



CHATEAU CHAPARRAL  
GENERAL MEMBERSHIP  
MEETING

May 25, 2019

# President's Message

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Nominations

Daily cost, repairs & maintenance of infrastructure

Community Involvement

# Treasurer's Report

## Arrears Accounts:

2 Payment Plan in place

16 Late Electric

3 Late HOA/Sewer Assessments      3 Late Fees Only

## Account Balances:

	<b>May 2018</b>	<b>May 2019</b>
Money Market	\$ 85,529.17	\$ 85,838.17
Kitchen/Social Account	\$ 4,796.88	\$ 5,664.81
Operating Fund	\$144,948.79	\$130,026.19
Debt Service Reserve	\$ 38,300.30	\$ 46,224.50
Asset Replacement	\$ 21,665.00	\$ 25,998.00
Construction (Sewer) Account	\$ 97,603.37	\$ 79,224.49

## 1<sup>st</sup> Quarter Balance Sheet/Profit Loss Statements:

Are available on website & table outside the office

## Remaining Sewer Grant Funds:

\$66,311.27

# Treasurer's Report Cont'.

## □ Budget Increases:

- United Fire (Liability & Casualty) ~~10,000~~ ~~12,000~~ 15,200
  - Had to replace at a higher cost
- Water System ~~3,500~~ 24,500
  - Repair west water tank; install auto restart program for pumps
- Buildings ~~3,000~~ 50,000
  - Repair exterior support beams
- Sewer Plant Tech ~~13,200~~ 20,000
  - Lonnie is retiring, agreed to stay with more pay

# Treasurer's Report Cont'.

## □ **Looking Ahead**

- Water tanks need replaced
- Aging infrastructure
- Cost of doing business continually increases

## □ **Bottom Line**

- Special Projects budget is depleted
- A good portion of 2019 budget was carry over
- No projected carry over

# Litigation Update

- Case on Lot #213: Petition to the Court of Appeals was denied.
- CCOA working with attorney Dennis Kist to collect court ordered reimbursement of legal fees and associated costs
- You can check Chaffee County website for documents that have been filed

# Sewer Project

- ▣ Aerator equipment, electrical upgrades at SBR and upgrade to the lift station on New Mexico are awaiting installation
- ▣ Seeded common area by bathhouse on Oregon
- ▣ Working with Colorado Rural Water Association to remedy the problem with the infiltration basin not draining properly.

# Building Improvements

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- Oregon bathhouses repaired and painted
- Lodge Update
  - ▣ Repairs to exterior beams in progress
  - ▣ Materials backordered for library shelving



# Plat Map Modifications

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- The Board has been in communication with Chaffee County officials in an effort to resolve issues related to building regulations and occupancy so that in the future our community can move forward without constant conflict with the county.

# Plat Map Modifications (cont')

## □ **Goals:**

- For CCOA to control 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 thus far:**

- ❑ Board representatives discussed options with county Zoning & Planning Commission
- ❑ HOA attorneys at Altitude Law (formerly HindmanSanchez) met with Chaffee County Planning & Zoning Commission to gain clarification on the commission's position
- ❑ Board voted to have Altitude Law meet with Chaffee County Attorney on legal points specific to CCOA's situation

# Plat Map Modifications

- **Process moving forward:**
  - ▣ Consult with Altitude Law to find common grounds with Chaffee County for Plat Map modifications and define terms of occupancy
  - ▣ Update the Condominium Declaration to align with the reality of our community and the water decree
    - At some point, time to be determined on the advice of Altitude Law, consult with a water attorney to update the decree

# Plat Map Modifications

- **Process moving forward (cont'):**
  - ▣ Vote of the membership on Condominium Declaration revisions
  - ▣ Submit required documentation to the Planning & Zoning Commission for review

# Plat Map Modifications

- **Addressing Concerns:**
  - ▣ Modifying the Plat Map does **NOT**:
    - 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 will attend the July Board meeting if scheduling allows

# SBR/Water Operator

- One viable applicant that did not work out
- Lonnie has agreed to remain in the position through September, 2019
- Revised ad has been placed on Colorado Rural Water Association website

# Auto Water Pump Restart

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- Awaiting contract to include start & end dates



# West Water Tank Repairs



- Contract signed with Marine Diving Solutions
- Work to begin before August

# Insurance Update

- United Fire and Casualty terminated coverage.
- Best bids for new coverage were spread across several carriers and came in \$5,200 over budgeted amount.
- Our agent, Colorado Insurance Partners, will work on putting a package together for next March with the goal of reducing overall costs.

# Standing Committee Reports

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- Architectural
- Elections
- Finance
- Capital Expenditures/Building & Grounds
- Bylaws

# Board of Managers Nominations

- 3 seats to be filled
- Candidate forms must be turned in to the office by Wednesday, May 29, 2019.
- Candidates to date:
  - ▣ Ginger Padilla, Lot # 198
  - ▣ Nancy Brown, Lot # 197
- Nominations from the floor
- Forms available on website or table by office door

# Bylaws to be voted on

**Amendment 1:** Article X, Section 2, Paragraph G, Subparagraph iii

iii. Auxiliary structures shall not exceed ~~10 feet (10' 0")~~ **12 feet (12' 0")** in height. CCOA permit required

**Reason for revision:**

Many of the prebuilt sheds with skids can't meet the 10' rule and it would make enforcement easier.

# Bylaws to be voted on

**Amendment 2:** Article X, Section 4, Paragraph C, Subparagraph i & ii

## **Current Language:**

~~Variances may include but are not limited to the following:~~

- ~~— i. Placement of units on property~~
- ~~— ii. Placement of auxiliary structures~~

## **Proposed Language:**

No variances should be issued if the Architectural Committee has denied a member's permit based on non-compliance of a specific By-Law or a Chaffee County code.

## **Reason for revision:**

To insure that all members of the Association are held to the same standards. Exceptions to the rule may apply, for example, if a member has a health issue and requires special consideration. Non-compliance should not warrant a variance.

# Bylaws to be voted on

## **Amendment 3: Article X, Section 2, Paragraph v**

### **Current/Proposed Language:**

v. 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 **prior to placement on the member's lot**. Only conventional flush toilets are allowed.

### **Reason for revision:**

RVIA has never inspected or certified tiny houses. They only inspect and certify the manufacturer of park models, not the individual park models.

# Bylaws to be voted on

## **Amendment 4: Article X, Section 3, Paragraph A**

### **Current Language:**

- A. ~~Building projects with labor and materials valued in excess of \$500.00 must have a Chateau Chaparral building permit.~~

### **Proposed Language:**

- A. Any and all building projects require a permit application and detailed plan drawings. Upon review by Architectural Committee, not all permit applications will require a permit.

### **Reason for revision:**

A permit application allows the Architectural Committee the opportunity to review and insure compliance with Association By-Laws and Chaffee County for any and all projects



# Bylaws to be voted on

**Amendment 5** : Article IV, Section 4, Paragraph E & Article V, Section 1

**Current/Proposed Language:** Article IV, Section 4, Paragraph E

E. Current Board members, **with the exception of the Treasurer as specified in Article V, Section 1**, shall not be an employee (permanent or temporary), or do any type of work for any type of compensation for the Association or any other member of the Association.

# Bylaws to be voted on

**Amendment 5 (cont')**: Article IV, Section 4, Paragraph E & Article V, Section 1

**Current/Proposed Language:** Article V, Section 1

1. DESIGNATION – The Officers of the Association shall be President, Vice-President, Secretary, and Treasurer, all of whom shall be elected by and from the Board of Managers. The remaining three (3) elected board members shall serve as Members at Large. **The Treasurer may be paid at a rate, to be determined by the Board, for time spent beyond normal Board duties that is directly related to the office. In the event that no elected Board member is willing or able to assume the responsibility of the office of Treasurer, the Board has the discretion to employ a qualified individual for the position. Such person must be bondable and available year round.**

# Bylaws to be voted on

**Amendment 5 (cont')**: Article IV, Section 4, Paragraph E & Article V, Section 1

## **Reason for revision:**

It is difficult to find members willing to commit to the responsibilities associated with being a Board member. The job of the Treasurer requires approximately an additional 20 hours per month beyond the normal scope of regular Board duties. Providing the above stated options would allow for greater flexibility and continuity as the Board transitions annually. **Both articles must be amended to avoid conflict within the Bylaws.**

# Bylaws to be voted on

## **Amendment 6: Article VIII, Section 4, Paragraph G**

### **Current/Proposed Language:**

#### **G. LOT RENTALS/GUESTS**

- i. Lot owners who allow renters/guests on their vacant lots must advise a member of the Board prior to or upon the arrival of the renter as to the names of the renters and the type of RV they will bring in as well as the license plate number of the RV. Lot owners shall provide renters with a copy of the Governing Documents at or before their arrival.
- ii. Renters/Guests shall abide by all CCOA Governing Documents.
- iii. **Lots with existing living units may not be rented.**

### **Reason for revision:**

Clarify rental regulations.

# Bylaws to be voted on

**Amendment 7:** Article VIII, Section 4, Paragraph J, Subparagraph viii

**Current/Proposed Language:**

viii. All lots are to be kept free of trash and debris. **All lots are to be kept in a neat and orderly appearance. Items that are not used for a period of thirty (30) days or more must be stored in a structure or enclosed space not visible from common property.** All lot owners are obligated to maintain their lots, units and any structure in a fire hazard free situation. All firewood will be neatly stacked away from the primary unit. Dead trees, tree limbs, dead weeds and unusable lumber, or anything considered a fire hazard, will be removed within one week after receipt of a notice to remove same.

**Reason for revision:**

Clarify the existing language.

# Bylaws to be voted on

## **Amendment 8:** *Bylaws to be Repositioned:*

Article VIII, Section 4, Article X (Architectural Codes)

### **Proposed Change:**

The articles, as stated above, shall be removed from the Bylaws. The rules and restrictions set forth in the original Article VIII, Section 4 and Article X of the Bylaws shall be set forth in a separate governing document subject to the requirements for amendment in Article 1, Section 4 of the Bylaws.

### **Reason for revision:**

CCOA attorneys from Altitude Law recommended that stand alone documents for the Rules & Regulations and the Architectural Codes are a more appropriate placement.

# 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(s)
  - 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 envelope provided with your return address in the top left corner. 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.



# 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 31st, if you need to change your summer address.
- Work requests: Please be specific ie. If a shower is plugged, which bathhouse? Which shower?

# 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.
  
- Speed Limit 10 MPH

# Questions



# Closing Comments

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