J, Subparagraph iv
Fires are allowed in fire rings. ~~three [(3) feet in diameter and two (2) feet high], fireplaces/pits 25 feet from any structure and grills 10 feet while in use.~~ No open fires. All rules and bans from Chaffee County must be strictly observed. Water must be kept by fires for emergencies when using a fire device. If you are unsure of fire restrictions, call the Chaffee County Sheriff's office at 719-539-2956.

Reason for revision: (optional)

This amendment is proposed to eliminate the existing conflict between the language/intent of Article X, Section 2, Paragraph C and language in the referenced section Article VIII, Section 4, Paragraph J, Sub-paragraph iv; which was included specifically to deal with County fire restrictions.

Bylaws to be voted on

- **Amendment 7:** Article X, Section 1, Paragraph B, subparagraph v
- v. **Issue** Bbuilding Permits and CCOA Residency Permits **which** must be signed by two members of the Architectural Committee and a Board Member that is assigned as the liaison to the committee.
- **Reason for revision:**
- Correct language typo

Bylaws to be voted on

Amendment 8: Article X, Section 2, Paragraph A, Subparagraph ii
ii. The unit is limited to **a maximum of 40 feet** in length (including hitch), 16'0" height and 400 sq. ft. maximum. **This maximum length shall include any porches, decks, etc. that are attached to the unit at the time of delivery. No modification can be made to said park model that will increase the occupied/enclosed space to beyond 400 square feet.**

Reason for revision:

This amendment is proposed to clarify our definition of Maximum Length and enclosed/occupied space

Bylaws to be voted on

Amendment 9: Article X, Section 2, Paragraph A, Subparagraph vi vi. All tiny houses must be inspected and certified by RVIA, or meet current Chaffee County electrical codes prior to placement on the lot. **Documentation of RVIA certification or a signed affidavit from a master electrician licensed in Chaffee County stating Chaffee County codes have been met is required. Only conventional flush toilets are allowed.**

Reason for revision:

To clarify existing language and insure public safety.

Bylaws to be voted on

Amendment 10: Article X, Section 2, Paragraph B, Subparagraph i

All structures shall be constructed of quality materials with a professional level of workmanship and designed to be cohesive and complement the primary unit. **No storage pods, shipping containers and no additional metal storage sheds shall be allowed.**

Reason for revision:

As it has always been the intent of the Board to keep the community growing and improving in a positive manner. It is our opinion that the above listed items are not conducive to this end.

Bylaws to be voted on

Amendment 11: Article X, Section 2, Paragraph B, Subparagraph ii

Any structure built adjacent to the RV unit, and which is to be occupied, must comply with the 2014 National Electrical Code and National Residential code as well as the current Chaffee County codes at the time of construction. Chaffee County Building Department must inspect the structure once completed before being occupied. This structure cannot be permanently attached to the RV unit. Said structure shall not exceed 400 sq. ft.

Reason for revision:

This amendment is proposed so that the overall character of the community is not changed. With the changes in building regulations it would be possible for someone to construct an 1,100 sq. ft. addition onto a new or existing unit. This scenario was not anticipated, nor intended, when the Building Regulations were modified to allow for more flexibility as the community develops.

Bylaws to be voted on

Amendment 12: Article X, Section 2, Paragraph E - Fences,
Subparagraph iv

Fences **located on a lot line** ~~between lots~~ must be acceptable to both **property** owners. **Fences constructed upon the property of a single owner are not subject to this provision. This does not apply to existing conditions.**

Reason for revision:

This amendment is proposed to bring our Building Regulations into compliance with current property law in a positive manner. It is our opinion that the above listed items are not conducive to this end.

Bylaws to be voted on

Amendment 13: Article X, Section 2 Paragraph H, Subparagraph i

Canvas and plastic covered storage structures and carports are not permitted to be installed on owner's property. **If the plastic/canvas covering of an existing unit is damaged the owner shall not be allowed to replace said cover. The owner shall have the option of securing the framework in accordance with current Chaffee County Building Codes and residing it with conventional residential building materials.**

Reason for revision:

Since no new structures of this type are allowed in the community the Board feels that allowing a damaged structure to have a new covering installed is basically the same as allowing a new structure. Therefore we propose this amendment to clarify the intent of the current Bylaw.

Bylaws to be voted on

Amendment 14: Article X, Section 4, Paragraph B

B. Requests for a variance must be submitted in writing to the Board of Managers for final approval or denial. **An Architectural Permit Application must be submitted and denied prior to requesting a variance.**

Reason for revision:

Clarification of the process. If a variance is requested, the Board needs specific information before acting on the request.

Voting Documents

- ▣ This is what you will receive in your ballot packet:
 - Ballot solicitation document: required by statute
 - Action to be voted on
 - Ballot for the proposed action
 - 1 envelope stamped **BALLOT** per unit owned
 - 1 legal size envelope to return **BALLOT** envelope(s) to CCOA

Voting Procedure

- ▣ Mark your ballot(s)
- ▣ Place each ballot in a separate envelope stamped **BALLOT**
- ▣ Place the **BALLOT** envelope(s) in the self addressed return envelope. Members return address must remain on the envelope for the vote to be valid. This will enable CCOA to track who has voted and who has not. This will provide the opportunity to replace missing or lost ballots and prevent duplicate voting.
- ▣ Return said envelope to the office via USPS or hand delivery.
- ▣ The envelope(s) stamped **BALLOT** will be placed unopened in the locked voting box.

Committee Reports

- Elections
- Social
- Building/Grounds
 - ▣ Recycling
- Architectural
- Finance

Questions



Comments



Closing Comments

- Please return your voting cards to the basket by the door before you leave.
- Please recycle any unwanted paper in the box provided.
- Pot luck at 1:00 today. Please volunteer to help set up & clean up.