

CHATFIELD EAST PROPERTY OWNERS ASSOCIATION

GENERAL BOARD MEETING

9/21/22 AT 6:00 PM

1. CALL TO ORDER at 6:04PM
2. ESTABLISH QUORUM
 - a. Board Members present (3 constitute a quorum):
 - i. Mark Hochstedler
 - ii. Mary Gross
 - iii. Katina Swenson
 - iv. Teresa Spencer, facilitating in Kathy's absence
3. CONSENT AGENDA
 - a. Motion to approve minutes from previous Board Meeting(s):
 - i. 4/8/22 Special Board Meeting
 - ii. 6/22/22 General Board Meeting
 - iii. 7/20/22 General Board Meeting
 - iv. 8/17/22 General Board Meeting
 - b. Motion seconded and unanimously approved
4. COMMITTEE REPORTS – N/A
5. UNFINISHED BUSINESS
 - a. Covenant Amendment – Architectural Control Committee (ACC)
 - i. Board members met with ACC 9/7/22, 9/13/22, and 9/20/22 to review ACC Guidelines with intent to clarify and finalize review process and building requirements
 - ii. Edited document will be posted on CEPOA website as working document, subject to future legal review
 - b. Denver aquifer augmentation
 - i. Well Reports
 1. Mandatory Well Reports have been sent to all members and must be completed and returned by 10/10/22
 2. If members did not receive a well report, contact Cathy Gunderson at 303-808-3772
 - ii. Augmentation Plan
 1. Efforts to change the augmentation plan are still in progress, currently leasing Source Water Assessment Program (SWAP) water from Castle Rock due to Laramie-Fox Hills augmentation well malfunction
 2. Lease for augmentation water through October 2023 has been signed and notarized, approx. ~7k which is less than ~12k budgeted amount
 3. CEPOA has responded to CWSD initial comments, CWSD has until Sept 30 to provide additional comments, next Water Board status conference is Oct 6, 2022
 - c. Valley View Church waterline easement request

- i. Easement request for Roxborough Water to extend pipeline to church through CEPOA open space below lots 71/72/73/74/75 and 94/95/96/97
 - ii. MOTION to approve easement as it stands with understanding that project specifics will depend on the survey
 - iii. COMMUNITY COMMENT prior to Board vote
 - 1. Is CEPOA receiving money for easement? Response: Yes, church will pay us \$48k for the easement, all legal fees, and use of church for meetings free of charge
 - 2. What is plan for \$48k? Response: The money goes into reserve account for now. Options for use: Offset legal fees; lower annual dues once reserve account reaches a predetermined cap based on a multiplier of CEPOA's annual operating expenses.
 - 3. Lease needs to include ground repair to return to original conditions including erosion control, weed control, Douglas Co requirements
 - iv. Motion seconded and unanimously approved
 - v. Next steps are for Roxborough Water to conduct survey and complete final design. Board will have opportunity to review the final design.
- d. 40 acre (aka 4T) rezoning
 - i. 40 acre/lot 25 owner has applied to Douglas County to rezone current agricultural/rural residential properties to Estate Residential. Proposed access for up to 18 homes in that space is across lot 25 and through Chatfield East, increasing vehicle and pedestrian traffic in the neighborhood.
 - ii. Information regarding the re-zoning project can be found at [Planning Pro - Rezoning - Rezoning \(ZR2022-030\) \(douglas.co.us\)](https://www.douglas.co.us/planning/pro-rezoning-rezoning-zr2022-030). See Documents>public comment for comments and concerns sent by others in the neighborhood.
 - iii. There are no current dates or timelines for the referral period or public meetings as the applicant still needs to respond to Douglas County Planning comments.
 - iv. The next step is that the project will go on a 21-day referral period. This goes out for review to entities like engineering, fire, nearby HOAs, Sheriff, water district, and utilities. Douglas County will also send a courtesy notice at that time to abutting property owners.
 - v. After that period, if any changes are needed, the applicant makes the changes, and Douglas County will get the project scheduled for hearings at the Planning Commission and Board of County Commissioners, who make the final decision.
 - vi. Prior to any hearings, Douglas County will post a sign on the property with information about the hearings.
 - vii. If the rezoning is approved, the applicant will have to go through a Preliminary Plan for the subdivision, which follows a similar process to the rezoning, but has more details regarding access, lot sizes and layout.
 - viii. A question came up if a comprehensive plan change would be required for this specific re-zoning project. Per the Senior Planner, a comprehensive plan change would be needed when something is clearly inconsistent with the comprehensive plan. An extreme example would be if someone wanted to do something like apartments or commercial in a rural area, that would need a comprehensive plan change. In the current case, they do need to present arguments for how they believe the rezoning is consistent with the comprehensive plan. Information regarding the comprehensive plan can be found at <https://www.douglas.co.us/planning/master-plans/comprehensive-master-plan/>
 - ix. The CEPOA Board, working with legal counsel, has notified applicant, developer and Douglas County Planning of covenant violations in the proposed plan.

- x. Some Chatfield East residents have started a petition and set up an email address to stay apprised of new information. If you would like to find out more from them, email soschatfield@gmail.com.
 - xi. All are encouraged to send comments and concerns to Trevor Bedford, Senior Planner with Douglas County, at tbedford@douglas.co.us. Be sure to reference the re-zoning project number included in part ii.
 - e. Impacts of recent changes in Colorado State law (including House Bills 1137 and 1139) to Covenants and Bylaws
 - i. Board will request estimate from legal counsel to review documents
 - ii. Priorities are enforcement policy, collection policy and conduction of meetings – legal estimates \$1500 for that review, more could follow
 - iii. Next steps would be for Board to submit Covenants, Bylaws and ACC guidelines for legal review to ensure compliance, document any necessary changes, then present any covenant changes to members for approval if required.
 - f. Backcountry Outdoor Center Project notice
 - i. Project to provide training facility off Hwy 85 1 mile south of our neighborhood. No further action needed.
 - g. Douglas County training center shooting range expansion notice
 - i. Project to expand shooting range is underway. No further action needed.
- 6. NEW BUSINESS
 - a. Communications
 - i. General Board meetings are normally held 3rd Wednesday of each month at 6:00PM. The agenda will be sent to all members via email 3 days or more in advance of the meeting.
 - ii. Some members are not receiving emails or are not conversant with CEPOA website. Board will send letters to all using current address with 40 acre/lot 25 rezoning information and contact information form to update mailing address, email and phone information.
 - 1. Ideally legal review requiring other requirements such as desired contact language will be included in that form
 - iii. Special meeting discussed last Board Meeting is on hold until nature of action and need for member vote is determined.
- 7. EXECUTIVE SESSION ANNOUNCEMENT – N/A
- 8. OPEN FORUM/COMMUNITY COMMENTS
 - a. Housekeeping: Each participant who would like to speak will be allotted three minutes to voice questions, comments, or concerns. The host will unmute residents, one at a time, for their turn to speak. After three minutes have expired, the participant will be muted, and the next participant will be provided their opportunity to speak. At any time during the meeting, please feel free to type any questions you have in the Chat.
 - b. Member Comments:
 - i. Are there HOA laws to preclude people from opting out of an HOA (such as lot 25 opting out)? Response: our understanding is it would take 2/3 vote of membership to allow that. Legal is engaged and reviewing.
 - ii. How many lots proposed on 40 acres? Response: 18 proposed but county will not allow more than 17 if ER allowed.
 - iii. Will 40 acres join CEPOA? Response: Not currently proposed by owner, no contact with CEPOA.

- iv. How do state laws change process for covenant enforcement? Response: Some examples are: New laws cap how much members can be fined, restrict foreclosures, modify notification. Encouraging neighbors to work out issues with neighbors. Recommend individuals contact neighbors, contact county, consider small claims. For fire concerns, consider calling fire dept to walk property and provide guidance.
- v. Reported easement around 40 acres to connect with CEPOA horse trails. Response: please forward that information to Mark to share with Board. Note CEPOA trails are CEPOA open space and not open to the public or new subdivision.

9. ADJOURN – motion made, seconded and approved at 7:02PM