

HAMLET HAPPENINGS - OCTOBER 2016



INFORMATIONAL MEETING

IMPORTANT HOA BOARD NEWS

The Homeowners Association (HOA) Board of Directors (BOD) and the volunteer members on the Documents Committee have been busy updating our Hamlet governing documents. For your convenience we have listed below the major proposed changes to the documents which will (1) bring the Hamlet governing documents into compliance with state law - Colorado Common Interest Ownership Act, Colorado Revised Statutes 2015, Title 38 (CCIOA) (2) simplify the documents by removing sections that no longer apply, and (3) clarify Board and Owner responsibilities and remove any inconsistencies.

You may wish to review your copies of the original Bylaws and the Declaration of Covenants, Conditions, Restrictions and Easements (CCNRs). The proposed changes to the Bylaws and CCNRs are posted on the Association's website: hamletatfountaingreens.com.

If you lack access to the website and need printed copies, you may order copies of the proposed changes from the Managing Agents (Linda & Loren Dake - 970-241-7825) no later than 10 days prior to the November Informational meeting.

The HOA Board has scheduled an Informational Meeting to discuss the proposed changes to be held at 6 PM on November 15, 2016, at the new Community Hospital's meeting room, 2351 G Road. (*Enter the Main Entrance on the west side of the hospital. Turn right through the cafeteria, and right again into the Conference Room.*) The purpose of this meeting is for Hamlet homeowners to learn about the proposed changes and to ask any questions. These documents will not be approved at the November meeting. The approval vote will occur at the HOA Annual meeting in February 2017 when Owner approval will be necessary to complete the adoption of these important changes.

THE PROPOSED CHANGES CLARIFY THE BYLAWS AS FOLLOWS:

Modifies Bylaws to permit the Board to change Bylaws as needed in order to comply with Colorado statutes.

Sets Board membership at 3-5 members or as many will volunteer. Annual meetings will be held in February. (Art. IV Sec.3 & Art. V)*

Owners/members may attend routine BOD meetings by simply contacting a Board

member to get the time and place of the meeting. The Association's Annual membership meeting will comply with Colorado Statue regarding meeting notification. (Art. V Sec. 8)*

Sets the Quorum for Member meetings at 20% of the membership present in person or by proxy to transact business. (Art. III, Sec. 5)* (C.R.S. § 38-33.3-309)

THE PROPOSED REVISIONS TO THE CCNRs CLARIFY THE FOLLOWING:

Eliminates sections referring to the Declarant (the Declarant was an agent of the original developer) and no longer apply.

Clarifies that Directors of the Board must be members/owners. (Art. IV Sec. 4.7)*

Clarifies that the Association no longer supplies water and the Owner is responsible for paying for water supplied by the domestic water supply company.(Art. V, VI, VII, Sec. 5.2, 5.3.1, 6.2, and 7.21, see also next item)*

Individual utility supply and service is the responsibility of the individual Owner. Only the Owner and the utility company need to be involved in arranging repairs. The Association is only concerned at the point of restoration of the common area once repairs are complete.

Removes the requirement that the city of Grand Junction reviews all private Hamlet street maintenance. The city no longer requires this once the subdivision is built out. (Art. V, Sec. 5.3.1, 5.3.2, 5.3.3)*

States that the Board manages assessment funds as required by Colorado law. (Art. VI, Sec 6.2)*

Clarifies that collection Policy for past due assessments agrees with CCNRs that an account is past due and delinquent 30 days after the due date and at this point a late fee will be charged. At 30 days after the due date, interest will be charged on the past due amounts. The amount of the late fee and interest are specified in the collection policy (currently at \$25.00 and 18% per annum respectively). (Art. VI Sec. 6.9)*

Deletes the words "Working Capital Fund". The Association currently has a reserve fund and adds to it every year via the annual budget process, so the "Working Capital" set aside is not needed. (Art. VI Sec. 6.12)*

States that all residents may have domestic pets such as dogs and cats, no longer limiting this benefit to owners only. (Art. VII Sec. 7.3)*

Complies with CCIOA regarding Patriotic or Political signs and flags. Maintains restrictions on all other signs, limiting to one "for sale" or "for rent" signs. (Art. VII Sec. 7.9)*

Prohibits adding additions to the exterior of the dwelling unit. (Art. VII Sec. 7.27)*

Removes inconsistent wording in Amendment 2 and states Owners are responsible for all homeowner's insurance. The HOA provides insurance for common areas and Board liability. (Art. VI & IX, Sec. 6.2 and 9)*

States the Association is not responsible for typical exterior cleaning such as sweeping cobwebs from siding or walks. (Art. VIII Sec. 8.1)*

The Association is responsible for driveway maintenance and upkeep both on

the lot and in the common areas. (Art. VIII, Sec. 8.3)*

The Association is responsible for maintenance and upkeep of the lawn and garden area adjacent to a Residence. The word “patio” was removed as maintenance of the patio/porch is an owner responsibility. (Art. VIII Sec. 8.2).*

Clarifies that the Homeowner is responsible for all insurance on his/her unit, and sufficient liability insurance. States “Owners shall maintain liability insurance in such amounts as necessary to reconstruct Residences within the common slab/roof of which the Residence owned by such Owner is a part.” (Art. IX Sec. 9.6)*

Updates the Declaration to comply with state law requiring 67% approval by the membership to amend CCNRs. (Art. XII Sec. 12.2)*

** The Article and Section numbers specified Refer to the Articles (Art.) and Sections (Sec.) in the proposed Bylaw & CCNR revisions.*

YOUR PARTICIPATION AS A HAMLET OWNER IS CRITICAL!

If you are unable to attend the Informational Meeting, please contact a member of the Board with any questions you may have about the proposed revisions to our Bylaws and CCNRs.

Also, be aware that signed proxies will be essential if you cannot attend the February Annual Meeting. It is at this meeting that the annual election of Directors, the budget presentation, and voting on the proposed document amendments will occur. The Board has undertaken considerable effort over the

last several months to assure the Association’s documents are current and in compliance with Colorado law (CCIOA). Your approval is required to assure the successful completion of the process. Thank you for your diligence and involvement in these important matters affecting the Hamlet!

Your HOA Board Members:

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****Note regarding Glasbergen Cartoon Above: Bring those questions to the November Information Meeting!!!*