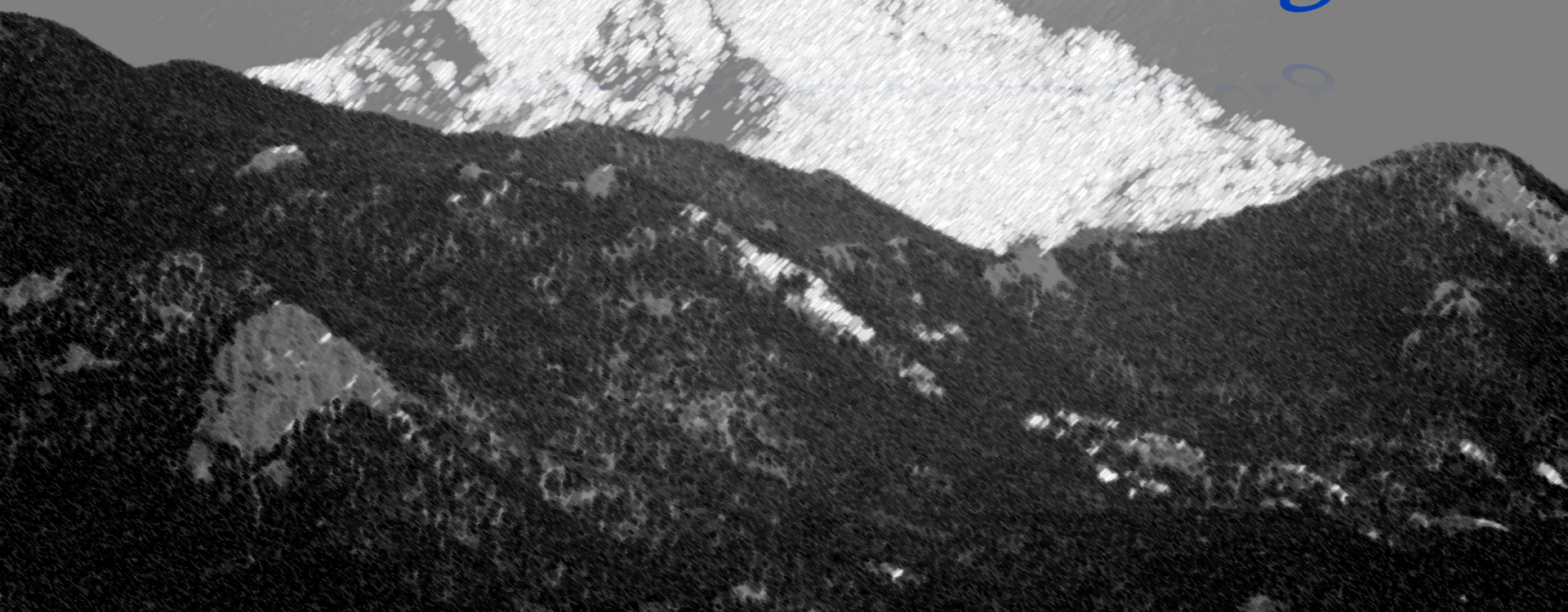


MOHA Annual Meeting
Mountain Oaks Homeowners Association
December 5, 2013

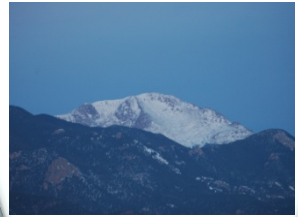


Welcome Homeowners!
www.mountainoakshoa.org



OUR HOMES, OUR COMMUNITY, OUR SHARED RESPONSIBILITY!

MOUNTAIN OAKS

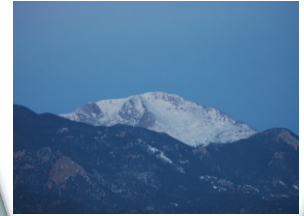


HOMEOWNERS



2013 Board of Directors

MOUNTAIN OAKS



HOMEOWNERS

President

Chris Tschan

Vice-President

Mary Ann Creque

Treasurer

Dave Parks

Secretary

Beverly Collins

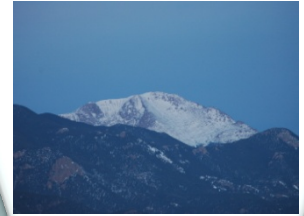
Member-At-Large

Steve Carmichall

2013 MOHA Annual Meeting Agenda

Chris Tschan

MOUNTAIN OAKS



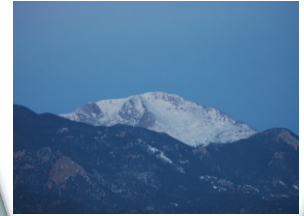
HOMEOWNERS

- Meet your neighbors, cookies and beverage 6:20 PM
- Call to order –Chris Tschan 6:30 PM
 - Opening remarks
 - Major activities, issues, accomplishments
- Vice–President Report – Mary Ann Creque 6:45 PM
 - Xeriscaping, free chipping, communications
- Maintenance/Arch. Control – Steve Carmichall 7:00 PM
 - Requests/Complaints
 - Fence considerations for 2014
- Finance Report for 2014– Dave Parks 7:15 PM
 - Presentation of 2014 proposed budget; discussion
 - Vote on new budget
- Election of 2014 MOHA Board 7:35 PM
 - Nominations from floor and nominations prior to meeting
 - Nominations closed
 - Voting and counting of ballots
 - Announcement of 2013 Board
- Adjourn Meeting 8:30 PM

Why Does MOHA Exist?

Chris Tschan

MOUNTAIN OAKS



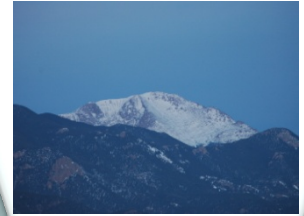
HOMEOWNERS

Two main purposes:

- Safety and security of the neighborhood
- Maintain property values

My Perspective – What I'd Prefer We Avoid Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

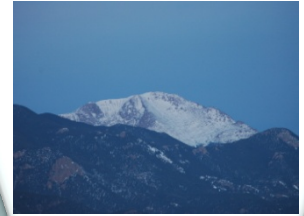
- Unnecessary MOHA cost on homeowners
- Unnecessary MOHA detraction from homeowner's "life, liberty, and the pursuit of happiness."

I'd like to minimize both of the items above to the extent we can ... but my theme for this meeting is ... if we are going to do this from the bottom up, we need your constructive participation.

2013 Activities and Accomplishments

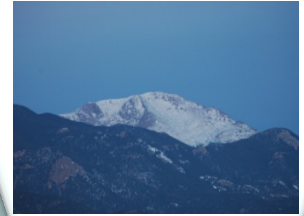
Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

- Xeriscaping (rockscaping) on Broadmoor Bluffs
- Tracts A&C cleanup through CSFD grant monies
- Member property wildfire mitigation grants @ 50%
- Cleanup for Mahogany Island and Jessana Heights:
total cost \$150
- Fence and Mailbox post repairs on request
- Winter snow removal
- Tree removal in ravine off Neal Ranch Road



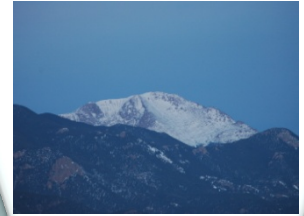
2013 Activities and Accomplishments

Mary Ann Creque

- **Xeriscaping project**
 - Cost – \$36,695 (\$9495 to Starrworks and \$27,200 to Landscape Specialists)
 - 2014 work to be completed (Neal Ranch Road) – rock or xeriscape plantings?
 - Anticipated future expenses for Xeriscaping (NRR & maintenance)
 - Volunteers to receive credit for donations of time. Any interest?
 - Thank you to Dennis Collins for his work on special projects this year
- **Free fall chipping** – many homeowners participated again
- **Email Communication**
 - Thank you to Beth Haworth for maintaining our MOHA website
 - 42 active Home Owner Profiles on MOHA website
 - 69 members receiving email notifications of board minutes, annual meeting notices, special announcements

2013 Architectural Approvals needed from MOHA Board – Steve Carmichall

MOUNTAIN OAKS



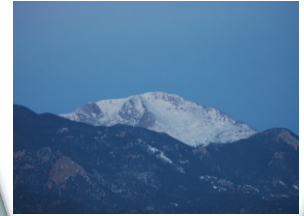
HOMEOWNERS

- House Painting
- Roofs
- Decking
- Landscaping
- Driveways
- Tree Removal (live trees)
- Siding
- Fencing
- Other Property Projects as required

2013 Architectural Control

Steve Carmichall

MOUNTAIN OAKS



HOMEOWNERS

➤ Requests and Approvals in 2013

- Decking, Landscaping, Painting, Re-roofing,

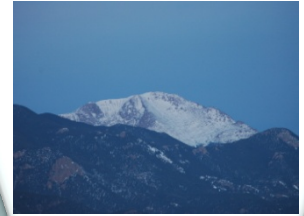
➤ 2013 Complaints

- Yard Maintenance
- Oversized vehicles
- Loose Dogs
- Barking Dogs

Architectural Control for 2014

Steve Carmichall

MOUNTAIN OAKS



HOMEOWNERS

➤ Maintenance

- Common areas – converted to rockscape in summer 2013
- Snow removal – MOHA will adhere to “4- inch of snow” removal rule
- For snow on side streets, call Colorado Springs City Street Division and ask them to send a plow truck. The number is 835-5934. Request that anti-skid salt be put down at icy stop signs.
- Homeowner landscaping/yard maintenance – alternatives to sprinkler system/need for maintaining yards

➤ Fence

- Current condition of fence
- Long term maintenance considerations
- Broadmoor Bluffs fences will be transferred to homeowners April 1, 2014. (Notify Steve of repairs needed prior to transfer).



PUBLIC NATURE PARK

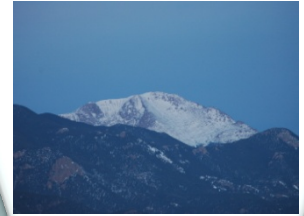


Total # of posts: 279. Number of bad posts: 13. Number of slats needing repair: 5. As of 7/10/2013

2013 Financial Report

Dave Parks

MOUNTAIN OAKS



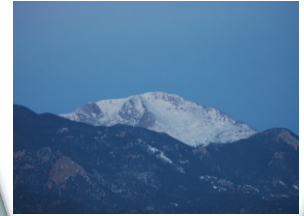
HOMEOWNERS

- Suggest that HOA replenish emergency funds
 - We had to use existing CDs for cash flow
- Propose that MOHA membership dues remain same for 2014
- Individuals with Financial Hardship are encouraged to contact 2014 Treasurer

2013 Financial Summary

Dave Parks

MOUNTAIN OAKS



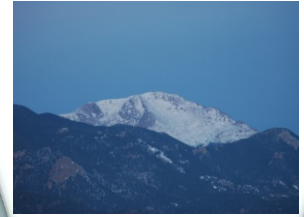
HOMEOWNERS

➤ MOHA Finance summary 2013	
➤ Checking Beginning Balance	\$ 20396.70
Savings Beginning Balance	\$ 6983.70
MOHA dues	\$ 26895.00
Miscellaneous Income	\$ 50.00
Expense	\$ 43055.40
Balance	\$ 11270.00
<hr/>	
Checking	\$ 11270.00
Savings	\$0

MOHA 2013 Budget

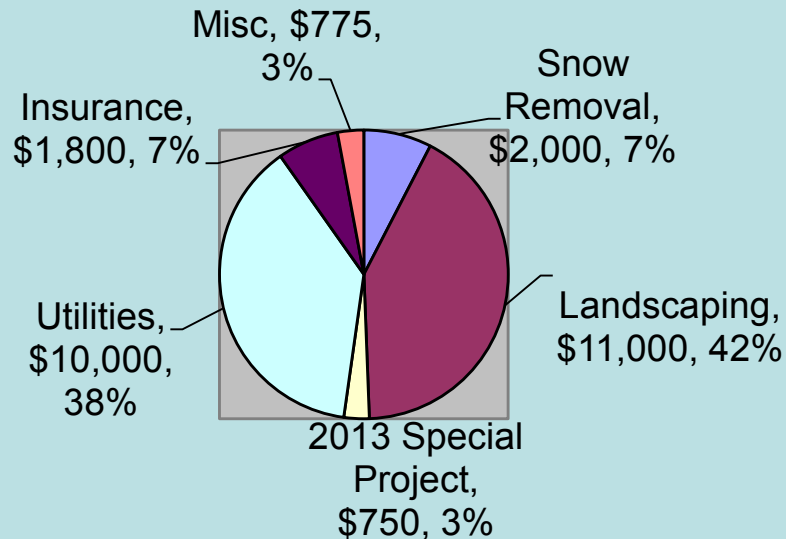
Dave Parks

MOUNTAIN OAKS

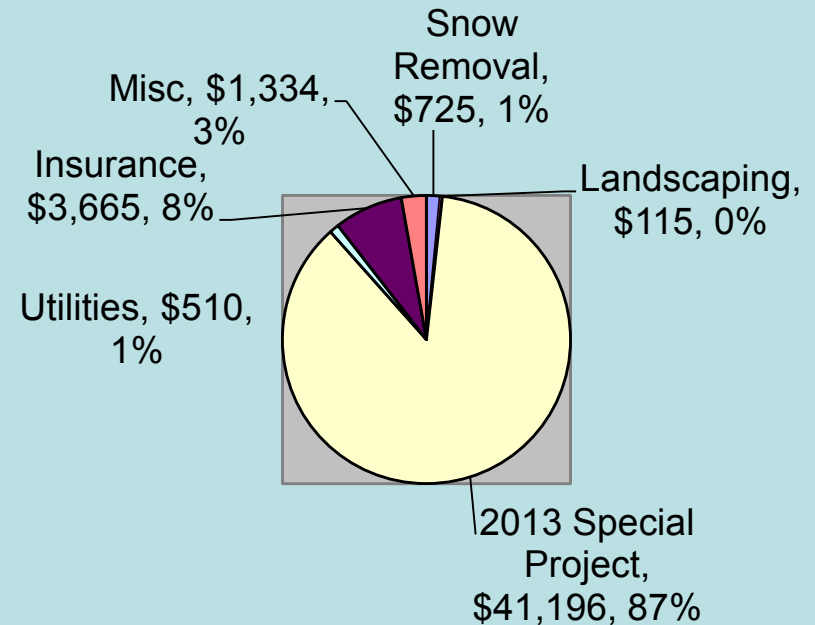


HOMEOWNERS

2013 MOHA Proposed Budget



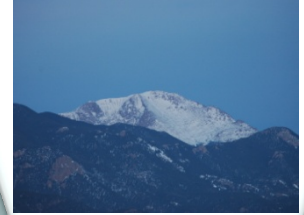
2013 MOHA Actual Budget



2014 Proposed Budget

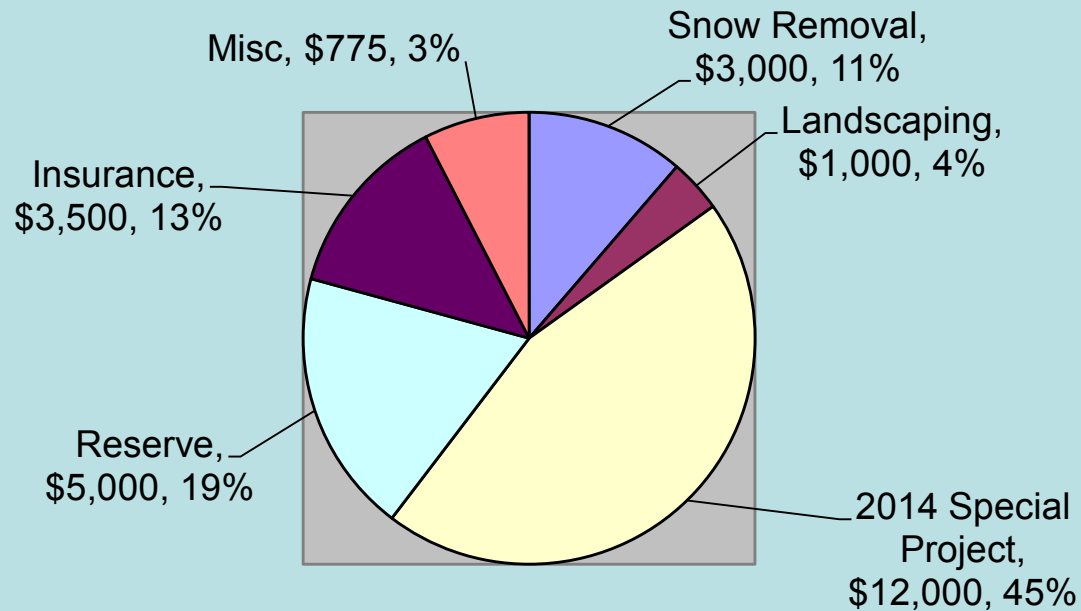
Dave Parks

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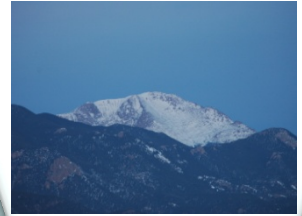
HOMEOWNERS

2014 MOHA Proposed Budget



Secretary Bev Collins

MOUNTAIN OAKS



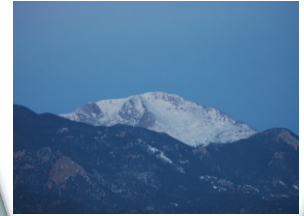
HOMEOWNERS

- I make cookies 😊
- Also keep the minutes.

2014 Considerations

Chris Tschan

MOUNTAIN OAKS



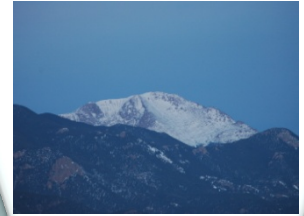
HOMEOWNERS

- Completion of Xeriscaping on Neal Ranch Road
- Maintenance of Xeriscaped areas
- Common Fence
- Mailbox posts and mailboxes
- Fire Mitigation
- Survey condition of common drives

Dues for 2014

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

Mountain Oaks Homeowner Association Covenants

Section 608. Effect of-Nonpayment of Assessments; Remedies of the Association. Any assessments which are not paid when due shall be delinquent. Any assessment not paid within thirty (30) days after the due date thereof shall bear interest from the due date at the rate of two percent (2%) over prime rate of the First National Bank of Colorado Springs per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against such Owner's Lot and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided, and a reasonable attorney's fee to be fixed by the Court, together with the costs of the action. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot.

On 11/26/2013, the Wall Street Journal prime rate was 3.25%

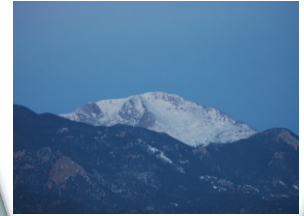
(<http://www.bankrate.com/rates/interest-rates/wall-street-prime-rate.aspx>)

So MOHA penalty rate is 5.25% per year or 0.44% per month

Dues for 2014

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

➤ MOHA dues proposed to remain same for 2014 at \$325

➤ Annual dues bill will be sent in early January, 2014

➤ Payment is due 30 days from date of receipt

➤ 30 days overdue: $\$325.00 + \$1.42 = \$326.42$

➤ 60 days overdue: $\$326.42 + \$1.43 = \$327.86$

➤ 90 days overdue: $\$327.86 + \$1.44 = \$329.30$

➤ 120 days overdue: $\$329.30 + \$1.45 = \$330.75$

➤ 150 days overdue: $\$330.75 + \$1.46 = \$332.21$

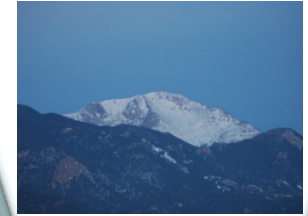
➤ 180 days overdue: $\$332.21 + \$1.46 = \$333.67$

➤ The above dues + late penalty interest do not include additional costs for collection, if needed, such as registered mail.

Colorado Legislative Issues

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

All MOHA
Board
Meetings
Are open to
Homeowners

www.cohoalaw.com/cat-ccioa-101-for-hoa-boards.html

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Home > CCIOA 101 for HOA Boards >

With Few Exceptions - Open HOA Board Meetings Are Not Optional

06 | 24 | 2013
Posted By Molly Foley-Healy

Early last week, I participated as a volunteer for the [Rocky Mountain Chapter of Community Associations Institute](#) on the HOA Line 9 which is hosted by [9 News](#) with the assistance of the Chapter. This outstanding program permits folks who live in and serve on the boards of HOAs in Colorado, to call in with questions about their associations. While we received many questions on the new [HOA debt collection law](#) which will go into effect on January 1st, I also noticed a trend from the calls I received relating to transparency.

Since I understand that many HOAs in Colorado are self-managed and the boards of directors which govern them may not necessarily be well-versed in the provisions of the Colorado Common Interest Ownership Act ("CCIOA") relating to open meetings, I thought now was a great time to provide these folks with basic information on the laws which appropriately promote transparency. Please feel free to share this information with residents and board members of HOAs in Colorado.

Here is what you need to know:

Continue Reading

COLORADO
HOME OWNERS
ASSOCIATION LAW

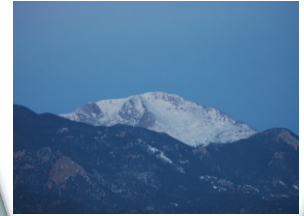
Topics

- > CCIOA 101 for HOA Boards
- > Community Association News
- > Covenant Enforcement
- > From Capitol Hill/Legislation
- > Governance
- > Hot Topic - HOA Records
- > Money Matters
- > Off the Top
- > What the Courts Say
- > Your Governing Documents

Colorado Legislative Issues

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

Even though our association is pre-CCIOA, we are trying to stay up on CCIOA rules.

If you find an instance where we may not be complying, please let us know.

www.cohoalaw.com/cat-ccioa-101-for-hoa-boards.html

10 | 25 | 2012
Posted By Molly Foley-Healy

CCIOA 101 for HOA Boards: Annual Owner Education

With annual meeting season upon us, it's a great time for the boards of HOAs to provide owner education as required by the Colorado Common Ownership Act. CCIOA, at [C.R.S. 38-33.3-209.7](#), requires associations to provide free education at least yearly to owners on ". . . the general operations of the association and the rights and responsibilities of owners, the association and its executive board under Colorado law." This provision of the statute permits the boards of HOAs to determine how to comply with the requirements for owner education. In addition, owner education is not required for time-share communities.

Continue Reading

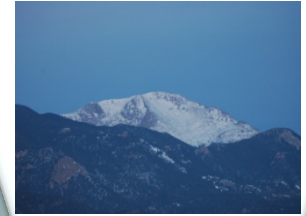
Posted In [CCIOA 101 for HOA Boards](#)
[Comments / Questions \(0\)](#) | [Permalink](#)

Print

Colorado Legislative Issue

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

As an example:
We post dates for board meetings and we post board minutes on the MOHA web site.

www.cohoalaw.com/cat-ccioa-101-for-hoa-boards.html

10 | 19 | 2012
Posted By Molly Foley-Healy

CCIOA 101 for HOA Boards: Notices for Board Meetings

One of the routine questions I receive from boards of HOAs and homeowners, is whether notice is required to be given to owners for regular and special meetings of the board. While CCIOA requires that meetings of boards be open to owners and provides owners with a right to speak before the board takes formal action on an issue - interestingly CCIOA *does not require* that owners be provided with notice of regular and special board meetings.

While CCIOA doesn't specifically require notice, you should check the Bylaws of your HOA to determine whether the Bylaws require notice of these meetings be provided to owners.

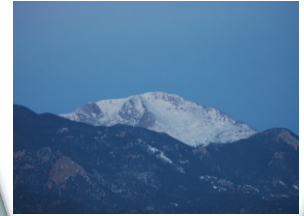
CCIOA, at C.R.S. 38-33.3-308, does *require* that agendas for board meetings be made reasonably available for owners or their representatives. In addition, CCIOA *encourages* associations to provide notices and agendas for board meetings electronically by posting on a website if available. In addition, if the email communication is available, associations are required to provide email notice of regular and special meetings to all owners who request email notice and who provide their email address to the association. For owners who request email notices, notices of special meetings must be given as soon as possible - but at least 24 hours before the special meeting.

Stay tuned for more important information on provisions of CCIOA boards and homeowners need to know about!

Colorado Legislative Issues

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

You may not know how much effort goes into collecting delinquent MOHA dues.

To comply: Starting in 2014 our annual dues notice for 2014 will explicitly state what the penalties are for not paying on time.

www.cohoalaw.com/cat-from-capitol-hilllegislation.html

colorado bill affec

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Time Is Running Out!

11 | 22 | 2013
Posted By
Gina Botti

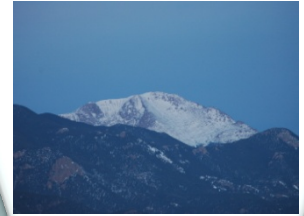
As Stephane Dupont previously [blogged](#), effective January 1, 2014, Associations are required to have a new collection policy in place that complies with the HOA Debt Collection Bill ([HB 1276](#)). The new law requires collection policies to set forth certain procedures an Association must follow when collecting on a delinquent account.

Continue Reading

Posted In [From Capitol Hill/Legislation](#) , [Governance](#) , [Money Matters](#)
[Permalink](#)

MOHA 2014 Board of Directors Nominations – Chris Tschan

MOUNTAIN OAKS



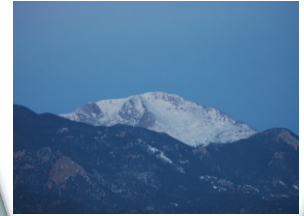
HOMEOWNERS

- Nominations for new board members (received prior to 12/05/2013)
 - Chris Tschan
 - Mary Ann Creque
 - Steve Carmichall
 - Beverly Collins
 - Dee Caldwell
- Positions will be established by the elected board at the first 2014 meeting
- Nominations from floor
- Election via ballot and proxies
- Election of officers
 - Volunteers to count votes
 - 10% of MOHA constitutes a quorum

MOHA 2014 Board of Directors

Chris Tschan

MOUNTAIN OAKS



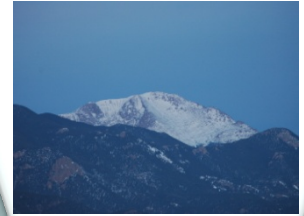
HOMEOWNERS

➤ **Announcement of 2014 MOHA Board**

QUESTIONS and COMMENTS

Chris Tschan

MOUNTAIN OAKS



HOMEOWNERS

Our Homes,

Our Community,

Our Shared Responsibility

Thank You For Attending