

**CEDAR MESA RANCHES HOMEOWNERS
BOARD OF DIRECTORS MEETING
MINUTES**

**June 11, 2014
MANCOS PUBLIC LIBRARY**

Present: Greg Kemp, Lisa Liljedahl, Paul Ruatti, Diane Cherbak, and Don Murrell.
There were 8 HOA members in attendance.

Call to Order: The meeting was called to order at 7:05 pm.

Approval of Minutes: The minutes of the Board or Directors meeting on March 19, 2014, which were sent to the members on March 31, 2014, were approved unanimously.

Secretary's Report: Greg Kemp

- The Board is still seeking a qualified volunteer for this vacant position. To avoid the expense of hiring someone, the secretarial responsibilities are currently being performed cooperatively by Greg Kemp, Lisa Liljedahl, Diane Cherbak, and Pam Linscott.
- A motion was passed by the Board to have the current Association governing documents accessible to realtors and potential buyers on our website. Pam Linscott will implement this motion.
- The Annual Disclosures listed in Article 5.07 of the Bylaws were posted on the HOA website by March 31, 2014.

Treasurer's Report: Lisa Liljedahl

- The current financials, which are attached, were reviewed.

Building Advisory Committee Report: Greg Kemp

- Representatives for the owner of Lot 48 presented an explanation of the temporary presence of the group of college student campers on the property. They answered questions from the Board and members of the HOA regarding this situation. The Board made, and approved, a motion to have an Executive Session immediately following the conclusion of the regular meeting to discuss the action to be taken on this matter.
- Site plans for one new home and one new barn/shop to be constructed this year were approved.
- HOA members registered three new complaints. The Board authorized the Building Advisory Committee (BAC) to send letters to the property owners cited in an effort to resolve these concerns.
- Annual Inspection Report: The 10th annual property inspection was completed in June by Greg Kemp. There are 85 houses completed or under construction in our subdivision. There are eight homes and 16 vacant lots currently listed for sale. Property identification issues were found on four properties. Storage of apparently unlicensed vehicles was observed on three properties. Other possible covenant violations were observed on six properties. The BAC was authorized to

send letters of notification to the owners of these properties regarding the possible covenant violations.

- A cursory observation was also made on the status of fire mitigation on each lot. There was one house and 35 lots that appeared to have had no mitigation done on them. An additional six houses and two vacant lots appeared to have poor fire mitigation. Inadequate mitigation reduces property values, may result in the loss of insurance coverage, and presents a danger to the entire community. Educational letters will be sent to the owners of these lots.

Property Management Committee Reports:

Fire & Weed-Paul Ruatti

- Paul is still working on meeting the three criteria necessary for our subdivision to qualify for a “FireWise Community” sign.
- Diane announced the current list of volunteer “first responders” for lightning-strike fires in the subdivision. They are:
 - Paul Ruatti – 970-560-1413
 - Greg Kemp – 970-560-0562
 - Diane Cherbak – 970-739-1704
 - Bob Sanders – 970-560-2794
 - Gary Linscott – 970-529-6099
 - Mike McGinnis – 970-739-0628
 - Bruce Short – 303-819-6901
- Paul announced the weed spraying assignments for Bob Sanders, Gary Linscott, Diane Cherbak, Don Murrell, and Greg Kemp.

Roads-Lisa Liljedahl

- There were only four snow plowings needed this past winter.
- Temporary asphalt patches have been applied to the potholes on the south end of Road 35.
- Mag chloride has been applied to 2 1/2 miles of road in the subdivision. Considerable work was done this year to recover gravel that had been pushed to the side from the surface of the roadbed so little new gravel was needed. The extremely dry conditions that we are experiencing this year will require the occasional application of water to the mag chloride. It was pointed out again that the primary purpose of applying mag chloride is to reduce road maintenance costs. Dust control is an important, but secondary benefit. Maintaining the subdivision speed limit of 25mph also helps significantly to reduce road maintenance.

Activities and Grounds – Greg Kemp

- The new vertical posts on the front entrance gate will be stained with the proper color as soon as the gnats disappear.
- Since Ron Morgan did such an excellent job of organizing the picnic following the annual meeting last year, he was appointed by acclamation to perform the same task this year – if it is okay with him.

Old Business

- Diane Cherbak reported that the ditch burning project conducted by Chuck Wiesel, Jerry Anderson, and her went well.
- Don Murrell proposed that the CMRHOA use the same proxy form used by Empire Electric for our annual meeting and election. However, no draft form specific to our HOA has been prepared for our house attorney to review. If one is not drafted, we will have to use the current form again this year.
- The request submitted by Gary Brodhagen to Judge Plewe to clarify his ruling in case 11CV200 has had no response from the court. At this time, it appears that the court will not respond to the request.

New Business

- The Treasurer made a request, which was first proposed last year, to increase the annual Association dues to \$550 for 2015 due to the ever-increasing costs for road maintenance. The Board unanimously approved this request and the 2015 budget is being adopted on that basis. The process for the membership to reject this budget, as spelled out in the Bylaws, was reviewed.
- The date for the Annual Meeting was established as Saturday, September 13, 2014.
- In accordance with Section 2.02, Paragraph E, Sub-section I, nominations for election to one of the two available Director positions must be received at the HOA post office box not later than Monday, August 4, 2014 in order to be approved by the nomination committee for inclusion on the ballot.
- The ballot will be mailed to the members on, or before, Wednesday, August 13, 2014.
- Volunteers for preparing the ballot packets, addressing, and mailing them, as well as conducting the election, are needed. Please notify the Board as soon as possible if you are willing and available to help with the extremely important task. Christie Berner has volunteered, once again, to help conduct the election by verifying and counting ballots.

Open Discussion

- All items of open discussion have been covered in the above summary.

Meeting was adjourned at 8:50 pm.

Executive Session

- Immediately following the regular meeting, the Board went into Executive Session to discuss the specific requests to be made to our house attorney regarding the campers on K.1 and the covenant violation associated with that activity.
- The actions that the Board requests to be taken are:

1. Send a formal letter to the owner of Lot 48, with a copy to his rental agent, notifying him that he is in violation of Covenant #2.
 2. As soon as possible, begin the process for evicting the campers now occupying Lot 48.
 3. Compose, by means of a Policy addition, wording to prevent group camping on any property in the Cedar Mesa Ranches subdivision. The only exception would be camping for a maximum of 7 days, when the property owner is in residence, with prior approval by the Board.
- These requests were presented in person to our house attorney on Thursday, June 12, 2014 by Greg Kemp and Don Murrell. As of the date that these minutes were written, no action on this matter has been taken by our house attorney.

Respectfully submitted:

Greg Kemp, President
June 22, 2014

ADDENDUM TO MINUTES
ELECTION FOR BOARD OF DIRECTORS

There are two positions on the Board of Directors that are up for election at the Annual meeting this year. Both positions are for three year terms.

If you wish to be on the ballot at the annual meeting for one of these positions, you must first place your name in nomination. This year **the deadline for submitting your name in nomination with a short statement of your qualifications and why you would like to serve is August 4, 2014.**

Write-in ballots are not permitted.

You must send your information to the nomination committee via email or postal mail so that it is **received by August 4.** The addresses for submission are:

Email: cmrhoa@yahoo.com

USPS: CMR HOA
P.O. Box 62
Mancos, CO 81328

Cedar Mesa Ranches Home Owners Association
Annual Meeting
September 13, 2014
Mancos Public Library

Greg Kemp called the meeting to order at 3:15pm. Introduction was made of the Board members, present were Greg Kemp, Diane Cherbak and Paul Ruatti. Lisa Liljedahl and Don Murrell were absent.

The HOA members present introduced themselves and stated their lot number. There were 13 members present.

Greg thanked all for attending. He indicated his frustration at the lack of participation of the membership at the meetings and volunteering for the HOA. He let membership know that the notice of the annual meeting was distributed and posted on the website on August 13, 2014.

He reported on the quick response of a lightning fire in the subdivision and they were able to confine the fire to a single tree. The out-of-area owners did not respond to the e-mail letting them know about the fire.

Greg informed the membership that he was not able to get a guest speaker. He wanted a speaker from a property insurance company. He discussed the problems with increasing premiums for property insurance or property insurance getting cancelled because of the HOA being in a forested (Red Zone) wildfire area.

Diane made the motion to approve the minutes of the June 1, 2014 meeting. Paul seconded the motion. Motion approved.

The ballot counters asked for a third person to count ballots. Bruce Short volunteered.

Roadway construction work was discussed. Since the last annual meeting, Magnesium Chloride was put on the roads. The county road department said the more mag chloride used on the roads, the less maintenance is required. Excess speed has caused wash boards on the roads and membership was reminded that the speed limit in the subdivision is 25 mph. Gravel was put down on 2.5 miles and proposed 3.5 miles for 2015.

There was concern from membership about the Board raising the dues for 2015. Discussion was held on the \$40,000.00 held in reserve. Questions came from the floor with concern about that money sitting in the reserve fund. Discussion was held on the 2015 proposed budget. Greg told membership that the dues/assessments have not had an increase since 2006. Concerns were verbalized regarding the bylaws and procedure of raising the dues by the Board. Greg let membership know that the bylaws were being followed. Discussion was held on the road gravel and how much of the proposed budget will go to the roads. Christie Berner volunteered to be on a finance committee. There

were questions from membership regarding an audit of the finances. The board reminded them that an audit is very expensive. Membership asked for more of a breakdown on the finances and the budget.

The **Building Advisory** committee reported that the annual inspection found 13 violations and letters were sent out to those members. Currently only three owners have not responded. One long-term violator was issued a fine by the Board. There are currently 85 homes in the subdivision. Sixteen lots and eight homes are for sale.

Paul gave the report on the **Fire and Weed** committee. There were no other fires in the subdivision other than the lightning strike. He reported that grants were available from Firewise for chippers, but required matching funds. There are other grants available, but they also require matching funds. There is no budget for this. There are some programs available for individual property owners. One of the members said that fire mitigation is not a one time thing. Paul told the members that grants are available for hardware, such as chippers. Weeds at the entrance of the subdivision and within the subdivision were discussed. The Board gave permission to Chuck Wiesel to mow Rd. J.8.

Greg reported on the **Activity and Grounds** committee. Diane reported that the post office has mailboxes to receive larger packages, but there is a \$1500 cost to erect the unit. Membership did not want to pursue this. Discussion was held on the entrance posts and Greg said that volunteers would be appreciated. He suggested a work day to take care of the entrance, the weeds, and mowing around the sign.

Greg reported on the **Nominating Committee**. He told membership that this year he did the bulk of the work on the nomination/election process which took a lot of time. Discussion was held on the nominations sent in by e-mail, but did not make the ballots. It was noted that the procedure did not work as well this year as it has in the past.

Greg gave the **Presidents Report**. No members attended the last December meeting. The Board at that meeting accessed a \$25.00 per lot fee. Members can obtain paper copies of any of the Board's material for a \$15.00 fee. He reported that in June there were summer work campers in the subdivision. An absentee owner and their realtor let 30 campers stay for 8 weeks on their property. There were no complaints on their activities, but trash bags were left on the property. Discussion was held on the camping. The Board reported that there has been ongoing discussion with the Board attorney, the realtor, and property manager. The Board attorney has not taken care of any of this. The Board further communicated to the property manager that there are no commercial uses allowed in the subdivision; this includes renters.

Election Report. 83 ballots were cast; 11 in person. It was determined that there were 82 valid ballots. Each voter was to choose two names for Board member. Paul Ruatti received 49 votes, Greg Kemp received 44 votes, Chuck Wiesel received 38 votes, and Gary Brodhagen 33 votes. Paul and Greg were elected to the Board. 59% of the members voted. Discussion was held on the problems this year with the proxies sent out with the ballots. Discussion was held on what constitutes a majority. A member

registered a complaint, there was a motion and seconded to not continue with the election results until it was clarified what constitutes a quorum. Greg referenced the bylaws which indicated that a quorum is the majority of voters. Jerry Anderson volunteered to prepare a template for next year's proxy voting.

The Board told membership that the next meeting will be on December 10, 2014. Chelsea Jones, a new owner, voiced concern over the subdivision's webpage and how outdated it was. A concern from members on the cost of postage. Chelsea Jones also told the Board that the documents for the HOA are not available on the website for new owners. Cheryl Brodhagen made the motion that from now on, the President of the Board does not solely prepare the ballots and the proxies. Members asked for more detailed financial reporting.

Suzanne Duke made the motion to adjourn. Jerry Anderson seconded. Motion carried.

Christie Berner made her annual plea to improve the communications between the Board and members.

Meeting Adjourned at 5:05pm.

Cedar Mesa Ranches Homeowner's Association
Board of Directors Meeting Minutes
December 10, 2014 - 7:00 p.m. - Mancos Public Library

Present: Greg Kemp, Paul Ruatti, and Don Murrell

Absent: Lisa Liljedahl, and Diane Cherbak (excused).

There was one HOA member in attendance.

Call to Order: The meeting was called to order at 7:05 p.m.

Approval of Minutes: The minutes of the Annual Meeting on September 13, 2014 were not approved because no final copy has yet been received from the person hired to perform this task. Therefore, these minutes have not yet been sent to the members.

Officer Reports

Secretary's Report: Greg Kemp

The Board has not yet been able to find a qualified volunteer for this vacant position.

A proposal for creating and hosting a new website for the CMRHOA was presented by a new resident, Chelsea Jones. In general, this proposal by Chelsea Jones Designs, LLC was accepted by the Board. Given the need to incorporate some of the secretarial duties into the website hosting and managerial responsibilities, it was decided by the Board to draw up an annual contract, based on a sample to be provided by Chelsea, as soon as possible. It may be necessary to schedule a Special Meeting to finalize and adopt this contract.

Treasurer's Report: Greg Kemp

The current financials, which are attached, were reviewed.

Building Advisory Committee Report: Greg Kemp

Five letters regarding apparent Covenant violations were sent to property owners following the last meeting. Two issues were resolved and two are pending resolution by the property owners. One property owner did not respond and so will be issued a Covenant Lien.

The two properties with unresolved Covenant Liens will be issued monetary liens in accordance with Policy #5.

Property Management Committee Reports

Fire and Weed - Paul Ruatti

A weed rebate of \$250.00 was received from Montezuma County.

Paul will establish a schedule for accomplishing the three criteria for our subdivision to qualify for a "Fire Wise Community" sign.

A motion was approved to secure a membership with Montezuma County Fire Wise for 2015 in the amount of \$100.00.

Roads - Don Murrell

Additional gravel has been placed on Road J.7 and Road 35.3.

The cost of snow removal for this coming winter has been increased to \$900.00 per accumulation of 5" or more.

Residents are reminded to keep snow removed from their driveways off the subdivision roads.

Maintaining a safe speed, not to exceed 25 MPH, is extremely important when roads become slippery. Someone recently hit a large deer on Road 35 near the subdivision entrance. This is not likely to occur at a speed of 25 MPH or less.

It was noted that considerable erosion has occurred under the guard rail on the south side of the Road 35 hill. This problem will be addressed as soon as possible in the Spring.

Don Murrell suggested inspecting all driveway and road culverts in the Spring. Malfunctioning driveway culverts will have to be corrected by the owner of the property they are on.

Activities and Grounds - Greg Kemp

The picnic at Boyle Park following the Annual Meeting was attended by about a dozen residents. Thanks to all who helped conduct this event.

Old Business

A motion was passed to not renew the annual retainer contract of \$1,000.00 with our current house attorney.

New Business

A motion was approved to consider the hiring of a legal firm from the Denver area for legal work as needed. This will begin with a document review of the Covenants in the amount of \$600.00.

A motion was approved to make an annual donation in the amount of \$50.00 to the Mancos Public Library.

As always, there continues to be a need for volunteers to perform the tasks necessary to maintain our subdivision. Please contact cmrhoa@yahoo.com if you are interested in helping the Board.

The next regular meeting of the Board of Directors is scheduled for Wednesday, March 18, 2015 at 7:00 p.m. at the Mancos Public Library.

The meeting was adjourned at 8:55 p.m.

Greg Kemp
President