

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

President: Diane Cherbak
Phone: (970) 739-1704

BOD Meeting Minutes January 18, 2017 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Bob Fetterman, Don Murrell, Greg Kemp.
Audience (12) – Bob Sanders, Tim & Donna Bolyard, Cathy Wyant, Terry Wheeler, Bryan Eytcheson, Ron Day, Stan Mattingly, Bill Hart, Julie Nadolske, Joyce Murrell, Cheryl Brodhagen.

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

Minutes (November, 2016, BOD): The minutes were approved.

Secretary's Report: Bob Fetterman

- Two new owner welcome/information packets were mailed.
- One outstanding and two new record research requests were completed.
- The library conference room has been booked through May.

Treasurer's Report: Diane Cherbak

- HOA's fiscal year 2016 ended in the black.
- Was able to move \$5k into the Reserve Fund (now \$35k). Accomplishing this again in 2017 would return the Fund to \$40k.
- Nov-Dec's expenses ~ \$8k. YTD snow removal almost spent; more spent on weeds than budgeted (tamarisk project), along with fire mitigation, insurance, and legal; road expense was under budget as no mag chloride was applied in 2016.
- Action on delinquent dues payers from 2015-16 is pending district court decision outcome hopefully in March.
- The Finance Report was approved.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- We were reimbursed \$480 from the county for weed remediation.
- Bruce Short submitted an application for our designation as a Firewise Community which was approved. This may be an advantage in obtaining or at least keeping fire insurance coverage in the future.

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- Around the holidays there was a porch fire at the Ball residence which spread to the house interior. An offer was made but declined to burst an email notification to the membership. The Balls have received aid from other sources – most notably the Mancos Fire Dept.
- The membership is reminded that fireplace ashes, if stored, must be in a closed metal container until completely dead. Also, a notice will be sent sometime in May reminding homeowners of Slaven's offer to perform chimney cleanings in our community at an attractive cost savings.
- Diane reported that our Firewise Community designation was in large part due to our 2016 slash collection over the course of 3 weekends and disposal via curtain air burner for 2 days (red flag conditions prevented burning on the 3rd day). The burner will again be scheduled for this May with slash collection beginning mid-April.

Road Report: Terry Wheeler

- The need was discussed for a long-term solution to the degraded condition of our roads. Road 35 is essentially eroded down to the stone base in most stretches and the crown, usually formed in the less-coarse base above the stone base, necessary for shedding surface water to prevent potholes, is generally nonexistent. Wash-boarding is a constant problem requiring periodic reminding of the membership to readjust their thinking on whether a speedier trip on 35 is really critical to their daily routines. Montezuma County road engineers have determined that the biggest cause of wash-boarding is vehicle speeding. It is the complaint resulting in most blading (\$\$) of Road 35 not due to snow.
- Terry has researched costs for road base remediation. He and Dale Murphy estimate that an average application of 4" of sharp (i.e., interlocking) road gravel is required across the profile of a road section at an application cost of ~\$20/ton, placed, bladed, watered, and rolled. Four Corners Materials has quoted sourcing stone at \$10/ton at a delivery cost of \$100 a load.
- Our current member assessments are not sufficient to fund a long-term solution. Remediation of 1 mile of road per year could double our yearly road budget and the acquisition/application cost is sure to increase with time.
- Maintenance is also a major issue with loss of surface material to snow blading, loss of crown (potholing), and wash-boarding. Even an expensive road base upgrade will degrade over time and in a number of years could be disappointing in view of its initial cost if not periodically renewed. Perpetual renewal must be expected as the cost of maintaining the integrity of a gravel road.
- The HOA has no authority to self-police its roads and county sheriffs will not speed-enforce red-signed ("private") roads. If speeding is not addressed by our members, the benefit/cost ratio of any upgrades will decline in proportion to speeding prevalence.

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- The concept of a more permanent solution, such as chip-sealing, was overwhelmingly rejected by the membership in the 2016 ballot referendum measuring their interest in investigating the cost/funding of chip-sealing select portions of Road 35.
- Stan Mattingly proposed investigating forming a Special Assessment District as a long-term solution to improving the roads. An HOA in La Plata County has done this.
- Diane proposed using ~\$40k of the road budget for improvement of the first mile of Road 35, leaving the remainder in reserve. This would preclude mag chloride application again and most non-snow related blading.
- Since the on-line version of the lengthy federal 2015 Gravel Roads Construction and Maintenance Guide is difficult to read in that format, Don Merrell offered to provide his color version hard copy for copying by any interested individuals.
- Unusually icy road conditions this winter brought up the subject of sanding/salting:
 - Our current snow removal service does not have sanding/salting capability. Other contractors cannot service us on a first-call basis as we currently enjoy.
 - Purchase – Buying a dump body sander attachment or a self-contained hopper/sander for a pickup body ranged from \$3500-\$5000. Logistics are a problem as we have no covered storage to prevent freeze-up of materials.
 - Contracting – Terry got an estimate of \$150 to salt the hill when needed from an independent contractor who specializes in parking lots, generally. Existing customers would need to be serviced first, and we could expect to be serviced last. This would not be early enough to benefit our morning commuters.
 - Neither option was considered justifiable. There is a sanding barrel on the hill for members' use and it might be advisable to carry one's own supply of sand under icy conditions.
- The Road Committee has benefitted by the addition of new volunteers. Members now include Terry Wheeler, Diane Cherbak, Don Murrell, Julie Nadolske, Cathy Wyant, and Kim Lanyon.

Activities/Grounds/BAC Report: Terry Wheeler

- Lot 108 is clearing for construction.
- Lot 2 filed notice of extending the porch roof.
- Greg inquired about the BAC deficiency list generated in September and Diane stated that follow up will be undertaken.

Oil & Gas Committee Report: Stan Mattingly

- Stan reported that the change in administration in Washington will likely affect the agenda of the Interior Dept. and status of the Master Leasing Plan (MLP) for Montezuma

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County. He will monitor for changes. Even with changes to the MLP, the Colorado Oil and Gas Conservation Commission (COGCC) still controls state resource recovery activity.

- Greg reported that the County Commissioners have approved a limited version of the MLP (includes CMR). The local BLM office is scheduled to work on the MLP in 2018, but its schedule is again subject to Washington's priorities and agenda.

Webmaster: Chelsea Jones

- No report.

Old Business:

- No District Court decision on CMRHOA's status as an HOA was released in December. Diane has been informed that while a decision might be released this month, it's more likely that it won't occur until March.

New Business:

- Bob Sanders reported observing young people enjoying our snow-covered roads while being towed by an ATV. While the liability of this kind of activity is extreme, the HOA has no policing authority.
- Diane reported the possibility of having to add a \$25 special assessment to the 2018 budget.
- Greg reported that the County Commissioners will hold a public meeting in Mancos Town Hall Jan 30, 7pm, and in the Cortez Rec Center 6-8pm Tuesday, Jan 31.
- It was recently discovered that the definition of a mobile home in the 2008 Covenant revision was phrased incorrectly in the version downloadable from our website. Bob reports that the version recorded with the county is correct. Don Murrell motioned that the website version be replaced with the correct version.
- The next BOD meeting is scheduled for 7pm, March 15, at the Mancos Public Library.

Open Discussion:

- None

Adjournment: The meeting was adjourned at 9:10 pm.

Respectfully submitted,

Bob Fetterman, Secretary
February 18, 2017

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BOD Meeting Minutes March 15, 2017 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Greg Kemp, Bob Fetterman. **Absent** – Don Murrell. Audience (10) – Bob Sanders, Ron Morgan, Bill & Pam Hart, Terry Wheeler, Robert & Donna Bolyard, Bryan Eytcheson, Cathy Wyant, Dave Davis.

Call to Order: The meeting was called to order at 7:07 pm.

Minutes (BOD, January, 2017): It was requested that the Secretary include lot numbers when reporting on delivery of new owner information packets. The minutes were approved providing that they are so amended.

Secretary's Report: Bob Fetterman

- One new owner welcome/information packet was hand delivered to Tom and Diana Busciglio, Lot 91.
- A 4-page insurance questionnaire requested by our broker was filled out. It is pending additional clarification.
- The Secretary failed to update the text of the definition of “Mobile Home” in the posted Covenants on the webpage as directed during the January BOD meeting, but will do so.

Treasurer's Report: Diane Cherbak

- The road budget incurred 6 snow plowings since January along with maintenance blading for potholes.
- It was observed that road conditions have been the dustiest in recent years.
- There is approximately \$35k in the Reserve Fund.
- The Finance Report (attached) was approved.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- As a result of recent fire fuel remediation initiatives, Cedar Mesa Ranches has achieved Firewise Communities/USA recognition status. Paul will accept a plaque for this distinction at the upcoming Durango Firewise meeting.
- Two HOA members have volunteered to be added to the Weed Committee: Cathy Wyant and Julie Nadolske (assisted by Herb Didier). Two new tank sprayers will be purchased for this additional use.

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- One existing tank sprayer may be cracked and require replacement. This will be determined once we prepare for spraying.
- Slash collection days have been scheduled for the weekends of April 14-16, 21-23, and 28-30 with air curtain burning for May 2-4, weather permitting. Cost to members is \$2 per load. **VOLUNTEERS ARE NEEDED** to staff the collection area at the Road 35.4 cul-de-sac and to assist in curtain burning.
- A members' Bar-B-Q is scheduled to start at 1pm on Saturday, April 29 in the vicinity of the mailboxes for the dedication of our Firewise Community sign. In addition, there will be a brief Firewise workshop presented by representatives Rebecca Samulski and Amanda Brenner.
- Greg Kemp showed the Firewise Community signs and Bruce Short will post them.

Road Report: Diane Cherbak

- The newly expanded Road Committee met and discussed maintenance performance expectations. Terry will discuss with Dale Murphy, our current provider. Since we are looking at long-term solutions, MagChloride will not be applied this year in order to save money.
- The possibility of applying to the county for a Special Improvement District (SID) was discussed. Because county standards require 6" of road base over a stone sub-base, the cost to upgrade to that standard as we are governed would require an assessment of \$4-5k per owner plus additional yearly maintenance costs. A SID would amortize that expense over an extended recovery basis (similar to a "bond") with collection handled by the Montezuma County Treasurer just like taxes are.
- Road 18 is a SID and the county has published its particulars. SID attainment is a lengthy process.
- This year a \$40k budget draw (includes \$18K carryover from 2016) was suggested to start improvement at the entrance and to see how far it goes.
- Don Murrell, Terry Wheeler, and Stan Mattingly are to do a complete road structural inventory and assessment (grades, depth, width, etc.).

Webmaster: Chelsea Jones

- No report.
- As Chelsea is lead on the county's Economic Development committee, it was considered appropriate to note that a survey on high speed internet service will accompany this month's electric bill.

Activities/Grounds/BAC Report: Terry Wheeler

- Tract F and lot 108 are getting foundations.
- Lot 4 is getting utilities and driveway.

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- Lots 43 and 105 have been sold.
- Lot 66 will be adding onto their garage.
- Lot 118 shows no activity on the garage slab added last year.
- There is the potential for 5 new homes this year.

Oil & Gas Committee Report: Stan Mattingly

- No report.

Old Business:

- No District Court decision on CMRHOA's status as an HOA has been released. Oral arguments were made by both parties' lawyers in March. The electronic transcript will be requested.

New Business:

- Greg Kemp raised a question about the reported 30 properties benefiting from tamarisk removal. He saw this as a fire mitigation project because it was included in Firewise reports. He wanted to know if the remaining 100 properties would be granted \$100 apiece by the HOA to do the same (project cost was \$3100). Diane and Paul explained that the project had been discussed for the last three years as weed mitigation and was always intended to be such.
- This is the time of year for members to address noxious weeds. All owners qualify for 50% county rebates for incurred treatment expense and up to \$50 for equipment. Contact Paul Ruatti for additional details or visit the County's website <http://montezumacounty.org/web/wp-content/uploads/2017/04/2017-Cost-Share-Application.pdf>.
- Greg Kemp provided fliers announcing that Slavens will, once again, provide a \$20 discount for chimney cleaning that is scheduled by CMR residents for Tue., May 2 or Thur., May 4 [flier attached].

Open Discussion:

- None

Adjournment: The meeting was adjourned at 8:55 pm.

Respectfully submitted,

Bob Fetterman, Secretary
April 16, 2017

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BOD Meeting Minutes May 17, 2017 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Greg Kemp, Bob Fetterman, Don Murrell.
Audience (6) –Bill Hart, Cathy Wyant, Tim & Donna Bolyard, Terry Wheeler, Chris Hinds.

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

Minutes (BOD, March, 2017): Greg Kemp did not remember a discussion regarding the tamarisk tree removal project as a weed remediation project as reported in the March minutes. Other members did but it was agreed that the length of time during which such discussions have been reportedly held be modified from “3 years” to just “years”. The minutes were approved provided that they be so amended.

Secretary’s Report: Bob Fetterman

- Ten late dues notices were mailed.
- The Secretary noted that he was to have provided Dave Davis with the state’s weed identification guide and had failed to do so. He will rectify the matter.
- The March minutes received detailing assistance from Greg Kemp who additionally raised issues best thought to be discussed at the May BOD meeting as reported above under “Minutes”.

Treasurer’s Report: Diane Cherbak

- A breakdown of delinquent dues payments shows:
 - 11 have made partial payments but have yet to make final payment;
 - 9 have made no payment:
 - 6 habitual;
 - 2 have previous history of always paying;
 - 1 is questioning payment status.
- The Finance Report (attached) was approved.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- A members’ BBQ for the dedication of our Firewise Community sign was held April 29.

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- Air curtain burning of most of the slash piles accumulated during April took place over 4 1/2 days the beginning of May with open burning of the remainder taking advantage of the snow day of May 18. A staffing and hours summary is attached. Thank you to all.
- Weed spraying is in full swing. One side effect of spraying is the discovery of several exposed underground utility lines. Cathy Wyant reported 2 separate areas on 35, Julie Nadolske reported an area on J.7, and Billy Hart noted the long-standing exposure of lines beyond the transformer at the beginning of K.3 still not remedied.
- Three quarts of Milestone have been provided so far for HOA designated sprayers. A tank is currently needed on J.7 (Julie and Hank).

Road Report: Terry Wheeler

- Don Murrell, Stan Mattingly, and Terry have completed a thorough road inventory:
 - Ditches that need blading;
 - Material to be pulled back onto road;
 - Report provided to the BOD;
 - In addition, a list of culverts that require repair/reopening;
 - Cement casements are needed for damaged ends of culvert in front of mailboxes.
- Terry has proposed that next year's budget will be based on long-term improvement goals for the roads.

Webmaster: Chelsea Jones

- No report. It was noted that Chelsea and her family will be relocating to the Denver area.

Activities/Grounds/BAC Report: Terry Wheeler

- Lots 108, 115, and Tract G are completing new construction.
- Lots 77 and 109 are to start new construction.
- Lot 66 will be extending a garage and Lot 2 is to extend a porch roof.
- There were 2 complaints regarding an abandoned vehicle on lot 3. The vehicle was subsequently removed.
- There have been complaints and witnessed reports of excessive speed by contractors/employees working on lot 108.
- Greg Kemp reported that the County Sheriff presented statistics at the weekly County Commissioners' meeting showing an average emergency response time of 21 minutes.

Oil & Gas Committee Report: Stan Mattingly

- No report.

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Old Business:

- A District Court decision on CMRHOA's status as an HOA with responsibility for its roads is to be released by June 14.
- Slavens discounted chimney cleaning in our subdivision has been changed to May 23-25.

New Business:

- The 2018 budget proposal will be presented at the July BOD meeting. The Board agreed to a \$25 dues increase in the proposal which may be increased or decreased based on the outcome of the District Court decision and recommendations in the Road Committee's report to the Board.
- The Members Annual Meeting date has been set for September 9, 2017 from 3-5pm at the Mancos Public Library.

Open Discussion:

- There have been complaints of overflowing garbage/trash cans and debris visible to neighbors on a corner lot on J.8. Some disorder must be expected due to recent extenuating circumstances, but some action may be indicated if supported by the outcome of the District Court decision. .
- Chris Hinds will provide internet connection options information [attached]. Greg Kemp noted that July 1 is the deadline for the County to declare if it will proceed with funding a county-wide high-speed internet connectivity project through an increased sales tax.

Adjournment: The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Bob Fetterman, Secretary
June 11, 2017

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President: Diane Cherbak
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BOD Meeting Minutes July 19, 2017 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Greg Kemp, Don Murrell, Bob Fetterman.
Audience – Steve Beh, John & Monika Christman, Tim & Donna Bolyard, Terry Wheeler, Adam Barnhurst, Stan & Elder Wellborn, Chris & Steph Hinds, Janet Huffman, Pam & Bill Hart, Steve Campbell.

Call to Order: The meeting was called to order at 7:00 pm.

Minutes (BOD, May, 2017): The previous BOD meeting minutes were approved.

Secretary's Report: Bob Fetterman

- Two new owner information packets were delivered to Lot 105 and Tract K.
- Bob is researching outstanding liens. Liens on Tract L (Covenant 10 violation) are currently under review.

Treasurer's Report: Diane Cherbak

- The Reserve Account remains at \$35k; our goal is to return it to \$40k next year.
- The General Account shows a balance of ~\$80k.
- The 2018 proposed budget (forgot to bring) will be emailed to BOD members for approval in order to include with the Annual Members Meeting packets.
- Four owners have not paid any 2017 membership dues. Two other accounts associated with properties in or about to enter escrow have outstanding balances to be paid prior to closing.
- The Finance Report (attached) was approved.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- Tamarisk has been reported to have returned to Lot 60 and 4 trees have been spotted on Tract A (across from Eastin).
- Paul reports that one of the sprayer tanks continues to leak. The new sprayer designated for J.7 has been used in its stead. A new tank needs to be purchased for J.7.

Road Report: Terry Wheeler

- Terry reports about \$33k was spent on roads in June including 1600 tons of road base.

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- Two inches of base will next be added from 35.6 to the end of Road 35, 18' wide.
- K.3 to 35.6 will get 2" of base, 20' wide next year.
- Dryness and speeding have contributed to wash-boarding again on improved sections.
- Once the monsoon rains begin, the entrance and hill will be regraded.
- Chris Hinds has suggested implementing a speed education team using the sheriff's radar trailer and a person stationed at the entrance to remind speeders of the road cost and dust danger in exceeding the posted speed limit.
- Greg Kemp reported that contact with the sheriff has confirmed there is no attempt to enforce speed limits on red-signed roads.
- Bill Hart suggested installation of removal speed bumps on improved sections. Purchase price is about \$500 each.
- Diane noted that the current road maintenance budget is about \$47k. Some audience members supported an increase in dues to address more intensive road improvement.
- Stephanie Hinds reported that "produced water" – a brine byproduct of oil/gas extraction from Rheem Construction – is less expensive than mag chloride but similar in function.

Webmaster: Chelsea Jones

- No report.
- Diane suggested creating a Facebook page with "neighborhood" group properties.
- The audience noted some current difficulty in logging in to the website.

Activities/Grounds/BAC Report: Terry Wheeler

- Terry will be conducting the annual inspection for reporting by the annual meeting in September.
- Five residences are currently under construction.
- Lot 117 is in escrow; Lot 19 is pending.

Oil & Gas Committee Report: Stan Mattingly

- No report.

Old Business:

- Diane noted that the District Court judge's ruling in our favor concerning our ability to charge dues for road maintenance was emailed to the membership. Nigteagle and Andrews (CMRLOA principals) sent letters to Judge Plewe and CMRHOA (plaintiff) and filed a motion to intervene as a new party to the ruling. There has not been a response by Judge Plewe.

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New Business:

- The proposed 2018 budget includes a \$25 special assessment for ratification at the Annual Members Meeting. If approved, 2018 dues assessment would increase to \$575
- The road improvement plan for 2018 includes 2 inches of road base for 1 mile.
- A problem with a loose dog has been reported on K.3. The suspected dog's address will be provided by the reporter.
- A potential referendum for vote by the membership would be to change the wording for Covenant change approval from "2/3 of the membership" to "2/3 of the votes cast". Note that based on the current covenants, approval of this change would still require a positive response of "2/3 of the membership" (i.e., 92 yeses).
- The membership will be voting on candidates to fill 2 open seats on the HOA's Board of Directors. One nominee has applied to date.
- The Members Annual Meeting date has been set for September 9, 2017 from 3-5pm at the Mancos Public Library.
- BBQ Potluck will follow in Boyle Park from 5-7pm.

Open Discussion:

- None.

Adjournment: The meeting was adjourned at 9:05 pm.

Respectfully submitted,

Bob Fetterman, Secretary
Aug 21, 2017

Cedar Mesa Ranches Homeowners Association, Inc.

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President: Diane Cherbak
Phone: (970) 739-1704

Annual Members Meeting Minutes September 9, 2017 Mancos Public Library

Present: BOD (5) – Diane Cherbak, Paul Ruatti, Greg Kemp, Don Murrell, Bob Fetterman.
Audience (29) – Tim & Donna Bolyard, Richard Forster, Mareen Dorka, Cathy & Bill Wyant, Don & Susan Macklin, Adam Redder, Dan Stough & Caryl Parker, Bryan Eytcheson, Nancy Schaufele, Adam Barnhurst, Terry Wheeler, Cheryl Brodhagen, Steve Beh, Jose Armijo, Bruce Short, Bill Hart, Dave Davis, Cory & Jen Manning, Ruth Finley, John Christman, Dana Fetterman, Barry Gallagher, Preston & Andrea Dillon. (Total number of lots represented: 25)

Call to Order: The meeting was called to order at 3:15 pm.

Minutes (BOD, July, 2017): The previous BOD meeting minutes were approved.

Guest Speaker: Amanda Brenner, Montezuma County FireWise Coordinator

- CMR received FireWise Community designation this year which is national recognition of a community's efforts to create fire defensible space. It must be reapplied for on an annual basis. FireWise is offering cost-sharing grants of up to 50% towards individual landowners' fire remediation expenses, including chipper rental. Application deadline for landowners is October 31.
- As part of CMR's efforts, an air curtain burner plan was executed in May by Bruce Short with participation from 16 volunteers including 3 of our FW ambassadors.
- Risk assessment training is scheduled for November 2.
- Volunteer FireWise Ambassador training is scheduled for October 28 or 29 (tbd).
- Greg Kemp noted that fire bans (usually lengthy) are well-publicized and declared by the County. Red-flag, "No Burning" days are determined based on humidity, wind, and temperature.
- Amanda reminded us that all cost-sharing requires an application accompanied by pre- and post-remediation photos, along with receipts.

Secretary's Report: Bob Fetterman

- One new owner information packet was delivered. It was noted that there are new owners for lots 57, 81, 67, and possibly 19. Packets will be delivered accordingly.
- Annual meeting and BOD candidate election packets were sent out at a cost of approximately \$500 for copying, materials, and postage along with numerous follow-up email reminders to return ballots. Telephoned reminders, undertaken last year as a last-ditch effort to generate 2/3's membership response, were not thought to be as necessary this year.

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Treasurer's Report: Diane Cherbak

- The General Accounts have a balance of ~\$27k with the Reserve Account balance at ~\$35k targeted to be returned to \$40k by the end of the year.
- Proposed changes to the 2018 budget include:
 - Increase the legal budget to \$5k.
 - Cover 11 full snow plowings to \$10k.
 - Remainder to default to the road budget.
 - Add a tentative \$25 special assessment.
- Greg Kemp provided a written statement of his opposition to ratification of the 2018 budget;
 - No budget was presented prior to the Annual Meeting.
 - Unfair to add \$25 special assessment when only ¼ of that can apparently benefit road maintenance.
 - Unethical for HOA to pay for tamarisk remediation (believed by the author to be “fire remediation”) on 30 properties without crediting other members \$100 in kind.
- Diane addressed issues as:
 - She was unsure if the 2018 budget had been ratified in July.
 - Legal expenses incurred in action against a delinquent property owner exceeded the amount budgeted. Further discussion was deferred to Old Business later in meeting.
 - 37 properties were involved in the tamarisk mitigation project – half involving road easements. The remainder were mostly in Mud Creek. The project was the culmination of 2 years of planning which was always approached and described as “weed mitigation” – not fire remediation. Bonnie Loving, the County Weed Manager was the source of the prescription that was followed. Amanda Brenner chose to mention it in a FireWise report but not as a result of any HOA assertions.
- The 2018 Budget was ratified by a vote of 4-1.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- Volunteer hours and incurred expense for fire remediation must be reported every year in order to maintain our FireWise Community designation. Bruce Short will reapply for 2018 designation.
- Mullein has not responded as expected to spraying with Milestone.
- A new sprayer will be purchased and assigned for use on J.7 as a replacement for one that chronically leaks.

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Road Report: Terry Wheeler

- Road improvements were undertaken this summer at a cost of ~\$25k per mile for a 2-inch application of road base. 2700 tons of base were added to J.7, the Rd 35 hill, and from 35.6 to the end of Rd 35.
- Thanks were expressed to Chris Hinds and Stan Mattingly for helping with the project.
- The addition of an oil mat would help with longevity and dust control.
- Historical work on J.7 at one time changed the grade to be less steep. It is recognized to still be steeper than everyone would like. It was also noted that shoulder erosion has weakened a portion of J.7 somewhere along the bottom. Terry will inspect.
- Thanks were offered to Terry and his crew for their volunteer work on the roads and right-of-ways this year.
- Diane reminded us that our general snow plowing policy is that if a designated volunteer can ascend the Rd 35 hill in 2WD, no plowing is scheduled. If difficulty is encountered just on the hill, then it and the J.7 hill are scheduled for plowing. If general difficulty is experienced, then all roads are plowed.
- There is still a positive balance in the Road Budget.

Activities/Grounds/BAC Report: Terry Wheeler

- Terry conducted the annual BAC inspection:
 - 76 properties are owned by residents; 63 by non-residents.
 - 85 contain completed residences; 6 are currently under construction (3 are near completion); 10 lots remain unimproved.
 - 19 lots are for sale; 9 of those have houses.
- Diane reported that the tract at the end of J.7 with an uninhabited RV parked at its entrance has been in violation of covenant 10 for the past 10 years. The owner is working with Diane to remove it. It could be had free for the taking. Greg Kemp will inquire about offering it free to the Community College for fire training.
- Chris Hinds reported on CaCl flake (Rhino Snot) in 330-gallon totes from Arizona as a road treatment.
- Speeding on our roads by outsiders cannot be legally addressed by fining. Radar trailers are no longer available through the sheriff. The “Drive Like Your Children Live Here” sign in front of Lot 4 may send a more thoughtful message to speeders than the speed limit signs.
- Removable speed bumps have been reported installed on the Ophir road in an attempt to reduce speeding. Issues are the initial \$500 cost per bump, removal in winter (in order to plow), warning sign by entrance, repeated installation and removal of 2 dozen pins per bump along with the associated equipment to do so, and storage in winter.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

President: Diane Cherbak
Phone: (970) 739-1704

Old Business:

- In a May ruling by District Court judge Plewe concerning our Small Claims Court action against a member for nonpayment of dues, CMRHOA was upheld in its ability to charge dues to cover road maintenance expenses. Subsequently, the CMRLOA (Cedar Mesa Ranches LOTOWNERS Association), created unilaterally by previous HOA member Torin Andrews, requested a hearing for inclusion as a new party to the ruling with the assumed intent to have it overturned. A hearing was held August 30 in regards to this filing. Judge Plewe noted that Andrews and David Nigteagle (CMRLOA president and spouse of HOA member Sherry Nigteagle), would need legal representation in order to be properly heard. Judge Plewe declared that he would take their request under advisement and rule on it within 30 days, conditionally provided that he would again have access to his materials after an impending office move to new quarters.
- CMRHOA's lawyer, Graham Smith, suggests eliminating all further questions of legal status and self-determination by becoming a CCIOA (Colorado Common Interest Ownership Act)-compliant organization. This would allow for the assessment of fines and filing of liens with legal authority. Pursuing this action would require 2/3 approval by the membership.

New Business:

- Results of balloting for two seats on the Board of Directors, as tabulated by the Election Committee, were:
 - Terry Wheeler – 54 – elected for a 3-year term;
 - Paul Ruati – 49 – re-elected for a 3-year term;
 - Steve Beh – 35;
 - Greg Kemp – 23.
- Thanks were offered to the BOD members for their service, and in particular to Greg Kemp for many years of dedicated service including terms as Board president.

Open Discussion:

- None.

Adjournment: The annual meeting was adjourned at 5 pm to be followed immediately by a Special Session of the Board for election of officers.

Respectfully submitted,

Bob Fetterman, Secretary
Oct 30, 2017

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President: Diane Cherbak
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BOD Meeting Minutes November 15, 2017 Mancos Grange

Present: BOD – Diane Cherbak, Terry Wheeler, Don Murrell, Bob Fetterman (Paul Ruatti absent)
Audience – Dave Davis, Gretchen Magwitz, Greg Kemp, Bill Hart, Chris & Steph Hinds, Adam Redder, Ron Day.

Welcome: Greg Kemp provided an overview of the Grange movement (“Patrons of Husbandry”) founded in 1875 to advance methods of agriculture and to promote the social and economic needs of farming communities in the United States.

Call to Order: The meeting was called to order at 7:10 pm.

Minutes (BOD, Sep, 2017): The previous BOD meeting minutes were approved as amended in the Road Report to reflect ‘2700 tons of [road] base were added “*from the entrance*” to J.7’.

Secretary’s Report: Bob Fetterman

- Three new owner information packets were hand-delivered to Lots 19, 67, and 57 and one to be sent to the new owner of 81/113 (in attendance, provided following meeting).
- Four liens were released – 2 on Lot 44 and 2 on Tract L.
- The change in venue was explained as a failure on the secretary’s part to secure timely reservations on the library’s calendar for the November and January meetings. The January 2018 meeting will again be held at the Mancos Grange. Meeting venues beginning March 2018 will revert to the Mancos Library’s Conference Room.

Treasurer’s Report: Terry Wheeler

- The Financial Report reflects 2-month income of approx. \$3070 and expenses of approx. \$2740.
- Greg Kemp reported on the recent road agreement between the county and the Summit Lake subdivision. It provides for one annual grading with any road improvements at the owners’ expense. There is local concern and opposition to increased road usage by non-locals wishing to use BLM land to the subdivision’s south. No parking is provided and access cannot be controlled due to the lack of a gate or BLM funds for one.
- Diane reported that the trailer in long-standing violation of Covenant 10 has been removed from Tract L and that the owner has paid all assessed back fees and interest.
- A variance was granted for an existing, non-complying sauna on Lot 44 in escrow pending an estate sale involving an acknowledged \$1600 total in outstanding annual dues. The sale fell through, but Diane will notify the listing agent of the amount in arrears so that any subsequent escrow reflects this amount.

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- In regards to the variance on Lot 44, Don Murrell pointed out that Covenant 30 requires BOD plus membership approval for variances.
- The Finance Report (attached) was approved.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- Paul was not in attendance.
- Bruce Short is in the process of completing next year's Firewise Community application.
- Dave Davis reported difficulty navigating Firewise's website in pursuit of expense reimbursement.

Road Report: Terry Wheeler

- The roads were recently graded in Terry's absence.
- The Road Committee recently met and recommended finishing adding road base to 35:
 - From J.7 to 35.3;
 - From bottom of hill to K.3;
 - From K.3 to 35.6.
- Mag chloride was discussed and dismissed as a winter treatment due to its detrimental effect on wet/snowy surfaces. It only provides benefits during a dry spell after proper application on a saturated, rolled, 4" road base.
- The snow plowing contract has increased from \$900 to \$1200 for a complete plow. Chris Hinds now has equipment and has offered to plow and sand. It was agreed to accept his offer when only the hills need to be addressed.

Activities/Grounds/BAC Report: Terry Wheeler

- Terry reports an upswing in phone calls from prospective buyers.
- He has met with the architect for Lot 45 and reviewed revised site plans to address slopes on site.
- New owner Adam Redder is expected to provide a site plan for Lot 113.

Oil & Gas Committee Report: Stan Mattingly

- No report (Stan not in attendance), but Stan has requested a joint meeting with the Road Committee.

Old Business:

- Diane proposed 2018 Budget revisions to include an increase in snow plowing from \$10K to \$12K, contingency fund decrease from \$3.5K to \$1.5K, and a \$25 Special

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Assessment (as provided for in the By-laws) to cover an increase in legal fees. The changes were approved by the Board.

- Diane reported that the motion submitted by David Nigteagle representing the Cedar Mesa Ranches Lot Owners Association (note: not “Homeowners”) to intervene in our District Court case ruling against the owner of Lot 99 was denied in October by Judge Plewe. The sole issue at the hearing was the timeliness of the Motion and the ability of Mr. Nigteagle to represent the Lot Owners. He ruled that the amount in controversy is at least \$60,000/year and that Mr. Nigteagle, a non-attorney, cannot represent the Cedar Mesa Ranches Lot Owners Association. The Motion to Intervene was also denied as untimely.
- The outcome of Judge Plewe’s ruling now allows for satisfaction of dues in arrears by the defendant for 2016 and 2017. Dues in arrears for 2015 have been applied towards restitution for the 2015 lien now considered to be spurious in light of our not being a CCIOA entity.

New Business:

- Chris Hinds has created a Nextdoor.com account for CMRHOA. It is less public than Facebook, but considered more suitable for postings of community-related news and business.
- There have been reports of petty theft from properties in the subdivision. Please be vigilant of strange vehicles and/or behavior of unknown individuals.
- CCIOA (Colorado Common Interest Ownership Act) – Diane reported that our attorney strongly recommends that we address our weaknesses in self-determination and ability to enforce our covenants and by-laws by again investigating becoming CCIOA compliant. This has been tried before (2010), but must be undertaken as a mandate by the membership – not a unilateral action by the Board. He has supplied an overview of CCIOA’s benefits as a uniform framework for administrative flexibility (attached).
- Diane has asked our attorney to establish communication with the original subdivision’s developer, Dan Christmas (Redstone).
- The next BOD Meeting is scheduled for January 17, 2018 at 7pm at the Mancos Grange.

Open Discussion:

- None.

Adjournment: The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Bob Fetterman, Secretary
Dec. 12, 2017