

HOA attorney speaks on regulation

Lenard Rieth, HOA attorney for Anderson, Dude and Lebel, P.C. explained how the Colorado Common Interest Ownership Act (CCIOA, pronounced Kiowa) was enacted in 1992 to regulate Colorado HOAs. HB22-1137 was created to regulate HOA boards in certain matters regarding small claims court limiting conduct in collecting unpaid assessments, fees, and fines. See <https://leg.colorado.gov/bills/hb22-1137>. HB22-1040 was created to protect the homeowner's ability to use and enjoy the common areas. The HOA board must provide a reason for restricting common areas due to repairs or modifications either by electronic or mail and post a visible notice at each access point. See <https://leg.colorado.gov/bills/hb22-1040>.

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The next NEPCO meeting is scheduled for July 9 from 10 a.m. to noon at the Woodmoor Barn, 1691 Woodmoor Dr. For more information regarding NEPCO, visit www.nepco.org.

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Woodmoor Improvement Association, May 25

Board hears suggestions on replatting guidelines

By Jackie Burhans

The Woodmoor Improvement Association (WIA) board met on May 25 to hear residents' suggestions on replatting guidelines.

Owner comments on subdividing and fire insurance

Resident Joann Schmitz returned to discuss suggested replatting guidelines as she had been encouraged to do at the last board meeting. She reported attending the Architectural Control Committee (ACC) meeting to review the changes she had in mind and asked how to proceed. Schmitz noted that a recent article in the *Colorado Springs Gazette* reported that a judge had upheld the City Council's rejection of an apartment project rezoning because it was right to consider the public interest, health, safety, convenience, or general welfare. She felt those reasons might apply to guidance for the ACC to consider when asked to replat a property.

President Brian Bush pointed out that rezoning and replatting are very different. Rezoning is changing the designation concerning density (e.g., from residential suburban RS-2000 to RS 5000). Replatting is simply changing the dividing line of the lot and does not affect the zoning. Per Suhr, director of architectural control, confirmed that the replat request that ACC would be considering was a lot that was replatted and now could return to its original plat. The standards referred to by the judge, Suhr said, did not pertain to the ACC regarding replatting. Suhr said that, depending on the ACC's

decision, either the builder or the group objecting to the replatting could address their concerns with the county.

Another resident asked, given the differing views on the authority of the ACC, whether the board might have counsel review. Bush said the ACC has the prerogative of asking for a legal review, but the board is judicious about its legal use for fiduciary reasons. Bush said that while the ACC does have a role in reviewing subdivisions and replatting, the county also has a role. The county, he said, has been reasonable about considering input but that its authority supersedes that of Woodmoor's ACC.

Suhr confirmed that the ACC had received Schmitz's suggestions and would review them but that it might take up to two months.

Board highlights

- Board member Rick DePaiva said that the Northern El Paso County Coalition of Community Organizations (NEPCO) clarified that residents of a member homeowners association (HOA) may access meeting material. WIA will provide NEPCO access information in WIA's next newsletter.
- HOA Administrator Denise Cagliaro announced that Justin Gates had joined the team as covenants and forestry administrator. Gates had served as a Woodmoor Public Safety (WPS) officer since 2014. Contact Justin at justin@woodmoor.org for forestry, Firewise, or covenant concerns.
- Director of Woodmoor Public Safety Brad Gleason reported that WPS had hired two officers: Jeff Al-

len, who served with the Woodmoor Police in the '90s, and Brent Horst from Arizona.

- Forestry Director Ed Miller said the wildfire mitigation grant continues to go well. The grant is expected to be open to all Woodmoor residents in mid- to late summer.
- Gleason noted that the El Paso County Sheriff's Office had issued a Stage 2 Fire Ban for the county. County residents can only use propane fires outside that they can switch off. All other burns are prohibited, including outdoor smoking on public property. For more information, see: <https://www.epcsheriffsoffice.com/services/fire-information>
- WIA has scheduled two chipping events for June 25 and 26 and July 30 and 31 at Lewis-Palmer High School. The service is free to Woodmoor residents who will unload their vehicles to lessen wait times. Volunteers will handle feeding the slash into the chippers.

The WIA Board of Directors usually meets at 7 p.m. on the fourth Wednesday of each month in the Barn at 1691 Woodmoor Drive, Monument. The next meeting will be on June 22.

See the WIA calendar at www.woodmoor.org/wia-calendar/. WIA board meeting minutes can be found at www.woodmoor.org/meeting-minutes/ once approved and posted.

Jackie Burhans can be reached at jackieburhans@ocn.me.

May Weather Wrap

By Bill Kappel

The weather was quiet overall for the month with one exception: A major late season snowstorm brought some much-needed relief from the record dryness that has continued since the start of April. Temperatures overall were slightly cooler than normal, with snowfall well above normal for the month.

Unfortunately, the first half of the month was mainly dry and mild, again during a time of the year when we would expect significant amount of moisture, both rain and snow. Also, a time of the year when moisture is critical at the start of the growing season. Another sign of how dry it has been during the spring season was the number of fires that occurred across the region. Of course, most if not all of these were manmade, as there were no thunderstorms to produce lightning.

The first half of the month saw two quick-moving storms move through the region. As in April, these moved just a little too far north to produce significant weather for us. The first system sent a cold front through and produced some fog and low clouds on the 2nd. This also managed to produce some rain and snow showers, but barely enough to make a dent in our precipitation deficits. As that storm left the region, another surge of cooler air moved through and reinforced the fog and low clouds. We also managed to squeeze out more precipitation in the form of rain, graupel, and snow. Around 1/10th of an inch accumulated for most of us with a dusting of snowfall.

Temperatures warmed up quickly after this storm moved out, with highs reaching the 70s to low 80s from 6th through the 19th. During this period, smoke was present on many afternoons, courtesy of wildfires in New Mexico and portions of southern Colorado.

As usual, temperatures peaked right ahead of the strongest storm of the month on the 19th. The initial frontal passage moved through during the evening of the 19th as temperatures tumbled from the 70s to the 30s in about an hour. Clouds and moisture filled in behind the front, producing flurries and drizzle during the early morning hours of the 20th. Colder air and more moisture continued to fill in and snow started in earnest that morning and early afternoon. Snow fell heavily through the afternoon and into the night. This continued into the next morning with a rate of accumulation of over an inch per hour for much of the storm.

This resulted in 1-2 feet of heavy, wet snow accumulation. This moisture of course was very welcome but also caused lots of problems. One of the issues with the warm spring was that most of the foliage had leafed out. Therefore, the trees were vulnerable to the heavy, wet



Above: After a drier than usual April, May brought a wet snowstorm that dumped 18 inches or more in some parts of Monument. Without the usual wind, it was beautiful trudging through the snow in the Lake of the Rockies neighborhood as well as the open space behind it. Photo by Michael Weinfeld.

snow. This meant lots of broken branches and unhappy young leaves. The effects of this storm stuck around for a few days with daily rounds of snow and rain showers continuing through 24th.

Once this system departed, conditions quieted down again with warmer air quickly returning again as highs reached the 80s on the 27th and 28th.

A look ahead

By June we can usually say goodbye to our chance of snowfall but hello to frequent afternoon and evening thunderstorms. Most of the time we can expect warm, sunny days with afternoon and evening thunderstorms.

May 2021 Weather Statistics

Average High	65.8° (-0.0°)
100-year return frequency value	max 75.7° min 57.9°
Average Low	38.9° (-2.3°)
100-year return frequency value	max 43.2° min 32.5°

Highest Temperature	87°F on the 7th, 27th
Lowest Temperature	24°F on the 21st
Monthly Precipitation	2.09"
	(-0.55" 20% below normal)
100-year return frequency value	max 6.94" min 0.15"
Monthly Snowfall	18.6"
	(+12.9" 70% above normal)
Season to Date Snow	89.7"
	(-33.6" 27% below normal)
	(the snow season is from July 1 to June 30)
Season to Date Precip	7.07"
	(-1.91" 21% below normal)
	(the precip season is from July 1 to June 30)
Heating Degree Days	427 (+109)
Cooling Degree Days	0

Bill Kappel is a meteorologist and Tri-Lakes resident. He can be reached at billkappel@ocn.me.