

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.

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- 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 was granted to Lot 4 due to extenuating circumstances.
- A variance for extension of construction time 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.

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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