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COMMON INTERESTS

MOTHER NATURE

How Your Association
Can Weather the Storm

INSIDE:

Gear Up & Stay Dry
Be Ready for Wildfire!

Tips for Weathering Storm Damage
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President's Letter



DENISE HAAS,
President
CAI-RMC

“It’s not nice to fool Mother Nature!” Does anyone remember this line from a butter/margarine commercial a few decades ago? Well, in this issue of *Common Interests*, we are going to teach you some ways to handle Mother Nature’s wrath. Recently, we experienced a large hail storm. We have tips on how to deal with it, make it easier on you to clean up as well as better understand the best course of action for clean-up.

As far as CAI goes, we hope you had a chance to join us for the **Golf Tournament on June 23rd**. If you missed out on that fun, you can always join us at the **Carnival on August 4th at Centennial Park**. This will be a family friendly event for kids of all ages.

We continue to stream live on Facebook some of our events and committee meetings. If you haven’t had a chance to like our Facebook page, please do so. There are some fun and informative things happening on our page.

I hope you are all enjoying your Summer and had a safe and happy 4th of July!! 🏠



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Executive Director's Message



BRIDGET NICHOLS,
Executive Director
CAI-RMC

Did you know that the birth flower of July is the water lily? Water lilies are both beautiful and purposeful. As they spread across a pond they aid in its ecosystem. They provide shade and keep the water temperature down during the summer; they block sunlight that subsequently keeps algae growth down; they absorb nutrients that would normally feed other plants which keeps the water clear; their shade gives both safety and shade shelter to fish.

We're a lot like water lilies! We seemingly do one thing but have many other things going on that most people may not realize. We serve many different purposes—in our lives and in our professions. I believe we do it beautifully just as water lilies do. What do you think? What are your moments behind the scenes that you're proud of? Feel free to share with me at bridget@caddo-leadership.com. Let's share our everyday (and not so everyday) success stories because, after all, it's not always what happens on the surface that impacts the world around us. 🏡



Water Lilies; Birth Flower of July



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Keeping Your Homeowners And Employers Confident In Your Ability To Provide High Quality Service

by Sara B. Duginske, M.S., Director, Credentialing Services
Community Association Managers International Certification Board (CAMICB)

If you're one of many CMCA's gearing up for the Fall and Spring recertification cycles, the summer months are a perfect time to regroup and recharge by participating in fun and educational learning opportunities. It's never too early to make sure you're on track to successfully complete the process. Recertification means you're an accomplished professional committed to developing your skills and knowledge.

Recertification is a critical component to promoting and demonstrating continued competency in the community association management profession. In order to maintain the CMCA credential, recertifying CMCA's must participate in continuing education in the field of community association management totaling at least 16 hours of continuing education coursework every two years, and pay the \$105 annual maintenance fee.

NCCA Accreditation—An Essential Element of the CAMICB's Credentialing Program

The National Commission For Certifying Agencies (NCCA) was created in 1987 by the Institute for Credentialing Excellence (ICE) to help ensure the health, welfare, and safety of the public through the accreditation of a variety of certification programs/organizations that assess professional competence. NCCA accredits over 200 of the leading credentialing examinations in the United States, including the CMCA examination.

CMCA Recertification: Reinforcing the Value of the Essential Credential

The CMCA examination is NCCA-accredited and in the professional credentialing industry, NCCA accreditation represents compliance with best credentialing industry practices. As a CMCA you can continue to enhance your marketability, show your dedication to your profession, and provide the highest level of guidance to your associations by continuing your education and maintaining your certification.

Recertification also provides the opportunity for you to reaffirm your commitment to the CMCA Standards of Professional Conduct to your community associations, your employers, your peers and the millions of people living in community associations.

There are numerous professional development opportunities for CMCA's, ranging from college degrees and coursework, to conferences, professional coaching, community workshops, seminars, symposiums, and webinars. There are many courses offered that cover a wide range of topics including community association

management operations, administration, legal requirements, accounting, human resources, and public administration.

CMCA's earn 18% more than non-credentialed managers.

Continuing Education

In February 2017, the CAMICB Board of Commissioners approved a new continuing education policy for individuals seeking CMCA recertification.

Make sure to familiarize yourself with those changes, many of which are located in the Credit Specification section which can be found here: <https://www.camibc.org/Pages/Continuing-Education.aspx>

In addition, it's important to note that anyone who meets the continuing education requirements to maintain the following credentials will meet the CAMICB continuing education requirement:

- CAI's Association Management Specialist (AMS)
- CAI's Professional Community Association Manager (PCAM)
- National Association of Housing Cooperative's (NAHC) Registered Cooperative Manager (RCM) designation
- Florida's Community Association Manager license (CAM)
- Nevada's Community Association Manager certificate

Recertification requires the completion of 16 hours of continuing education within your two-year certification period.

Not sure of your recertification date? Go to: <https://www.camibc.org/find-a-cmca>

Are you receiving the CAMICB SmartBrief, exclusive to CMCA credential holders? This weekly snapshot of both industry and CAMICB news will keep you up to date on what's happening in the field of community association management: <https://www.camibc.org/Pages/Smartbrief.aspx>

Upcoming Chapter Events And Approved Educational Programs/ Offerings can be found at <http://www.cai-rmc.org/Events>

Visit www.camibc.org for useful resources, links, approved continuing education courses and providers. ⬆

Jeff Kerrane is a partner at Benson, Kerrane, Storz & Nelson, which represents homeowners and community associations faced with construction defects throughout Colorado, Minnesota, Wisconsin, and Texas. Jeff was a member of CAI Government & Public Affairs Committee from 2015 to 2016.

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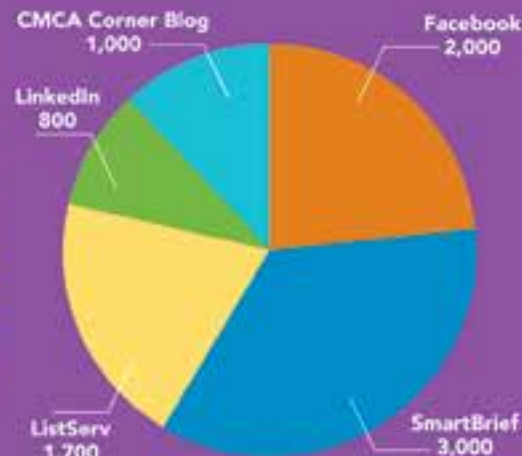


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GEAR UP

And Stay Dry!





Tia M. Zavaras,
Benson, Kerrane,
Storz & Nelson

As a Coloradan, you don't need to be a meteorologist to know a couple truths about our weather. It can be extreme. And it can be unpredictable. Three weeks ago, I was seeding my lawn and planting flowers. Today, I'm watching the sun melt the remnants of the last snow storm off my deck. I love the unpredictable Colorado weather, but I have seen many cautionary tales of communities caught off guard when Mother Nature invariably strikes. Because we don't have a crystal ball to tell us when our next weather event will occur, this is the time of year to take

inventory of the preventative measures you can implement in your communities. These measures go a long way in preventing costly damage to residential and business structures and their contents.

The best way to get communities ready for Mother Nature is to do a site walk with a trusted licensed contractor. Take time to walk around every building to observe the conditions. The most important function of a structure is to keep Mother Nature out.

Grab a Poncho

After a storm, take the opportunity to look at how water is being managed around the community. Pay attention to window and door leaks. They can and will damage the contents and finishes of the home or business but, over time, prolonged and continued water intrusion into a structure will also damage the building framing. If water is entering the structure at multiple units in the same community, contact a licensed architect or engineer to determine the cause of the water intrusion and to provide a repair recommendation that can be implemented by a licensed contractor.

Hang On to Your Umbrella While You Inspect the Roofs!

We often feel the wrath of Mother Nature first at the top of the structure. Is it time to perform maintenance on the roof penetrations such as plumbing vents and skylights? Are the boots on the vents cracked and damaged? Has the sealant at the vent or flashing deteriorated? These are all common areas of water intrusion following heavy precipitation. Inspecting and maintaining these areas will go a long way to prevent Mother Nature from wreaking havoc on the roofs.

Get Your Mind in the Gutter

Move to the sides of those roofs and observe how the gutters are performing. Roof gutters serve to remove snow and water away from the structure. Are the gutters clogged with the leaves and debris from last fall? In the winter, they can become blocked or damaged by ice damming. Gutters need to maintain proper slope so that the water does not sit against the roof structure any longer than necessary. Follow the gutter to the downspout extension. Is the extension still attached or has it been removed and is lying next to the building? Is the elbow bent up against the structure, preventing proper discharge of the water? Re-route any extensions that discharge water near a window well. Make sure that the

extension has positive slope to properly discharge water at least six feet away from the building foundation. Speaking of foundations, walk around them. Is water ponding against the foundation because the grade is flat, or has little or reverse slope towards the building?

Now, Put Your Galoshes On

Step back from the buildings and observe whether water collects and saturates the sod even though it has been days since there has been precipitation. Is there an area that is referred to as the community's "mosquito coast" because of a constant source of stagnant or ponding water? If so, it's a good idea to have an engineer provide grading recommendations. You'd be two steps ahead of Mother Nature.



"An ounce of prevention is worth a pound of cure, and this couldn't be more true for community associations in Colorado."

In summer, even when Mother Nature has been quiet for five minutes, it is not uncommon for sump pumps to be working overtime to remove water from the foundation. Is that sump pump discharging on to the sidewalk, making it a mossy mess during the warm months and a sheet of ice when it's cold? If so, your engineer can help re-route the sump pump discharge.

One smart way to get ahead of Mother Nature, is to review your communities' liability insurance policies with your favorite insurance broker to determine if they are adequately insured for losses due to Mother Nature. More and more communities are having to opt for high deductible policies, especially for hail claims. If your community will incur a significant deductible on their next hail or flood claim, the association will invariably have to specially assess owners to pay that deductible. Those assessments can run in the thousands of dollars. If any of your communities have these high deductible policies, it's a good idea to notify the owners and recommend they add a very inexpensive "special assessment" endorsement to their own personal owners' insurance policies to cover the special assessment.

An ounce of prevention is worth a pound of cure, and this couldn't be more true for community associations in Colorado. Taking steps now will save you and your communities from headaches in the future. As Mother Nature has shown us in recent years in Colorado, we never know exactly what to expect, be it wildfires, blizzards, wind storms, hail, or floods. However, by being proactive and taking a few steps now before disaster strikes, you can position your communities to weather whatever Mother Nature decides to throw at them. ⬆

Tia M. Zavaras is a Partner at Benson, Kerrane, Storz & Nelson. When she is not attending her boys' sporting events or litigating construction defect cases, she enjoys gardening and working in the yard.

Get CHARGED UP!



Electric Vehicles Coming to a Neighborhood Near You

Governor Hickenlooper signed SB13-126 into law (2013), requiring community associations to permit owners to install Type 1 and Type 2 electric vehicle charging stations on their lots and on limited common elements designated for an individual owner's use. SB13-126 adds Section 106.8 to the Colorado Common Interest Ownership Act and states the following reason for the legislation: The primary purpose of this section is to ensure that common interest communities provide their residents with at least a meaningful opportunity to take advantage of the availability of plug-in electric vehicles rather than create artificial restrictions on the adoption of this promising technology.

The new law further encourages associations to apply for grants to assist with funding electric vehicle charging stations on common elements. SB13-126 goes on to state requirements for electric vehicle charging stations that associations must permit. With this new legislation, which is effective immediately, associations cannot prohibit installation of electric vehicle charging stations on an owner's unit or limited common element designated for the owner's use and cannot charge owners a fee for the right to install a charging station.

While SB13-126 grants owners permission to pursue the installation of electric vehicle charging stations, the law does not require associations to incur expenses related to the installation or use of these stations. Some properties may require upgrades to electrical wiring and disruption to common areas as part of the installation work for a charging station. Associations can and should address these issues through policies and agreements with owners who are seeking permission to install charging stations.


As part of their policies concerning electric vehicle charging stations, associations can require the following:

- Adherence to bona fide safety requirements
- Registration of the charging station with the association within thirty days of installation
- Compliance with the association's governing documents, reasonable aesthetic provisions concerning dimensions, placement and external appearance, and design specifications
- That the owner engage the services of a licensed and registered electrical contractor familiar with the installation and code requirements for electric vehicle charging stations

- Proof of insurance or payment of the association's increased insurance premium costs related to the charging station
- Removal of the system if necessary to maintain the common elements


Because the law goes into effect immediately, associations should consider adopting policies now so that procedures are in place before owners submit architectural requests for charging stations. A number of industry professionals testified at committee hearings as SB13-126 moved through the legislative process and are available to assist associations and owners with designing solutions that fit the unique aspects of their properties.

If your association needs help with a policy, or seeks professional assistance on installation options on site, contact one of our attorneys for information and resources.

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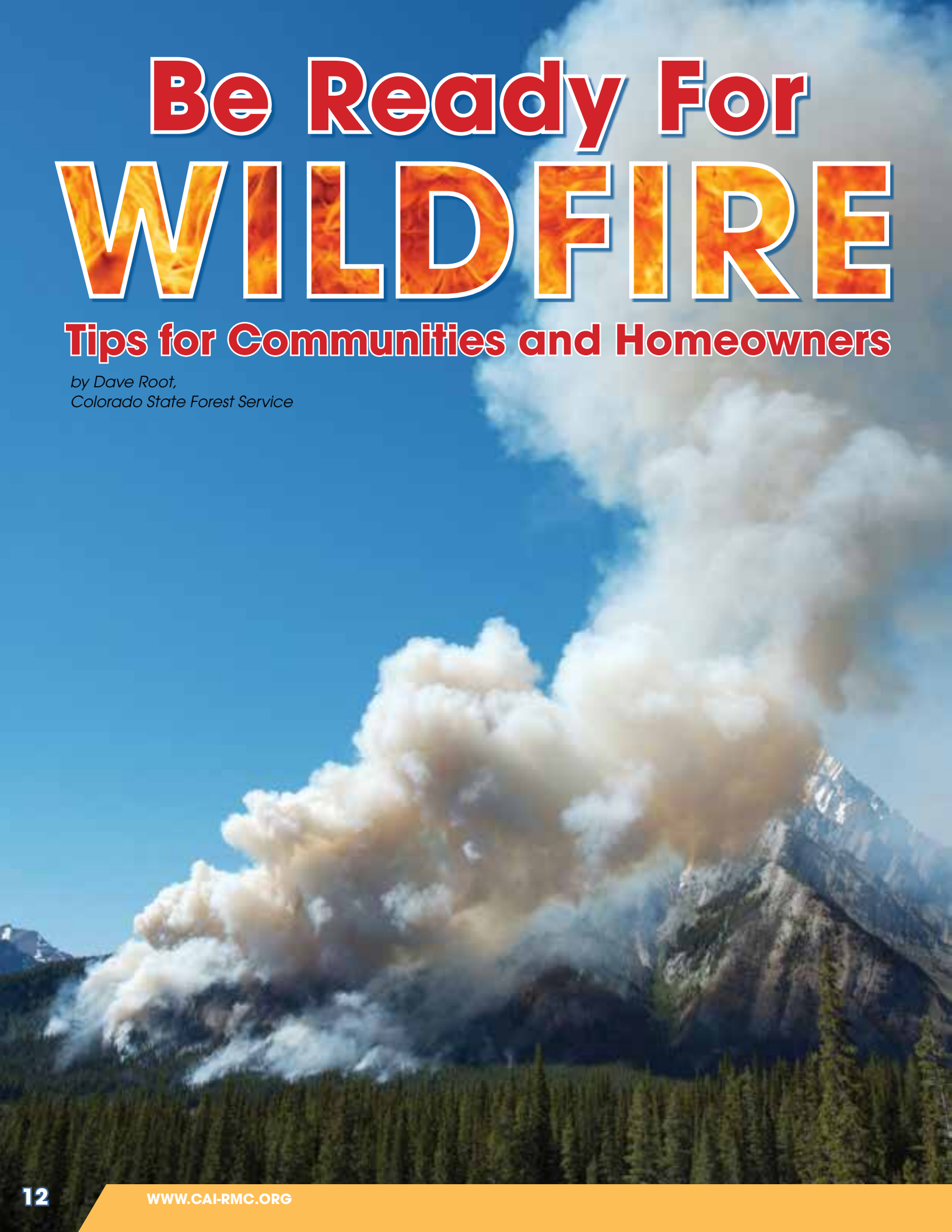
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Be Ready For **WILDFIRE**

Tips for Communities and Homeowners

*by Dave Root,
Colorado State Forest Service*



It's July, so it's probably safe to say that the evening news is reporting on some community, somewhere, threatened by wildfire.

Every home, business or community within or close to wildland fuels, be they forests or grasslands, is at risk from wildfire. The specter of such destruction is frightening to confront, and perhaps that is why so many communities choose to ignore it—often at the cost of lives, property and the wildlands so loved by the residents. But communities that acknowledge this threat and take action in advance have the best chance of surviving a wildfire.

Take the example of Cathedral Pines, a community in the direct path of the 2013 Black Forest Fire north of Colorado Springs. The developer of Cathedral Pines had the foresight to thin the forests, removing unhealthy trees and dangerously unnatural fuel accumulations, before the homes were even built. As the fire burned through the community, the prior fuel reduction efforts reduced the fire's intensity, and only one home, near unmanaged forest outside Cathedral Pines, was lost. Furthermore, the forest survived with the loss of only a few trees, so the community and its forest quickly recovered. If Cathedral Pines demonstrated that a community that is prepared can survive Colorado's most destructive wildfire, why do so few communities plan and take actions for their own survival?

One reason is that oftentimes they don't know where to begin. The first step is a simple phone call to your local fire protection district or Colorado State Forest Service (CSFS) district office. The CSFS is a service and outreach division of the Warner College of Natural Resources at Colorado State University, and assists communities and landowners with forestry and wildfire mitigation issues. Nineteen district and field offices are located around the state, with contact information available on the CSFS website at www.csfs.colostate.edu.

Every task also begins with a plan, and help is available to communities through the creation of a Community Wildfire Protection Plan. Although the name may conjure images of a complex document written in confusing jargon, CWPPs, as they are known, are actually written by the communities themselves, in language they understand, with the assistance of a forester. In plain English, these plans answer three questions:

What are our unique values at risk?

How might wildfire threaten these values?

How do we reduce this threat?

Motivating the community to take action is the next task. There is help here as well. Your local fire protection district and CSFS representatives will work with your community, with firefighters available to speak at HOA meetings and community events. Many fire districts also will visit homeowners and provide confidential recommendations for reducing fire risks inside and outside the home.

The CSFS also provides information and literature on a wide variety of forestry and wildfire topics. Forest health and wildfire risk reduction are inseparable goals, and a forester can additionally offer advice about insect and disease problems and help communities improve forest health while reducing wildfire risk.

The Firewise Communities/USA® program offers another means to help motivate and educate the community. The program recognizes communities with active wildfire risk reduction programs, provides educational literature and helps communities to share ideas and success stories with others. More information can be found on the CSFS website at www.csfs.colostate.edu/wildfire-mitigation and at www.firewise.org.



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Persuasive community leaders also can lead by example. Any community, be it a formal HOA or an informal group of neighbors, is a collection of individuals, and every individual action protects the larger community.

Some simple, effective tasks to reduce wildfire risk include:

- Prepare for the worst, and the potential need for evacuation, at the Ready, Set, Go! website: <http://www.wildlandfirersg.org>
- Address roofs, gutters and decks, which are the most vulnerable parts of your home. Remove combustible debris like accumulating leaves and pine needles from the roof and gutters wherever it collects. Also, never store firewood or any combustible materials beneath a deck, and replace plastic gutters with metal ones since plastic gutters will burn in a wildfire.
- Remove all flammable materials within five feet of structure foundations and beneath decks to prevent ground fires from creeping up to the structure. Treat propane tanks the same way.
- Know that landscape plants can be as hazardous as native vegetation. Landscape only with fire-resistant plants. Lists of Firewise plants are available from Colorado State University Extension and the CSFS.
- Stack firewood at least 30 feet away and uphill from your home.
- Mark your driveway with four-inch reflective numerals on a noncombustible post at the end of your driveway, so emergency responders can find your home in a fire or medical emergency.
- Keep grass or herbaceous vegetation within 30 feet of your home mowed to a maximum height of 6 inches.
- Check soffit and foundation vents to be certain they are metal and screened with 1/8-inch metal screen (as opposed to having larger holes that might allow burning embers to pass through). Plastic vents and nylon screens melt during a fire.

This is by no means a complete list. More information is available from the CSFS website or your local district office.

The next steps, such as thinning trees near the home, takes more thought and planning. Colorado's forest are diverse, and effective fuel reduction in piñon and juniper forests is much different from methods applied in sub-alpine spruce forests. Be sure to seek advice from a professional forester before cutting any trees. And for those who are unable to accomplish the work on their own, there are reputable contractors who can do so quickly and efficiently.

Reducing the wildfire risk to homes and communities isn't always easy, but rebuilding a community lost to wildfire is worse. Working with neighbors to take action before a fire arrives is your best means of helping reduce this risk to life and property. ⬆

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Hail NO!



Tips for Weathering a Storm Damage Insurance Claim



Michelle Cruff,
Gravelly & Pearson,
LLP

Most of us in Colorado have had to deal with it at one time or another. Those dreaded ice-balls falling from the sky: hail. As many Coloradoans know, storms like the devastating early-May tempest that dropped nearly 2-inch hail and took out the Colorado Mills Mall are just the beginning of an often nightmare-like experience. But there are a few ways that homeowners and managers can make this experience easier on themselves and their communities. Here are 13 tips for what to do when you have found yourself and your community in the eye of the storm:

1. **Document, Document, Document!** Take photos before a loss. This can be a video of the property, photos, or any other form of evidence that shows that the property looked like in “good” condition.
2. **Notify your insurance company of the storm that came through (in writing) even if you do not believe there were any damages.** Why, you ask? It is your duty under the insurance contract. Plus, you, as a homeowner or manager, may not know of any damages right off the bat, as water intrusion can happen over time. Months down the road, owners and tenants may be complaining of leaky roofs where no leaks ever existed before, and it all relates back to a single hail-storm. By notifying your insurance company immediately, they will send out an adjuster to formally inspect the property for damages. In the event they say “no damages were found” or “minimal damages were noted, but not enough to meet your deductible” get a second opinion.
3. **Document, Document, Document!** When a loss has occurred, once again, document the loss, by taking photos, videos, etc.
4. **Obtain a certified copy of your policy.** Don’t get just the declarations page, get a full copy. This will ensure that you are able to identify key aspects of your policy such as limits, deductibles, and exclusions as of the date that the damage happened.
5. **Designate “one voice” to interact with the insurance company.** This can either be the manager, or the Board President. This will protect the community from any errors in communication and will help to prevent related delays in your claim.
6. **Mitigate your damages.** If you need to place a tarp over the roof to prevent further damages, do it. Keep any receipts that you paid out of pocket to mitigate any damages. However, **DO NOT MAKE PERMANENT REPAIRS.**
7. **Document, Document, Document!** Cooperate with your insurance company and be proactive about working with them. Document all of your communications; these should be done in writing and you should limit any verbal conversations.
8. **Contractors, public adjusters and roofers will come out of the woodwork after a storm.** Check their references and keep in mind that contractors and roofers cannot advocate, negotiate claims, or discuss coverage and exclusions with the

insurance company. Only a public adjuster or an attorney can do this. Also, anyone who promises to pay your insurance deductible is violating Colorado law!

9. **Get your own estimate of damages.** It's like getting a second opinion on a medical diagnosis. Hire someone who can obtain all damages. Hail storms can damage not just roofs, but also gutters, fences, siding, rtu's (roof top units), brick, handrails, etc. Getting your own estimates will help you in evaluating whether your insurance company is paying sufficiently.
10. **Document, Document, Document!** Have we said that before?
11. **If your insurance company requests a "proof of loss", an "examination under oath", or "appraisal," tread lightly!** These requests, if not handled properly can lead to severe limits of coverage or bar any recovery under your policy.
12. **Make sure to mark your calendars;** many Colorado insurance policies require communities to file a lawsuit (if necessary) within two years from the date of the storm.
13. **Contact an experienced law firm** in the event that you feel you are running up against the two year deadline, were treated unfairly, bad faith is involved, the claim was underpaid, or if you were denied payment of your claim. Make sure the law firm you choose has experience in insurance disputes and handling HOA matters, and has a successful trial record. ⬆

Michelle is the Vice President of Client Relations at Gravely & Pearson, LLP, a Texas-based law firm that handles hail damage and insurance recovery cases around the country.



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WHAT THE

Options and Consideration



THE FRACK?

Options for Community Associations with Mineral Rights



David Closson,
HindmanSanchez,
P.C.

With continued advancement in fracking technology, oil and gas operations continue to spread across Colorado. As a result of this increased development, more and more community associations are being faced with a multitude of decisions regarding the minerals underlying the community's common areas.

Oil and gas companies perform extensive title work to determine the owner of mineral rights. After ownership is determined, the company will send a "landman" to contact the owner of the mineral rights in an attempt to acquire rights to develop those minerals. For a typical community association being contacted by a landman is the likely first indication that the association may own mineral rights.

Mineral Estate

The owner of real property in Colorado may separate or sever ownership of the surface estate of the property from the mineral estate so that ownership to the surface vests in one owner while ownership of the minerals vests in a different owner. Such separation is commonly done long before a residential subdivision is developed. This results in situations where community associations with common area parks and open space parcels may, or may not, own the minerals underlying their property.

Options for Mineral Holders

Assuming an association owns mineral rights, the association has the following four options when approached by an oil and gas company interested in developing the underlying minerals: (i) sell the minerals; (ii) enter into a lease with the oil and gas company; (iii) become a partner in the drilling project; or (iv) do nothing and be subjected to Colorado's "forced pooling" statute.

Sell the Minerals—As discussed above, the mineral and surface estate can be severed and separately owned. This would allow an association to sell the minerals under their common area parks, detention ponds, and open spaces while maintaining ownership of the surface estate of such property for its intended use.

Enter into a Lease—The association could enter into a lease with the oil and gas company allowing for development of the minerals. Under this option, the oil and gas company would pay a royalty to the association equal to a percentage (typically 15% - 19%) of the value of the oil and gas produced from the property.

Participate in the Drilling Project—A mineral owner is also entitled to participate in the drilling, thereby becoming a partner in the project. This option would allow the association to share in the profits from the project. However it would also require the association to pay its proportionate share of the drilling costs for the well. This option may be unappealing, as drilling and completion costs for a well today commonly exceed \$5,000,000.

Do Nothing—If the association does not want to sell the minerals and refuses to enter into a lease or actively participate in the project, the association may elect to simply do nothing. The oil and gas company could seek a pooling order from the Colorado Oil and Gas Conservation Commission and the project could move forward under Colorado's statutory pooling provisions. This option requires the other participants in the project to pay the association's proportionate share of the drilling costs. The association will be entitled to share in the production revenue from the project, but only after the other participants recover 200% of their drilling costs. This is essentially a penalty for not sharing in the financial risk of the project.



"More and more community associations are being faced with a multitude of decisions regarding the minerals underlying the community's common areas."

Questions and Considerations

The issues and options above implicate a myriad of legal issues for a community association holding mineral rights. For example, an association will need to determine if a proposed course of action can simply be approved by the association's Board of Directors, or if a community-wide vote is needed. Such approval requirements will depend upon the specific nature of the proposed transaction, as well as the contents of the association's governing documents.

In the event a lease is desired, the association should ensure that provisions within the lease addressing issues such as royalty amounts, surface use rights, warranties of title, and indemnifications adequately protect the community. Finally, although documents such as oil and gas leases may be presented as "standard forms," they are nevertheless subject to negotiation and revision as may be necessary to protect the community. ⬆

David Closson is a partner at HindmanSanchez, P.C.. HindmanSanchez has been dedicated to representing community associations in Colorado since 1988.

Understanding the Most Common Gaps in your Home Insurance



Ella Washington,
Ella Washington
Agency American
Family Insurance

Do you know if you have the correct coverage on your home policy? When is the last time you reviewed your policy with your insurance agent? With today's changing market, it is important to review your policy annually. Your home policy may be missing important coverage. But what exactly are you missing? Here are common coverages to discuss with your insurance agent about your home insurance:

Single Family Dwelling Homes:

Ask your agent if you have a full Replacement Cost policy on your home or if you have an Actual Cash Value policy. The Replacement Cost Policy will offer you replacement coverage (with today's pricing of labor and construction materials). An Actual Cash Value policy will be a depreciated amount paid, on a covered claim, and you will most likely be out of pocket for damages.

Does your roof have a Depreciated Roof Scheduled (this is where insurance companies pay a lesser amount on your roof, depending on the age and condition of your roof, in the event of a covered claim).

Talk to your insurance agent to see if your roof has a Separate Wind or Hail Deductible. Many carriers have now mandated a separate deductible amount for claims arising from Wind or Hail damage.

Flood Insurance is not typically covered on a home policy (this can vary depending on your insurance carrier). Flood insurance is generally viewed, by insurance companies, as any ground water entering into a structure. If your home is not in a Flood Zone, you can still purchase Flood Insurance through your insurance agent.

Condos or Townhomes:

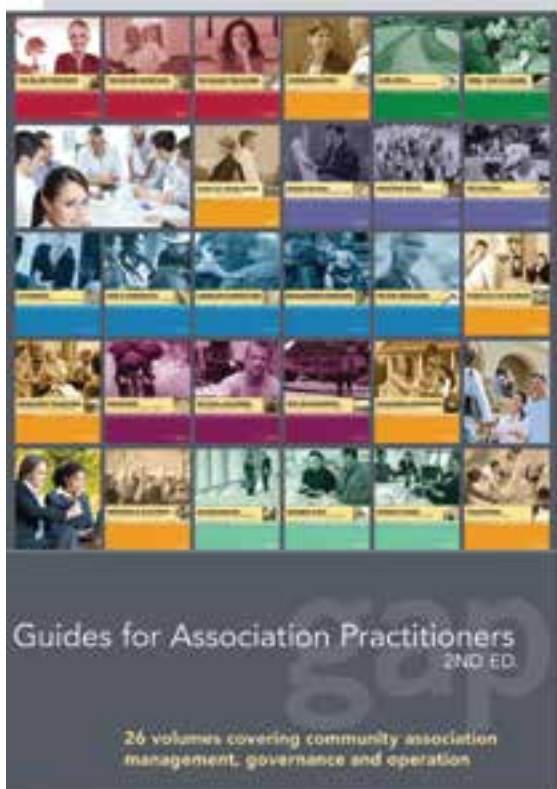
HOAs are seeing more Special Assessments from wind/hail claims. As a result we suggest working with your interior insurance agent to get Loss Assessment coverage to help pay for this deductible. Loss Assessment coverage is a simple endorsement that can be added to your interior insurance policy to cover insurance related HOA Special Assessments.

Some interior insurance companies are excluding Loss Assessment coverage when the claim itself is from Wind or Hail damage (call your agent to get clarification about your specific coverage). If your insurance carrier does cover Wind/Hail related Loss Assessments, be sure to ask if there is a cap on the amount of coverage they will offer (some carriers only offer \$1,000 in coverage).

Because some claims are simple accidents of our own wrong doing or our tenant's negligence, you could be liable for the HOA's deductible. Be sure to ask your insurance agent how to add additional coverage to your policy, for the HOA's deductible, in the event you are found negligent. ⬆

Ella Washington is a veteran insurance agent of 21 years offering transparent communication to her clients. Ella is DORA approved to educate Real Estate Agents and Community Association Managers for continuing education.





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The Nuts, Bolts and & BUBBLES of Aeration

By Shannon Junior,
Aquatic Ecologist & Senior Business
Development Consultant at
SOLitude Lake Management

There are few events that can occur in a community pond that cause the amount of anxiety and uproar among the residents as a fish kill. Sure, we get plenty of calls about algae blooms and clogged fountains and excessive trash, but nothing creates the level of panic that ensues when there are dead fish floating on the surface of the water. Many residents become concerned that there may have been a toxic spill or illegal dumping incident, or they think that the landscaping company must have used something on the surrounding property that killed the fish. In reality though, most fish kills occur not because of a poisonous substance, but because of low dissolved oxygen conditions in the water.

Although fish respire through gills instead of lungs, they still require oxygen to survive. Since very warm water cannot hold the same amount of oxygen as colder water, dissolved oxygen can become depleted during the summer months. Because many stormwater ponds are fairly shallow, with water only flowing in during and after rain events, sunlight is able to penetrate throughout the water column, causing the water to become very warm and stagnant. Deeper ponds may experience a phenomenon called “stratification,” where the warmer water at the surface of the pond does not mix with the colder, denser water near the bottom. The bottom water does not recharge with oxygen from photosynthesis or interaction with atmospheric oxygen, so fish can only survive in the upper part of the water column. During a large rainstorm or wind event, the pond can “turn over,” mixing the low oxygen bottom water throughout the rest of the pond. Low oxygen related fish kills can occur in both shallow and deep ponds if the conditions are right—Or WRONG, in this case.

So, what can be done to reduce the risk of a fish kill in a pond or lake? The best approach is to implement a comprehensive, ongoing maintenance program that includes integrated management strategies for algae and weed control and water quality management. One of the best practices for water quality improvement is the installation of aeration equipment to circulate the water and increase dissolved oxygen levels throughout the water column. There are many different types of aeration systems available, although the most commonly used are surface aerating fountains and submersed diffused air aeration systems. While both types of aerators can be extremely effective, each one has certain features that would make it the appropriate choice depending on

Floating fountain aerators provide effective oxygenation in shallow lakes and ponds, which can help reduce undesirable algae by facilitating the conversion of phosphorus to forms that do not sustain algae growth.


the characteristics of a particular waterbody. And those without electrical access near their lake or pond are not out of luck. Solar-powered and windmill aeration systems are a more ecologically-friendly option, and can be used to enhance aeration in more remote locations.

Submersed diffused air aeration systems utilize pumped air to de-stratify the water column and to infuse oxygen into the pond. The typical configuration involves an air compressor that is located on the shore in a small weatherproof enclosure, which pushes air through subsurface tubing to one or more bubble diffusers located on the bottom of the pond. As the bubbles rise to the surface, they carry the low oxygen bottom water upwards, where it is mixed with the oxygen rich surface water and attached to atmospheric oxygen, before sinking back towards the bottom. This constant vertical mixing increases the overall dissolved oxygen concentration in the water column. Submersed diffused air aeration is most effective in larger lakes and ponds with depths greater than 6 feet. In very shallow water, the bubbles do not have enough depth to spread out as they rise to the surface, so less of the water column is circulated, requiring larger systems and more expense for adequate aeration.

Surface aerators, such as floating fountain aerators, are situated on the surface of the pond. These units contain a float-mounted pump that sucks water from just below the surface and sprays it up into the air. Unlike submersed diffused air aerators, surface aerators are most effective in shallow ponds and lakes. The oxygenation from floating aerators occurs when the water that is sprayed into the air splashes back down onto the surface of the pond. This interaction allows for the venting of gases and the transfer of oxygen into the water. However, because all of the oxygen transfer occurs at the surface, very little benefit is gained in the lower depths near the sediment.

A professional pond and lake management company can help you choose the appropriate aeration strategy based on the characteristics of your waterbody, your goals for the facility, and your budget for the project. But no matter which system is implemented, aeration has many benefits beyond just preventing

fish kills. Aeration will improve the health of your waterbody by increasing the amount of oxygen in the system, which facilitates the conversion of phosphorus to forms that are not usable by algae as food. It also alters pH and other related water quality parameters to favor the growth of healthy green phytoplankton at the base of the food chain rather than potentially toxic cyanobacteria species. The end result is a healthier pond with fewer harmful algae blooms, and a reduction in the need for algacide treatments.



“One of the best practices for water quality improvement is the installation of aeration equipment to circulate the water and increase dissolved oxygen levels throughout the water column.”

However, aeration alone will not solve all of the problems that can afflict a pond or lake. While an aeration system may be the “heart” of a waterbody, circulating the water and bringing oxygen to all parts of the system, a comprehensive integrated management program is the backbone, providing the framework to support the overall health of the pond. Much like the human body, waterbodies become less healthy as they age, and require more intensive management strategies to remain viable. Implementing a preventive care program before problems develop is the best way to ensure a long life for your pond and the fish that call it home. ⬆

Shannon Junior is an experienced Aquatic Ecologist with SOLitude Lake Management, an environmental firm providing a full array of superior lake, pond, wetland and fisheries management services and solutions. She can be reached through the website at www.solitudelakemanagement.com.



A submersed aeration system can help oxygenate the water column in deeper lakes and ponds. These systems improve vertical mixing at depths where water is not naturally stratified by using an on-shore compressor to pump oxygen to the bottom of the waterbody.



For remote locations or waterbodies without electrical power accessibility, solar powered aeration systems offer a long-term, ecologically responsible solution.



Native Plants

by Lenore Mitchell

Colorado is an amazing state, with diverse topography ranging in elevation from 4,000 to over 14,000 feet. Within a few hours, one can drive from Metro Denver to the parking lot on top of Mount Evans; a world apart where vistas seem endless and the air feels crisp. Other famous roads lead to Pike's Peak or over Trailridge in Rocky Mountain National Park. We travel to such places to experience nature, and to refresh and renew our sense of wonder. But nature is also right outside of our doors, in front and back yards, and even on patios.

From townhomes to single family dwellings, the plants which surround living spaces not only add monetary value but also connect us with nature. Trees offer shade, shrubs and herbaceous plants add greenery, and as Ralph Waldo Emerson famously said, "The earth laughs in flowers."

Plants are essential. We know this. This brings us to native plants, a trending topic with enormous benefits, both fiscally and environmentally.

Once established, native plants can offer various monetary benefits:

- **lower water bills**
- **less maintenance**
- **less need for expensive soil amendments**
- **less or no need for expensive spraying such as pesticide management**
- **enhanced property values with a distinct sense of unique Colorado-style**

Environmental benefits:

- **conserving water in our arid climate**
- **biodiversity which helps preserve nature**
- **habitat preservation for birds, butterflies, bees, and ultimately humans**
- **nature education for children right at home**
- **less chemicals for a healthier place to live and breathe**

Biodiversity and habitat preservation are extremely important. As humans continue to take up more land, it's up to us to consider the other creatures who live around us, both large and small.

The right plants vary with specific conditions, and here are a few of the many natives which can be seen on hikes as well as grown in a unique Colorado garden:

- **Herbaceous Perennials**
(non-woody plants which return yearly)
- **Spreading groundcover for direct sun:**
Callirhoe involucrata (winecups)

- **Groundcover for shade:**
Mahonia repens (grape holly)
- **Tall plant for sun:** Gaillardia aristata (blanket flower)
- **Tall plant for part-shade:**
Monarda fistulosa (bee balm)
- **Shrub for sun:** Prunus besseyi (western sand cherry)
- **Tree for sun:** Sabina scopulorum (Rocky Mtn. juniper)

According to the North American Pollinator Protection Campaign (www.NAPPC.org), a national collaboration including the National Academy of Sciences, 85% of flowering plants, including many crops, require pollinators. Up to three-quarters of our food supply relies on pollination by bees and other pollinators. While honey bees are important, they're not natives, having been here for 'only' 400 years. Colorado has an incredible 946 different native bee species, from bumble bees to some which are not much larger than a gnat. Some native bees will only interact with native plants.

Butterflies are another creature that rely on native plants. Some butterflies lay eggs only on specific plants, for instance Monarchs who require milkweeds. When these plants decline, so does the Monarch butterfly population.

Birds are similarly no exception to requiring native plants. They nest in non-native plants, as well as native trees, but feed their young on insects and caterpillars which are often found only on natives plants. According to the wonderful book *Bringing Nature Home*

by Douglas Tallamy, a University of Delaware entomologist and recent speaker at Denver Botanic Gardens, a pair of chickadees must find an incredible 6000 caterpillars to raise one clutch of babies! Caterpillars are much less likely to be found on non-native trees and plants.

A large garden isn't necessary to grow natives, and non-natives can also be great, but the idea is to select the Right Plant in the Right Place with the Right Plan. Back to Mount Evans; anyone who's hiked even a little up at the top sees the amazing alpine plants which cling to life amidst rocks and wind. These are Colorado natives, of course, but not the ones for gardens.

Promoting native plants for Colorado gardens has wide-ranging benefits for both townhomes and single dwellings. ⬆

Lenore Mitchell is a Colorado native, the current president of the Metro Chapter of Colorado Native Plant Society (www.conps.org) and teaches field-based native plant classes through CSU Extension. She is also an avid gardener.



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The New **URBAN** Garden:

EDIBLE Landscapes



Justin Rohner,
Agriscaping
Technologies, LLC

The days of the old-fashioned backyard garden may be all but gone. With newer homes on smaller lots and some HOAs that do not allow the typical rowed vegetable gardens to be planted, a few people are getting creative. Enter Agriscaping, or edible landscaping.

Combining gardening techniques with a good amount of creativity, edible landscaping uses not only fruit and vegetable bearing plants, but herbs and yes, even edible flowers, to turn the traditional lawn into a more functional space. By bordering with attractive, flowering chive, accenting with edible flowers such as pansies, nasturtiums, and violets and using mint as a ground cover, edible landscaping encourages growth and harvest rather than tedious maintenance.

While it seems like a novel idea, it is not an entirely new one. Growing food alongside merely ornamental vegetation can be traced back to the 10th century when Benedictine monks created herb-lined gardens with neighboring roses. It wasn't until the Renaissance that people began intentionally separating purely ornamental plants.

More recently, edible landscaping has taken up an environmentalist approach. To some Agriscaping supporters, traditional landscaped yards are a waste of energy due to the pesticides, fertilizers and electric lawn tools that most people use to maintain them. Yet from all of that input, you merely receive the satisfaction of a green lawn instead of fresh food in your kitchen from your own property.

Agriscaping isn't as scary as it sounds. In fact, incorporating edible plants into your landscaping is not only beneficial to your health, but you will find it fun and rewarding as well.

If you would like to start digging in the dirt, but you aren't sure what to grow, here are a few varieties of plants and trees that do well in the Front Range area.

Lettuce, chives, mustards, swiss chard, and kale are all easy plants to start with and can add color and vibrancy.

Several varieties of peppers such as black peppers, chili peppers, and sweet peppers along with eggplants, squash and zucchini, cabbages, artichokes and beets can be incorporated in your edible landscape.

With Colorado being known for its craft beers, even hops are a nice choice. They will beautifully cover a trellis or fence and the young strings are delicious.

For shrubs and tree choices, check into Saskatoon or Utah serviceberry, Oregon grape, prairie crabapple, and prickly pear. Pinyon pine, choke cherry, and raspberry plants are also hardy native choices for the edible landscape.

Of course, as mentioned, there are choices for edible flowers as well. Some choices include hostas (blooms), daylilies (tubers, buds), sunflowers (buds), yucca (petals, fruit), lavender (blooms), and nasturtium (leaves, petals).

Your best bet with consuming edible flowers, is to only eat what you have grown. That way you know how the plants have been handled and that they are free of pesticides. 🏡

Justin Rohner is the CEO of Agriscaping Technologies, LLC, a company that teaches everyone from novice home gardeners to community garden leaders and even landscape architects how to turn traditional yards into edible, healthy, productive landscapes. For more information visit their website at Agriscaping.com

the homeowners we serve



Homeowners are CAI's largest member group, comprising a large percentage of our 33,000-plus members. For the most part, these are the homeowners who have chosen to be leaders in their communities—serving on association boards and committees or volunteering for special projects. Some simply rely on CAI to stay informed about how their communities should be governed and managed.

CAI strives to serve homeowners who have or probably will step up to the plate to serve their communities and fellow residents. The benefits we provide to them—from *Common Ground* magazine and our specialized newsletters to web content and educational opportunities—are developed for these leaders.



While we do provide information for all HOA residents—including our online course, *An Introduction to Community Association Living*—our focus is on community associations and those who lead them, especially the more than two million residents who serve on association boards and committees. By supporting community leaders, we are making communities preferred places to live for all residents.

Our primary mission is to help homeowner leaders and professional community managers protect property values, preserve the character of their communities and meet the established expectations of all residents.

Our education inspires effective governance and management. Our best practices help leaders build and sustain more harmonious communities. Our advocacy promotes practical legislative and regulatory policies. Our ethics guidelines inspire fairness, transparency and integrity.

That's how we serve all community association residents, even as we strive to preserve and enhance the concept, perception and value of common-interest communities.

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- 11** Mountain Education • *Vail*
- 12** Mountain Education • *Breckenridge*
- 12** Manager's Lunch • *Denver*
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- 24** Membership Orientation •
Greenwood Village
- 24** Lunch & Learn • *Greenwood Village*

NOVEMBER

- 14** HOA Roundtable • *Thornton*
- 2** Fall Conference & Trade Show • *Denver*

DECEMBER

- 7** Awards and Gala
- 14** Manager's Lunch • *Denver*



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October	Security/Safety	08/25/2015
Nov/Dec	Maintenance & Mechanical	09/29/2017



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26 Sat	Board Leadership Development Program Denver

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9 Sat	Harvest Fest Thornton
12 Tue	HOA Roundtable Centennial
15 Fri	DORA Day & Happy Hour Westminster
15 Fri	Business Partner Education Westminster
18 Mon	Mountain Conference Vail Marriott Mountain Resort

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