



# SOMERSET ESTATES HOMEOWNERS ASSOCIATION

## What's Up #6: June 7, 2018

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### Revised Draft 2018 Declaration Now Online

The board and numerous interested homeowners participated in a process to refine the proposed 2018 Declaration. The latest draft is now posted and available on the SEHOA website. Further comments and suggestions are welcome via email, but major elements of the draft are now fixed.

To the many homeowners who took the time to scrub the documents carefully and give us the benefit of their thoughts: Thank you! The final draft that will come before the community will truly be a group effort of many people and the better for it. You helped make the proposed document even better!

The final version will formally come before the board at the next meeting, June 12. Once approved, a formal voting package will be distributed to homeowners with the goal of receiving at least 60 FOR votes.

**Note: Only votes from homeowners who are current on their dues payments through Q2 can be counted.** If you are behind in your dues payments, please bring your account current before the vote.

Adoption of a new, functional Declaration will be an important step forward for our community. **We urge every Estates homeowner to vote FOR the 2018 Declaration.**

## A Special Thank You

From Marc Arnold, SEHOA President --

Those who attended the May 30 meeting at the Somerset Swim and Tennis Club know that I lost my father two days before the meeting. His obituary is posted [here](#). His hospice care, death and burial took my full attention in the lead-up to the meeting. Had it not been for the extraordinary support and leadership from my fellow board members, the declaration process would have stalled. Thankfully, they stepped up and kept the ball rolling during my absence. I am grateful to them for their efforts above and beyond the call of duty.

I intended to keep my personal travails private and only focus on SEHOA matters at the meeting. That didn't happen. I'd like to thank the homeowners at the meeting for their indulgence because I was far from dispassionate in my grief. More than that, I sincerely appreciated the outpouring of condolences and comforting comments.

When I took the helm of SEHOA two months ago, I naively hoped that a new, albeit limited, sense of community might emerge in our neighborhood in the form of periodic social events. Little did I know that a sense of community can also come from supporting neighbors through tough times. And I certainly didn't imagine that I would be the beneficiary of that support. My sincere thanks to those who shared such warm and supporting sentiments.

Marc Arnold

## **Get Ready to VOTE!**

We anticipate sending a formal package to all homeowners shortly after the upcoming June 12 board meeting. Be on the look out for this important package and cast your vote quickly. Functional new declarations will pave the way to a no-drama, well-maintained and financially stable HOA.

If you already know how you wish to vote or have travel plans that might have you out of town, submit the voting proxy found in the Declaration information package recently sent. Or you can download and print a replacement proxy from the link found on the SEHOA's website. Mail your completed proxy to the SEHOA address below or scan and email to [info@SomersetEstates-HOA.com](mailto:info@SomersetEstates-HOA.com)

To the dozen homeowners who've already submitted proxies... THANK YOU!

# Billing Change: Send Dues Payments to SEHOA

**Your invoice for Q3 (due July 1) was mailed Monday, June 4th. Please follow the payment instructions enclosed with your invoice to pay your dues to Somerset Estates HOA (SEHOA)**

Thanks to the hard work of Al Orendorff / Trio Management and others, we will be able to accept electronic payments. We hope you find this a convenience. Specific payment instructions are included with your Q3 Invoice, including whether we will be able to accept electronic payments.

## Please Voluntarily Pay Q4 Dues in Advance

As described in the previous newsletter, the SEHOA organization just recently came into existence. We anticipate fruitful discussions with SHOA to fairly and equitably distribute assets between the two associations. In the meantime, however, we have no cash.

It would be a great help if you VOLUNTARILY pre-paid your Q4 Dues to SEHOA with your Q3 Dues invoice. This means you would pay \$650 for two quarters, instead of \$325 for one quarter. And if you are feeling particularly supportive, we would welcome pre-payment of any additional amount you would like to support the current situation. With this in mind, some members of the board intend to pay a full year of dues (\$1300) or more in advance.

**Dues paid in advance will be credited to your account and applied to future dues.**

Your voluntary payment of dues in advance will provide much-needed cash to handle the affairs of our association in the short run.

## Orange Flags Show Community Support

Small orange flags marked with "60+" are

appearing around our neighborhood. These signify people voting FOR the Declaration. A flag will be included with the voting package soon to arrive via mail. **You are invited to show your support for the new Declaration by placing your "60+" flag in front of your home!** Additional flags are available upon request.



Feeling really enthusiastic? We even have a limited number of car flags. Drop us a note and we'll get you one.

## **New Declaration Quorum Provision: A Full Discussion**

Several questions have been asked about the number of homeowners that can make decisions about assessments under the proposed amended Declaration. The quorum for any homeowner meeting where a vote is taken is specified in the SEHOA Bylaws as 20%, the default quorum in CCIOA. However, the Declaration may specify a different quorum for particular purposes. Based on questions and comments about Section 5.4 (Special Assessment) and 5.7.2 (Budget Adoption), a consensus arrived at setting the quorum at 30% for both a special assessment and an annual assessment increase greater than 10%. Both financial decisions require ratification by the homeowners and cannot be adopted by the Board alone. This 30% quorum is consistent with the quorum requirements of several similar neighborhoods in our area.

Does this mean that the Board can gather 27 homeowners together (30%), hold a vote, and pass through a special assessment or dues increase? NO! The protection for homeowners to make such decisions is in the meeting notice provisions, not the quorum requirement. All homeowners must be informed about

meetings by a combination of mail, email and neighborhood signage. This assures that every homeowner will have the opportunity to either attend personally or submit a proxy for voting purposes. Recent history has shown much larger turnouts for important decisions. For example, we had 70% of the homes represented at the meeting to elect this board.

In more boring times, achieving a quorum can be difficult. The job of the Board should be to persuade homeowners that care enough to attend a meeting and learn about the issues. It should not be to nag people into attending. To further insure that all homeowners have a chance to be involved in these financial decisions, the proposed Declaration requires that the Board must give notice at least 21 days prior to the meeting, more than double the standard 10 days notice that is in the bylaws.

We did our best to develop a proposed Declaration that is well within the norms of communities around us and that will address the needs of our community going forward.

We hope you agree and ultimately vote FOR the 2018 Declaration.

## **SEHOA ROADMAP**

Your SEHOA board continues to work diligently to complete the list of Compliance Steps and One-Time Actions shown below. Items shown with checkmarks signify completed steps.

We hope this summary allows you to follow the actions of the board “at a glance” and keep an eye on the proposed steps ahead. Of course, formal meeting minutes of board meetings will document actions taken by the board.

### COMPLIANCE STEPS

- ✓ Call a special meeting of Estates Homeowners
- ✓ Elect an Executive Board
- ✓ Elect Officers
- ✓ Select and engage SEHOA lawyer
- ✓ Incorporate SEHOA as a Colorado Nonprofit

- ✓ Establish corporate bylaws
- ✓ Acquire Employee Identification Number
- ✓ Establish financial system and controls
- ✓ Verify or acquire insurance coverages

Establish / comply with mandatory reporting

- ✓ Verify membership roster

Register our HOA with State of Colorado

- ✓ Review CCIOA compliance requirements

Additional steps as required to comply with State law

More...

#### ONE-TIME ACTIONS

- ✓ Open bank account

Work with SHOA to maintain services

- ✓ Conduct meetings to gather feedback about Declarations
- ✓ Propose up-to-date Declarations to Estates homeowners

Conduct homeowner vote to adopt Declarations

Establish initial budget and dues assessment

Meet with Somerset Swim & Tennis Club to discuss how

SEHOA and SSTC can work together for the benefit

of Estates homeowners

More...

#### NORMAL HOA BUSINESS

- ✓ Architectural Control Committee

- ✓ Newsletter
- ✓ Irrigation /Landscaping
- ✓ Social

Directory

More...

## Contact SEHOA

### Association Name

Somerset Estates  
Homeowners Association  
P.O. Box 621  
Niwot CO 80544

### Website

[SomersetEstates-HOA.com](http://SomersetEstates-HOA.com)

### Inquiries via email

[Info@SomersetEstates-HOA.com](mailto:Info@SomersetEstates-HOA.com)

[Anonymous Survey \(click here\)](#)

### Board Members

Marc Arnold, President  
[Marc@SomersetEstates-HOA.com](mailto:Marc@SomersetEstates-HOA.com)

Anthony Chirikos, Vice President  
[Anthony@SomersetEstates-HOA.com](mailto:Anthony@SomersetEstates-HOA.com)

Paula Hemenway, Treasurer  
[Paula@SomersetEstates-HOA.com](mailto:Paula@SomersetEstates-HOA.com)

Susan Reilly, Secretary  
[Susan@SomersetEstates-HOA.com](mailto:Susan@SomersetEstates-HOA.com)

Kip Sharp, At Large  
Kip@SomersetEstates-HOA.com

## Committee Contacts

### Architectural Control

Steve DeWitt (Architect and builder)  
StevenDeWittArch@aol.com

Dave Knudtson  
d.knudtson@comcast.net

Steve Flannery  
spflannery@comcast.net

### Social Committee

Richelle Burnett  
richelleburnett@gmail.com  
202-494-0961

### Landscaping / Irrigation Study

Jim Hemenway  
j.hemenway@comcast.net

## Anonymous Survey

Go ahead... tell us what you really think!

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