

payment processing and debt collection. His interests are fire mitigation, safety and security, and neighborhood beautification.

- Alan M. Bassett has lived in Woodmoor for five years. He works in beverage sales and supervision. He mainly wants to help in safety and beautification.
- Ed Miller was previously on the board as director of covenants and was a member of the ACC for 21 years. He has degrees in forestry and computer science.
- Estelle Remington served with the city council and city manager for 10 years in her previous community. She was on a finance committee and on a committee to revise laws, rules, and regulations. She served as special advisor to city managers.

The board will consider the candidates, make an announcement on the website,

and send out an email. Board directorships may be reorganized once the new member comes on board.

Safety training officer proposed
Woodmoor Public Safety (WPS) Chief Kevin Nielsen asked the board to consider designating a current officer to provide standardized and consistent training for any new officers. The WPS training officer would also provide ongoing consistent annual training for existing officers, and update and maintain the WPS training manual.

Nielsen wants all current WPS personnel to complete a minimum of 60 hours annual training in programs including Firewise, CPR, and first aid. The designated training officer could attend training, then come back and train the other officers. There would be no anticipated cost in 2014, but he would want to increase the budget in 2015 to cover the

training and a pay increase for the training officer. The board briefly discussed the potential impact to patrol schedules, compensation, and the need for a detailed implementation plan. Board members unanimously approved planning for this new function.

Other business

WIA Chief Operations Officer Matt Beseau said he had contacted two owners of the 133-acre Walters property in South Woodmoor to get their cooperation in arranging for mowing and noxious weed removal.

Covenant Director Erik Stensland reported that the target date is Sept. 1 for a hard copy of the updated covenant rules and regulations document to become available. A public hearing will be scheduled for September, followed by legal review and publication on the web for 30 days. The goal is to finalize the

document in November and vote to pass it in December.

The Lewis-Palmer School District asked the WIA board to renew its contract for WPS cooperation. The board unanimously approved the renewal.

A homeowner requested an appeal of covenant fines of \$1,225. Hale made a motion to deny this appeal. The motion passed with only Stensland abstaining.

The board of the Woodmoor Improvement Association 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 Aug. 27. WIA Board meeting minutes can be found at: <http://www.woodmoor.org/content/admin-bod-meeting-minutes.html> once approved.

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

Woodmoor Improvement Association Board of Directors, June 25

Board approves replat of Dunes property, modifies late fees

By Jackie Burhans

The Woodmoor Improvement Association (WIA) board approved a replatting of The Dunes residential project at the June 25 meeting. Before the vote, Angela Essing, director of planning for La Plata Communities, presented an overview of the proposed replat and development plans for the property on Woodmoor Drive, south of the Barn between the Moorwood Point homes and the Tri-Lakes Monument Fire Station. A number of residents from Moorwood Point attended the meeting.

Essing noted that the original 63 lots had been reduced to 56. The Dunes will be La Plata's first project in Woodmoor and has different legal development rights than typical units controlled by the WIA Architectural Control Committee (ACC). However, La Plata proposes to work with the ACC as well as El Paso County and Woodmoor Water and Sanitation to review plans and obtain appropriate approvals.

Essing noted that the streets in The Dunes will be public streets built to county standards for right of way and buffers. There will be a 15-foot buffer between The Dunes and the patio homes on Moorwood Point as well as a 15-foot setback around Woodmoor Water and Sanitation (WWS) and the Fire Department. There will be a buffer along Woodmoor Drive landscaped with existing trees from the property. An open space tract will provide access to and around Lake Woodmoor with an easement at the back of the patios so WWS can drive to the lake. The developer also hopes to set aside some open space and common areas for WIA to link trails.

Project details

The WIA board and residents discussed

the following points:

- Construction is at least a year away.
- Aspen View Homes has a contract to buy all the lots and will work with the ACC to determine the home styles.
- Homes will be single-family and a mix of single- and two-story situated according to agreement with the ACC, with a maximum height of 35 feet.
- Neither WIA nor La Plata can control of the percentage of rentals, but prices will make rentals unlikely.
- The Dunes will have its own homeowners association under the umbrella of the WIA, and it will pay dues to the WIA.
- La Plata has concluded a preliminary traffic study and, so far, is meeting all of the requirements of the county. WIA President Jim Hale will work with the county and school board on the traffic issues during the school year as parents drop off and pick up their kids at the middle school. The crosswalk has been moved south, and La Plata is in discussions with the county and the ACC to provide a trail so that kids would not have to walk on the street.
- Infrastructure development, including roads and sewers, will take three to six months depending on the time of year. Home construction could take two to three years depending on the market.

Darren Rouse, director of the ACC, made a motion to approve the replatting of the La Plata property with conditions. A \$140,000 compliance deposit with an additional \$14,000 administrative fee

will cover costs for WIA to oversee the project. These fees are due upon approval of replatting but before ground is broken on the project. The motion was approved unanimously by the board.

Fee collection policies

WIA's collection policy for annual dues has been in place for 20 years with no changes to the penalties charged. Colorado law changed in January 2014 to require HOAs to give at least a six-month notice to residents who require a payment plan. The WIA has typically allowed nine months. Matt Beseau, WIA chief operating officer, noted that WIA has the lowest late fees of any HOA of similar size and recommended a raise in fees to encourage prompt payment. Currently, HOA fees are due on Jan. 1, with a 30-grace period before being marked as late. The late fee is \$25, with a returned check charge of \$25.

Beseau recommend raising both fees to \$50. Interest on unpaid dues is 8 percent, which can't be changed.

President Hale noted that WIA can offer a payment plan one time for the lifetime of the ownership. Beseau recommended a six-month plan, one time per lot, as the standard. Rouse noted that this is only for those cases where people don't pay their dues. The majority pay, but the WIA spends a lot of time and money on collections, sending out 800 letters at 50 cents each for postage. The board unanimously approved the revision in the collection policy.

Other business

Hale said the county commissioners are considering an issue regarding zoning and code requirements for group homes for people in rehab and urged residents to

watch the commissioners' web page. He also noted that new Tri-Lakes Monument



Above: Angela Essing, director of planning at La Plata Communities, discusses The Dunes plat rendering (held by WPS Chief Kevin Nielsen) and development plans at the WIA board meeting June 25. Photo and caption by Jackie Burhans.

Fire Protection District Chief Chris Truty met with the board to discuss the idea of closing the Woodmoor fire station and building another farther east. The WIA board supported the mill levy to keep this fire station open and Woodmoor residents voted in favor of it.

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

NEPCO, July 12

Attorney discusses HOA responsibilities, new legislation

By Larry J. Oliver

A discussion of homeowner association (HOA) documents and new legislation highlighted HOA attorney Lenard Rieth's presentation at the Northern El Paso County Coalition of Community Associations (NEPCO) membership meeting on July 12.

Rieth stated that since the 1980s, communities have had HOAs. Covenants control HOAs, and HOA boards must enforce covenants. He also said that covenants run with the land and are binding on anyone buying property whether they sign anything or not. Covenants can be amended if approved by 67 percent of all owners and can be overridden by new laws.

Covenants control HOAs, but other documents are also important to HOA management. Rieth stated that most HOAs are nonprofit organizations. To be nonprofit, these HOAs must file articles of incorporation and bylaws with the Colorado secretary of state. Other documents include provisions for collection of assessments and records of meetings.

Many HOAs fall under the Colorado Common Interest Ownership Act (CCIOA). These include HOAs formed after 1992, unless the HOA had 10 lots or less.

Rieth outlined several new state laws for CCIOA HOAs.

Under the Records Statute for CCIOA

HOAs (HB12-1237), HOAs must adopt a rule/policy regarding inspection and copying of records. This statute expanded the list of documents that HOAs must retain and allow inspection. HOAs must provide a list of names, email addresses, and physical mailing addresses of the board and officers.

The Assessment Collection Statute for CCIOA HOAs (HB13-1276) requires HOAs to adopt a rule/policy regarding assessment collection. The rule/policy must include various, specific information, such as due date for assessments, late charges for assessments, interest for assessments, returned check charges, and other requirements.

Under HB13-1132, HOAs that are not subject to CCIOA (pre-1992, or not authorized to make assessments) apparently must register with an HOA information officer and pay the required fee, except for certain exemptions. The information officer is directed to study the functions and duties of HOA information officers in other states as to resolving complaints, mediation, providing monitoring of elections, determining fees on a per-unit basis and per-service basis, oversight of boards complying with laws, and any other HOA function.

Statute HB13-1277 will require licensing of HOA managers and management companies beginning July 1, 2015.