

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 17, 2018 Mancos Grange

Present: BOD – Diane Cherbak, Paul Ruatti, Steve Beh, Bob Fetterman. Terry Wheeler - absent
Audience –Greg Kemp, Bob Sanders, Chris & Stephanie Hinds, Adam & Shelly Redder, Stan Mattingly.

Call to Order: The meeting was called to order at 7:02 pm. Steve Beh was welcomed to the Board, replacing Don Murrell who moved out of the subdivision.

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

Secretary's Report: Bob Fetterman

- Obtained the mailing address for the owner of Lot 104 through the Assessor's Office.
- Released a lien for nonpayment of dues on Lot 97 (check received by HOA).
- Reserved the Mancos Library Conference Room for the July BOD meeting.

Treasurer's Report: Diane Cherbak

- Five delinquent dues parties were sent notices in November via email or post with offer to forgive accrued interest if paid by end of year.
 - One recipient paid 3 years in arrears plus this year.
 - One recipient is in process of settling a judgement in favor of our HOA.
 - The 3 other parties will be pursued in course.
- The bookkeeper has been directed to fully reimburse the reserve fund (bring to \$40k).
- Approximately \$20k in 2018 dues has been received to date.
- A motion was made and approved to move excess 2017 income - a little over \$17,500 - to the 2018 Road Maintenance revised budget.
- The Finance Report (attached) was approved.

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- An unusually dry season is expected along with commensurate increased fire dangers.
- The Fire Department has confirmed proper pressure in our hydrant system, but not enough volume – adequate to fill pumpers, but mains are of insufficient diameter to fight fires directly.
- The water level indicator on the side of the green tank across from the mailboxes is faulty and no longer reflects actual water level in the tank. It is approximately 80% full.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Paul Ruatti is recruiting an HOA “first strike” fire-fighting team for intervention during a fire event prior to arrival of the local Fire Department.
- Diane suggested clearing small trees and oak brush along the road right-of-way throughout the subdivision to be our community FireWise project for the year. Clearing is to protect responders to fire events and residents trying to evacuate. Scheduling will correspond with National Wildfire Community Preparedness Day - first weekend in May. Paul will coordinate a date for the fire committee to survey the neighborhood.
- Bob Sanders inquired about trees marked for tentative removal that may encroach on the roadway. These will be addressed during the above event.

Road Report: Chris Hinds (presenting the Road Committee report)

- A \$17,500 budget carryover from previous years will be added to this year’s Road budget bringing it to ~\$66k.
- The plan for 2018 road maintenance and improvements includes:
 - Dust control product applied to 3 miles of roads from beginning of Road 35 to K3, and from beginning of K3 to J.9. “Fossil water” is being considered as a cost-effective alternative to mag chloride at ~\$2k/mile vs. ~\$9k/mile. Fossil water is a byproduct of oil/gas drilling and its vendor is currently awaiting approval by the state for road application. Like mag chloride, it also acts as a road base binder.
 - Approximately 1 mile of road base applied to a thickness of 2” along remainder of Road 35 not addressed last year. Road base is necessary for blading without pulling up large sub-base rock and for holding of dust control product.
 - Extend and shore up about 5 culverts whose ends are being undercut.
 - Clean ditches and culverts as necessary to provide adequate drainage.
 - Preventive maintenance strategy: Switch from blading every 2 months to spot blading as needed (dust control product acting as a binder should help here).
 - Determine plan and cost to better repair the front chip seal section. Cold patch as necessary.
 - Remove encroaching trees along roadways.
- The plan for 2019 and moving forward:
 - Continue building road base and treating the roads until alternate, more permanent treatments can be considered (most require 4-6” of road base to work well).
 - Use experience gained in 2018 to form a true budget and work plan for 2019, and to better define long term goals with their associated costs.
- Road blading during dry spells requires tanker applied water. A water department quote for a local water dock was prohibitively expensive. Chris Hinds will inquire about a hydrant meter for tanker fill-ups from our main.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Don Murrell has left the Road Committee. We need a volunteer to replace him – preferably someone from J.8 to represent members on that road. Please contact Diane Cherbak, Terry Wheeler, or Chris Hinds, if interested.
- Blading is scheduled for January 24 (Wednesday) as rain/snow is expected this weekend.

Activities/Grounds/BAC Report: Terry Wheeler

- The BAC has received a couple of requests regarding garage construction.

Oil & Gas (O/G) Committee Report: Stan Mattingly

- It is recommended that in the interests of cross pollination of ideas that the O/G CMTE link with the Road CMTE.
- Current O/G members are Stan Mattingly, Bob Sanders, Duncan Rose, and Steph Hinds. CMTE members follow news of O/G permits and activity throughout the county reported by the County Commissioners and the BLM.
- The County Commissioners' Monday meeting agendas are published online the prior Thursday. It was agreed that it should be checked for any upcoming O/G permit requests that might come up.

Old Business: Diane Cherbak

- Diane is in negotiations with the owner of Lot 99 and defendant in our Small Claims action for payment of dues owed in the amount of \$1000 without interest if paid by January 5. Not having paid, the defendant requested a detailed invoice which now lists interest retroactive to April 15, 2016.
- Other delinquent dues:
 - Lot 26 – 3 years in arrears
 - Lot 54 – 1 year in arrears
 - Lot 80 – Check received; subsequently eaten by Treasurer's dog; replacement requested.
- Diane talked with Daniel Christmas (original Redstone subdivision developer) who was agreeable to turning over control of HOA self-determination with grandfathering of all covenant changes up to 2008 to the current HOA. Our lawyer has contacted Christmas but has not received a response to date.

New Business:

- We will proceed with Small Claims action against Lot 26 for non-payment of dues.
- The next BOD Meeting is scheduled for March 21, 2018 at 7pm at the Mancos Library.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Future scheduled meetings are:
 - BOD: May 16, 2018 at 7pm at the Mancos Public Library.
 - BOD: July 18, 2018 at 7pm at the Mancos Public Library.
 - Annual Members Meeting: Sept. 15, 2018 at 3pm at the Mancos Library.

Open Discussion:

- None.

Adjournment: The meeting was adjourned at 8:25 pm.

Respectfully submitted,

Bob Fetterman, Secretary
March 5, 2018

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

BOD Meeting Minutes March 21, 2018 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Terry Wheeler, Steve Beh, Bob Fetterman.
Audience – Greg Kemp, Rick and Becky Cover, Adam Redder, Bob Sanders, Bill Hart, Jose Armijo, Cathy Wyant, Rebecca Baum.

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

Minutes (BOD, Jan. 17, 2017): The previous BOD meeting minutes were approved.

Secretary's Report: Bob Fetterman

- Updated the New Owners Welcome and Information packets and provided to the purchasers of Lots 52 and 64.
- Released a lien for nonpayment of dues on Lot 44 (paid out of escrow).
- Had a Small Claims summons served to the owner of Lot 26 for dues nonpayment.
- Reserved the Mancos Library Conference Room for the September Annual meeting.

Treasurer's Report: Diane Cherbak

- About \$52k has been received in dues payments. As of March 14, 85 of 138 assessments have been paid in full. Twenty-two owners have paid nothing (1 in escrow, 1 steadfastly delinquent, and 1 in distress). The 2018 Special Assessment of \$25 has been received from about $\frac{3}{4}$ of the membership.
- The Reserve Account has been returned to its normal balance of \$40k.
- One member believes the amount allocated for the webmaster to be non-essential.
- The Finance Report (attached) was approved.

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- The HOA's roads were inspected for tree encroachment and problem trees tagged for trimming or removal during Community Day on May 5. Five teams (4 with chain saws, 1 pulling a shredder) are planned. It is hoped the necessary work can be completed in half a day to a full day with a BBQ to follow at the fire house. No trees will be removed that hold soil and cottonwoods will just be trimmed, as their leaves help prevent fire spread.
- The owners of Lot 17 believe that blading has caused road widening on J.7 where it abuts their property. They also questioned the qualifications of those members serving on the Roads Committee, and are concerned that the membership's concerns about the roads are not being heard. It was pointed out that the Road CMTE is composed of volunteers – 2 of which have experience in road construction – and that the CMTE welcomes any

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

members with concerns willing to contribute their time and energy. The issue of road widening in the area at issue will be investigated.

- A fundraiser to benefit Firewise will be held April 28 at the Mancos Brewery with live music provided. Funding for some Firewise programs has been eliminated and it is hoped this event will allow reimplementation of these programs.
- Bob Sanders inquired about trees marked for tentative removal that may encroach on the roadway. These will be addressed during the above event.

Road Report: Terry Wheeler

- The 2018 Road Maintenance and Improvement Plan has been emailed to the membership.
- Road base will be added to Road 35 from the hill to the bottom. Upon completion, all of Road 35 will have had 2-inches of road base added over a 2-year period. It is hoped that “fossil water” will be approved for use by then for dust control – if not, magnesium chloride will be used instead at almost triple the cost.
- The audience voiced the concern that gravel just added to the road doesn’t “stay” – that the constituency of what’s added must be adjusted. No specifics were offered.
- A culvert at the beginning of J.8 has been replaced.
- A truck jack-knifed and rolled over in front of Kemp’s. It is believed that excess speed was the cause of the incident.
- Speed bumps were again suggested by the audience. Information received from the manufacturer indicates that on dirt roads, the bumps need to be removed for proper blading and snow removal. The labor involved for a volunteer crew is considerable and storage is another consideration.
- Because of the lack of rain, water purchased for blading in December cost about \$3k.
- Several potential alternatives to our current time and materials arrangement with our road contractor were brought up by the audience:
 - Purchase our own grader – expensive plus maintenance and insurance costs.
 - Application of EnviroTech - \$13k per mile, BUT requires 4” of road base first.
 - Bank loan to finance road base and EnviroTech on all 10 miles of HOA roads – it was noted that a reluctant membership in 2016 voted down a proposal to just study chip-sealing the entrance road without any stated cost.

Activities/Grounds/BAC Report: Terry Wheeler

- Lot 2 has started garage construction.
- Lot 45 has started house construction.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Lot 66 is finishing garage construction.

Oil & Gas (O/G)

- No report.

Old Business: Diane Cherbak

- Lot 99 has paid dues owed per settlement following District Court ruling that CMRHOA can assess dues to maintain roads.

New Business:

- We will proceed with Small Claims action against Lot 26 for non-payment of dues over 3-year period.
- Waste Management (who controls our recycling bin) found a computer monitor in the bin. Generally, a fine would be assessed for this infraction but WM will waive.
- Petty vandalism and a shed break-in has been reported. The sheriff is now patrolling.
- Dan Christmas (CMR's Redstone developer) has been contacted concerning formally ceding covenant change authority to CMRHOA. Old documents are being searched for by his attorney. Our attorney has offered an opinion on HOA governance in the absence of these documents and is attached.
- The next BOD Meeting is scheduled for May 16, 2018 at 7pm at the Mancos Library.
- Future scheduled meetings are:
 - BOD: July 18, 2018 at 7pm at the Mancos Public Library.
 - Annual Members Meeting: Sept. 15, 2018 at 3pm at the Mancos Library.

Open Discussion:

- None.

Adjournment: The meeting was adjourned at 9 pm.

Respectfully submitted,

Bob Fetterman, Secretary
May 14, 2018

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

BOD Meeting Minutes May 16, 2018 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Terry Wheeler, Steve Beh, Bob Fetterman.
Audience – Bob Sanders, Tim Bolyard, Bill Hart, Roy & Judi Wilkinson, Greg Kemp, Janet Huffman, Chris Hinds.

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

Minutes (BOD, March 21, 2018): The previous BOD meeting minutes were approved.

Secretary's Report: Bob Fetterman

- Attended a Small Claims Arbitration meeting for CMRHOA v. Sherry Nigteagle.
- Confirmed that the original 1998 Bylaws were not recorded with the County Clerk.
- Apologized for late emailing of March BOD minutes.
- Apologized for failure to include Slavens chimney cleaning discount offer on website.
- Reserved the Mancos Library Conference Room for the November BOD meeting.

Treasurer's Report: Diane Cherbak

- About \$16k has been received in dues payments since the last statement and about \$2k has been received against prior year dues and late fees. About \$2k has been spent on general expenses and roughly \$10k in road costs have not yet been billed.
- A handful of members still haven't paid their 2018 dues.
- The Finance Report (attached) was approved.

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- A Firewise fundraiser was held at the Mancos Brewery. It raised about \$11k to replace funds no longer provided by the County.
- The Fire and Weed committee conducted Wildfire Preparedness Day May 5-6 along the subdivision's roads (see attachment). Cottonwoods were trimmed and previously tagged bushes and trees encroaching on our roads' shoulders were removed and chipped. Going forward, HOA members are requested to trim their own encroaching cottonwoods.
- A County-wide fire ban is still in effect. The sheriff believes about ½ dozen brush fires to be arson-related.
- Homeowners renting their properties will be informed that they need to provide their renters with our Covenants and Bylaws and provide fire/dispatch/fire ban information.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Multiple families are reportedly living at Lot 59. We have no legal standing to forbid rental of a main house, but Covenants specifically forbid renting of a guest house or using it as a residence. Diane will enquire of owner and give 60 days for remedial action with response of offender required in writing.
- Members are reminded that the County's chipper rebate of up to \$200/day requires before and after photos and can only be used for one period/year.
- Diane has set up a line-of-credit at Basin Coop for the purchase of weed-related chemicals and equipment.
- An updated HOA wildfire First Responders list will be provided.

Road Report: Chris Hinds

- Road 35 was just bladed and magnesium chloride applied as a stabilizer and dust-suppressant. It was noted that roads so treated need to be re-watered occasionally.
- Road base will be added to the remainder of Road 35 not addressed last year around mid-to-late June. It is hoped that "fossil water" will be approved for use by then for stabilization and dust control.
- Gary & Pam Linscott have offered to pay for fossil water application on their portion of road if reimbursed 50% through dues abatement. The issue was tabled due to continued lack of approval for the treatment.
- The Road Plan recently emailed to members was based on a CDOT study of dirt roads based on average daily traffic.

Activities/Grounds/BAC Report: Terry Wheeler

- A variance for extension of storing an RV (pending sale) was granted to Lot 4.
- A variance for extension of temporary living was granted to Lot 77.
- A variance on fence height for horses was granted for Lot 46.
- Lot 14 was bought by a party who was told by their real estate agent that it was approved for modular/manufactured homes. Despite protestations by the agent during a phone call, it is believed that the Covenants were not read and that existing manufactured homes (grandfathered by said Covenants) were used to justify her faulty assertion. The new owners do not appear to have an issue with the HOA – only with the agent in question.
- A K.3 property renter has repeatedly allowed her dogs to roam with ensuing attacks on neighborhood pets under proper control/management. The situation has been turned over to the sheriff for enforcement.

Oil & Gas (O/G)

- No report.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

Old Business: Diane Cherbak

- The mandatory Small Claims Arbitration meeting with the owner of Lot 26 did not produce a settlement. The amount in arrears claimed by the HOA (plaintiffs) was about \$2300 with an offer to reduce to ~\$1800 rejected by the defendant, who counter-sued at ~\$8200 and would settle for ~\$7500 (rejected by the plaintiffs). The case has been scheduled to go before a judge June 21.
- Our attorney has determined that the filing of the original CMRHOA Bylaws with the state in 1998 validates those Bylaws and that filing with the County was not required. Additionally, he asserts that Judge Plewe's 2017 District Court ruling does apply to Nigteagle similarly as it applied to defendant Lyons.

New Business:

- Use of the easement to state land on the edge of Lot 105 was discussed and determined to be for CMR residents and not for public access. Easement signage to that effect was decided to be an issue for the owner, not for the HOA.
- The Building Advisory Committee (BAC) report is due for the July BOD meeting.
- Future scheduled meetings are:
 - BOD: July 18, 2018 at 7pm at the Mancos Public Library.
 - Annual Members Meeting: Saturday, Sept. 15, 2018 at 3pm at the Mancos Library.
 - BOD: November 21, 2018 at 7pm at the Mancos Public Library.

Open Discussion:

- None.

Adjournment: The meeting was adjourned at 8:45 pm.

Respectfully submitted,

Bob Fetterman, Secretary
July 2, 2018

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

BOD Meeting Minutes July 18, 2018 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Terry Wheeler, Steve Beh, Bob Fetterman.
Audience – Bob Sanders, Adam Barnhurst, Pam Hart, Cathy Wyant, Greg Kemp, Janet Huffman, Chris Hinds, Shelly Hall, Adam Redder.

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

Minutes (BOD, May 16, 2018): The previous BOD meeting minutes were approved as amended.

Secretary's Report: Bob Fetterman

- Attended the Small Claims hearing for CMRHOA v. Sherry Nigteagle.
- Reserved the Mancos Library Conference Room for the January 2019 BOD meeting.

Treasurer's Report: Diane Cherbak

- We have about \$8k in checking, dues receipts of \$5.2k, and \$175 in special assessments.
- Two more stop signs are needed at 35.4 and J.6.
- Four members haven't paid their 2018 dues, two of which are chronic offenders. A half-dozen paying members still owe small amounts.
- Rebates are pending to cover weed control chemical purchase and wood chipper rental.
- The Finance Report (attached) was approved.

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- The Fire Committee met Friday June 15th to formulate its First Response Team's duties and policies. A roster of 12 members was established.
- **In the event of a lightning strike or other fire the membership is reminded to call Cortez Dispatch at 970-565-8454 directly for fastest response.** Calling 911 incurs the delay of additional calls to initiate a response.
- Steph Hinds responded to a lightning strike fire one evening this week.
- We have received permission to use Jonny Handron's tract at the end of 35.3 as a fire lookout during storms. It provides the best general vantage point for locating strikes except for the area served by J.7. He requested either a text or call beforehand.
- Bill Wyant has been added to the First Response Team.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- The county Weed Department will loan backpack sprayers to property owners preloaded with appropriate herbicide for noxious weed control. Bruce Short and Terry Wheeler are also offering to loan their sprayers to members.
- The Firewise “416 Fire” report indicated that the fire was initially declared by the county to be Type 3 (local), then upgraded to Type 2 (state/national). Although probably deserving an upgrade to Type 1, those response services may not have been available. To be more connected with county management during similar emergencies, Paul Ruatti will introduce himself to Mike Pasquin, Montezuma County Emergency Management.

Road Report: Chris Hinds

- Two inches of road base have been added to Road 35 from J.7 to K.3 and treated with a bituminous emulsion as a stabilizer. Chris swept areas yesterday that still had loose gravel to prevent grinding up the stabilizer.
- “Fossil water” (CaCl) which is 1/3 the cost of mag chloride is potentially a less expensive stabilizer for dirt roads, but has not been approved and is not expected to be this year.
- Relocation of the water drainage path along our entryway is planned for this fall along with the cleaning of a culvert on J.7.
- Chris will blade the fire road from J.9 to J.8 and Paul Ruatti will mow.
- The committee will approach Dale Murphy about mowing the roads. Bob Sanders will again mow K.3.
- It was noted that Chris Hinds, chairman of the Road Committee and contributing volunteer to our community, has devoted countless hours of his own time plus use of his personal equipment for the implementation of the Road Plan and emergency correction of weather-related threats to our roadways. The Board and audience acknowledged and expressed its appreciation for Chris’ selfless work on our behalf.

Activities/Grounds/BAC Report: Terry Wheeler

- Terry presented the BAC Annual Report:
 - The subdivision currently has 90 improved properties plus 2 to be completed this summer (94, 45).
 - Two are in early stages of construction and 4 more may start construction this year.
 - Fourteen properties are for sale (2 improved, 12 unimproved).
 - Fifteen properties have changed hands this year.
 - Four properties pose possible RV storage infractions.
 - Numerous lot number/address signage infractions (i.e., missing).
- A 2010 Policies document, formulated as a CCIOA requirement but never approved, is not valid and should be removed from the CMRHOA website.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- In regard to RV storage infractions, Terry cited the vague language of Covenant 10 (2008 amendment) which uses the terms “unobtrusive” and “inconspicuous” as the thresholds for exclusion from the requirement for an RV to be housed in a “storage facility/barn/garage”. Terry requested clarification or interpretation from the Board. It was agreed that Terry would provide photos of questionable RV storage and the BOD would post an interpretation on the website. Offending properties would be notified and asked to remedy or be faced with a covenant violation in Small Claims Court.
- Lot 59 was contacted about multiple families in residence in violation of Covenant 3. The owner’s response was that one family rents the main house and that the party in the garage guest apartment “comes and goes”.
- The K.3 property renter who has repeatedly allowed his/her dogs to roam freely with ensuing attacks on neighborhood pets and livestock has received multiple visits (and/or fines) by sheriff’s deputies. One of the dogs in the process of killing chickens has been dispatched by a neighbor. The rented property is for sale.

Oil & Gas (O/G)

- No report. As movement on the O/G front has ceased for the time being, it was decided that the committee would continue to monitor activities, but a scheduled report would be removed from the BOD agenda.

Old Business: Diane Cherbak

- The Small Claims case brought by the HOA against the owner of Lot 26 for non-payment of dues was decided in the HOA’s favor on June 21st. That included dismissal of 10 counterclaims – 6 of which were considered “out of jurisdiction”. The presiding judge indicated that Judge Plewe’s District Court ruling in 2017 in a similar case against another CMR lot owner had to be followed. The owner of Lot 26 has 14 days to file an appeal and provide bond against the Small Claims judgement and 21 days to file materials.

New Business: Diane Cherbak/Chris Hinds

- The 2019 proposed annual budget was presented to the Board. Two road-related referenda will be presented to the membership for balloting prior to the Annual Membership Meeting. Chris Hinds reminded the meetings attendees that this year’s increased road improvements were made possible by last year’s substantial carry over in the road budget, but this will not be available again. Chris provided the Board with a draft version of recommendations for funding critical items on the Road Plan:
 - A \$100 per year dues increase totally earmarked to increase the road budget to a more practical and sustainable level.
 - A one-time, 2-year special assessment for rebuilding our entrance road.
- It was suggested from the floor that guest house rental might be permitted in exchange for doubling of the member owner’s dues. This was seen by Board members as presenting

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

multiple difficulties, such as a history of membership reluctance to consider rentals, billing of owners who own multiple properties, and increased use pressure on our roads.

- Chris Hinds suggested a ballot item to change the voting requirements for covenant changes from approval of “2/3 of the membership” to approval of “2/3 of votes cast”. Discussion led to amending this proposal to first requiring a quorum of 2/3 of the membership to return ballots (i.e., 92 members actually participating in the vote), and then consider 2/3 of the votes cast in favor of a covenant change to constitute approval. This item as amended was approved for inclusion in the upcoming referendum.
- Future scheduled meetings are:
 - Annual Members Meeting: Saturday, Sept. 15, 2018 at 3pm at the Mancos Library.
 - BOD: November 21, 2018 at 7pm at the Mancos Public Library.

Open Discussion:

- None

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

Respectfully submitted,

Bob Fetterman, Secretary
Sep 9, 2018

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

Annual Members Meeting Minutes September 15, 2018 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Terry Wheeler, Bob Fetterman. Absent – Steve Beh. Audience (45) – Bill & Pam Hart, Phil & Mary Bock, Suzanne Duke, Gail Mingesz, Frank & Mo Dorka, Marcia Gallagher, Pete Feldman, Barry Gallagher, Adam Redder (2 lots), Stan Mattingly, Duff Simbeck, Bill & Sheryl Holbrook, Chris & Nancy Schaufele, Preston Dillon, Gretchen Magwitz, John Christman, Tom Deter (2 lots), Dan Stough & Caryl Parker, Patrick Stout, Bob Sanders, Pete Hubbard, Jose Armijo, Adam Barnhurst, Don Macklin, Mike & Donna Riley, Tomena Goodwin, Michael Power, Mike McGinnis & Jamie Wells, Glenda Whalon, Bruce Short, Kim Lanyon, John Lyren, Ruth Finley, Janet Huffman, Cheryl Brodhagen, Chris & Stephanie Hinds.

Lots legally represented – BOD: 4, audience: 37 (one non-owner attendee w/o corresponding proxy was not counted), valid non-attendee proxies: 36. Total towards quorum (70): 77.

Call to Order: The meeting was called to order at 3:10 pm.

Introduction of Members: Attending Directors and audience members introduced themselves with their lot or tract numbers.

President's Remarks: Diane Cherbak

- Welcome to members at their 2018 Annual Meeting. Reminder of picnic to follow.
- A total of 40 properties changed hands in the last 2 years with an increase in new owners in residence vs. non-resident new owners.
- There has been a marked improvement in road conditions, abatement of noxious weeds, and committee membership (although committees can always use more members!).

Minutes (BOD, July, 2018): The previous BOD meeting minutes were approved.

Secretary's Report: Bob Fetterman

- Six new owner information packets were hand delivered or mailed. New owners are Tract A and Lots 31, 44, 65, 97, and 98.
- This Meeting Room has been reserved for March and May's 2019 BOD meetings.
- Approximately \$500 was spent on Annual Meeting packet materials, printing, postage, and pizza for volunteers at a packet stuffing party. Thanks to Diane Cherbak, Pam Hart, Janet Huffman, and Dana Fetterman for volunteering to help.
- Lists of non-responders from this (41) and previous elections can be used in the future to target by phone habitual non-responders – the majority being non-residents by a 2:1 ratio.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

Treasurer's Report: Diane Cherbak

- The proposed budget lists separately snow removal from road maintenance for all scenarios being voted on.
- Chris Hinds' considerable volunteer labor and expense in working on our roads with his own equipment has not been reimbursed and the true cost of improvements is being underestimated. This issue will be taken up at November's BOD meeting.
- The Reserve Account was returned to \$40k this year. The amount needed in reserve was questioned and explained on a historical basis using local emergencies and costs of recovery. Questioned as to why costs couldn't be assessed as they arose, it was noted that based on just trying to collect dues in a timely manner, the costs and delays associated with raising emergency funds from the membership would be impractical.
- Dues: one member has made no payment(s) this year.
- The Finance Report (attached) was approved.
- The 2019 budget with provisional categories to be determined by today's vote count was presented and ratified by the Board.

Guest Speaker: Amanda Brenner, Montezuma County FireWise Coordinator

- Name being changed from FireWise to **Wildfire Adapted Partnership**.
- Most house losses are by wind-born embers – not directly from flames. Partnership provides site evaluation services and inspection of home ignition zone (immediate surroundings).
- Defensible space zone: first 30 ft. where vegetative mass is minimized; Reduced fuel zone: 30-100 ft. where fuels/vegetation are separated vertically and horizontally by thinning, pruning, and limbing.
- Provides planning ideas for safeguarding pets and livestock, but we need to implement our own evacuation plan for people and animals (planned for spring, 2019; info in May).
- Encourages signup for NIXLE.COM, the county's emergency notification system.
- A party at Mancos Brewery is scheduled for 6-9 p.m. October 6, to celebrate transition to new name.

Committee Reports

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- May's Community FireWise project: roadsides cleared and chipped over 2 days.
- Two lightning strikes were reported on K.1 and on BLM land adjoining CMR. Responders were Gary Linscott, Chris & Steph Hinds, Diane Cherbak, Paul Ruatti, and Mancos Fire.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- The county-wide, summer-long fire ban was lifted last Monday.
- Kim Lanyon noted that her son and friend are available as a firewood cutting crew.
- Nancy Schaufele has offered to work on a livestock evacuation plan for CMR. The new county emergency manager has expressed interest in being included.
- The Fire and Road Committees are to coordinate to maintain 60 ft. of cleared roadway.
- Bob Sanders reports that the current status of the emergency fire road crossing his property is okay for 4WD and is being improved for 2WD.
- Paul will apply for the county's 50% rebate on chemical purchases. Recent rains have resulted in a resurgence of weed growth.

Road Report: Chris Hinds

- Road 35 was treated with mag chloride from the entrance to J.7 in May with weekly watering by Chris for 2 months. It worked well because of no rain for 2 months, but water costs may be an additional \$7-8k this year for maintenance. Dry years are expensive. Wet years destroy its binding properties.
- Two inches of road base were added from J.7 to K.3 excluding the hill section which received road base last year.
- A bituminous emulsion called Earthbind was applied from J.7 to K.3. Unlike mag chloride, which dissolves with water, Earthbind sheds water. Its longevity initially seems somewhat disappointing, but the first year is always a learning experience and road conditions may not have been optimal for its application.
- Mag chloride costs ~\$6k/mile plus the cost of watering vs. ~\$7k/mile for Earthbind.
- Side roads are lacking crowns and are therefore prone to standing water and destruction. There is insufficient/no road base material for blading to restore these crowns.
- Road base patch was added to K.3 from Chris' truck but without watering and rolling cannot be expected to be durable.
- A volunteer work crew using personal equipment extended 2 culverts and replaced the big culvert at the beginning of J.8.
- J.7 has suffered damage due to recent rains. The J.6 cul-de-sac has seen overflowing.
- Regarding speeding, the sheriff is reluctant to police our roads because their ownership has always been in question. Our position is that the roads are county property. The county's position is that they're private roads. Even though we maintain them, there may be a category that allows us access to county resources to assist in that maintenance. It's being researched.
- A suggestion was made for an entrance sign stating: "Private Road Surveillance".

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- It was recognized that Chris and Steph Hinds provide us an invaluable service through their volunteer efforts on behalf of our roads, and that it's in everyone's best interests to not increase their involvement by adding damage to the roads by speeding.
- Bob Sanders provided a letter to the Board with his recollections of chemical testing of 6 road locations he had commissioned ~2010-2011 by a local geotechnical engineering firm when he was on the Board. He believes analysis showed the presence of graphite, lead, mercury, silica, limestone, gypsum, selenium, and other heavy metals in the samples. A report has not been found in the Secretary's cabinet, but local firms will be surveyed to determine if one of them was involved and can provide a copy of said report.

Activities/Grounds/BAC: Terry Wheeler

- Two houses (on Lots 45 and 94) are nearing completion.
- A layout plan has been provided for a house on Lot 75.

Old Business:

- The HOA took legal action taken against the owner of Lot 26 for failure to pay dues which resulted in a judgement in Small Claims Court against the defendant (Nigteagle). The defendant has appealed to the District Court and posted bond in the amount of the judgement. Briefs have been submitted by both parties and Judge Plewe will rule without further courtroom appearances by the parties involved.

New Business:

- An audience member praised the Board President for her demeanor and competence and another new member observed that the proceedings were the least acrimonious in his previous HOA experiences.
- Results of balloting for 3 initiatives were:

Initiative	For	Against	Abstain
1. Dues increase to \$650/year	47*	41*	1*
2. Special assessment of \$240 for calendar years 2019 & 2020	45	44	1
3. Modify Covenant 32 to reduce the number of votes required to change Covenants	54	34	2

- None of the initiatives carried. The Election Report is attached.
- Future scheduled meetings are:
 - BOD: November 21, 2018 at 7pm at the Mancos Public Library.
 - BOD: January 16, 2019 at 7pm at the Mancos Public Library.
 - BOD: March 20, 2019 at 7pm at the Mancos Public Library.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

Open Discussion:

- Several audience members requested action on compensating Chris Hinds for his labor and personal expense on behalf of the HOA's roads. Due to the lateness of the hour the President stated that the issue would be taken up at November's BOD meeting.

Adjournment: The annual meeting was adjourned at 5:15 pm. No Special Session of the Board for election of officers was convened.

Respectfully submitted,

Bob Fetterman, Secretary
Oct 25, 2018

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

BOD Meeting Minutes November 28, 2018 Mancos Public Library

Present: BOD – Diane Cherbak, Paul Ruatti, Terry Wheeler, Steve Beh, Bob Fetterman.
Audience – Jose Armijo, Bill Hart, Susan Whitfield, Tim Pargee, Cathy Wyant, Greg Kemp, Tim Bolyard, Carrol Stout, Chris Hinds, Steph Hinds, Stan Mattingly.

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

Minutes (BOD, Sep. 15, 2018): The previous Annual Meeting minutes were approved.

Secretary’s Report: Bob Fetterman

- Accompanied the HOA President on a property visit.
- Reserved the Mancos Library Conference Room for the May 22 and July 17 BOD meetings in 2019.

Treasurer’s Report: Diane Cherbak

- We have about \$65k in all accounts.
- There have been no snow expenses to date and any left-over allocated funds will be carried over into the 2019 Road Maintenance budget.
- The Finance Report (attached) was approved.
- The 2019 Annual Budget was presented in its basic form without contingencies as no referenda were approved by the membership at the Annual Meeting.

Property Management Report: Terry Wheeler

- Construction on lot 94 is nearing completion – occupation may be by the end of the year.
- A question concerning on-slope construction on lot 119 is considered in compliance with the pertinent covenant.
- Lot 45 construction is imminent, lot 76 construction is to begin after the Holidays, and lot 9 construction is to begin in the Spring.
- The Secretary was directed to add fire mitigation verbiage to the New Owners Welcome packet with guidance from the CMR Community Wildfire Protection Plan.

Fire/Weed Report: Paul Ruatti/Diane Cherbak

- The HOA has received a rebate in the amount \$787 for weed remediation expenses.
- Bruce Short submitted our 2019 Firewise USA package which was approved.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Diane attended the Firewise meeting last night. The topic concerned parasitic infestations and the effects of drought: less rain → less sap → less resistance to burrowing bugs.

Road Report: Chris Hinds

- A meeting was held with the County Road Superintendent Rob Englehart concerning the status of the HOA's roads.
 - The HOA proposed allowing the Sheriff to patrol our roads. Although our roads are considered under county jurisdiction, the county allows sheriff patrols only if the roads are county "maintained", which they're not.
 - The county records show our roads as privately-maintained, county-owned. This provides for access to State and BLM lands, but also allows access for oil and gas enterprise under situations we may have input to as maintainers.
 - If county-maintained, our plowing priority would be low with response conceivably days after a substantial snowfall. In addition, it is not seen as an asset for oil & gas activity to be regulated by the county and completely out of our control.
 - Next step is to communicate our desires to the county.
- Grading of Road 35 from the entrance to J7 will begin after enough rain/snow has fallen.
- A recommendation was obtained for replacing fines we've lost necessary to bind added base to the roadbed.
- The road work for 2019 will include treating the same 2 miles of Road 35 as this year.
- Chris has provided a 20-year cost comparison for 1 mile of road maintenance based on this year's project costs (inflation NOT included) vs. once-applied base and chipseal:
 - 20-years' worth of new road base and mag chloride for 1 mile of road: \$500,000
 - 20-years' worth of base and chip seal for 1 mile of road: \$250,000
 - Stan will send out the spreadsheet concerning the above comparison – analogous to "renting vs. buying".

Old Business: Diane Cherbak

- The Small Claims case brought by the HOA against the owner of Lot 26 for non-payment of dues was decided in the HOA's favor on June 21st. That included dismissal of 10 counterclaims. The defendant appealed (under bond) to District Court with presiding judge Plewe ruling in our favor. The defendant again appealed and the second judge upheld Plewe, but ruled that the counterclaims be reheard in Small Claims Court.

New Business: Diane Cherbak/Chris Hinds

- The quoted cost of snow removal this winter by Dale Murphy without a contract would be \$1200 for each full plow; \$155/hour otherwise.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- Chris Hinds has quoted for plowing service this winter as an alternative to Dale. Our Bylaws permit employment options and discussions with or about employees by Special Session, outside of BOD meetings.
- After asking Chris to remove himself from the meeting area, the Board discussed the terms Chris quoted for plowing service for the season. He quoted a flat rate of \$5500 paid in 2 installments, or an hourly rate of \$75/hour. Conditions of service would be:
 - No action at < 1”.
 - 1-2”: Plowed by 7am. If icing, roadbase scattered on hill off tailgate.
 - >2”: Time of plowing completion commensurate with snowfall, but generally around 3 hours for main roads, 5 hours for 10 miles of roads.
 - 40% refund of flat rate if actual seasonal snowfall <50% of projected.
 - 140% of flat rate paid if actual seasonal snowfall >150% of projected.
 - Hourly rate otherwise at \$75/hour.
 - Either party can terminate at will.
 - Any work must be requested by an HOA representative.
- The Board – being in full agreement of using Chris as an alternative to Dale - was individually polled for which terms to pursue:
 - Bob Fetterman: Flat rate.
 - Terry Wheeler: Hourly.
 - Paul Ruatti: Flat rate.
 - Steven Beh: Flat rate.
- A flat rate contract with some provisions was approved by the Board and Diane will follow up with Chris and request proof of insurance. It also needs to be determined if Chris will plow individual driveways.
- In another matter, the Board approved an equipment reimbursement policy for members providing services using personal equipment set at:
 - \$20/hr for equipment purchased for ≤\$10k.
 - \$40/hr for equipment purchased for >\$10k.
 - Work must be approved by an HOA representative.
 - Reimbursement can be credited towards annual membership dues.
- A similar proposal for reimbursement for volunteer labor by members contributing > 30 hours/quarter raised concerns about the extra effort required on behalf of the Bookkeeper in tracking for and preparing 1099's. The proposal was tabled.

Cedar Mesa Ranches Homeowners Association, Inc.

PO Box 62, Mancos, CO 81328
cmrhoa.org

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

- A proposal to reimburse Chris Hinds for the fuel used in his personal vehicles for HOA projects over the last calendar year was discussed and agreed to in principle. Diane will discuss with Chris for equitable terms, but perhaps only for fuel used since the Annual Meeting (September, 2018).
- Bob Fetterman has indicated an inability to keep up with his Secretarial duties and requests to be replaced. He also acknowledges that replacing him with a new Director also willing to be Secretary is the better and preferred solution.
- Future scheduled meetings are:
 - BOD: Wednesday, Jan. 16, 2019 at 7pm at the Mancos Public Library.
 - BOD: Wednesday, Mar. 20, 2019 at 7pm at the Mancos Public Library.

Open Discussion:

- None

Adjournment: The meeting was adjourned at 9:02 pm.

Respectfully submitted,

Bob Fetterman, Secretary
Jan. 16, 2019