

RPOA Board of Directors Meeting  
April 18, 2017 6:00 PM  
Walchak Residence, 197 Cottonwood Creek Road  
Durango, Colorado 81301

**In Attendance:**

1. President – Shelley Walchak
2. Secretary – Cathy Neill
3. Treasurer – George Widmeyer
4. Architectural – Mary Sue Burnham
5. Maintenance – Sam Foster
6. At Large – Greg Thompson,
7. Prospective Board Member – Florence Short

**1. Call to Order:** by Shelley at 6:04PM

**2. Approval of the Minutes** for BOD Meeting of March 28, 2017: George moved to approve March 28, 2017 Minutes, Mary Sue seconded the motion. The Minutes were unanimously approved.

**3. Reports of Officers and Standing Committees:**

**a. President** – Shelley Walchak: Shelley will speak per the Agenda.

**b. Secretary** – Cathy Neill: Nothing to add at this time.

**c. Treasurer** – George Widmeyer: The Ranch Fiscal Year 2017 ended on March 31. The monthly financial statement prepared by FredrickZink has been emailed to all board members. There is a minor question about the Current Assets shown on page 2, which has been referred to Sidney Zink at FZA. The treasurer has sufficient information to prepare the financial statements for the annual meeting mailing in early May.

The president and treasurer met with Jason Silva of Edward Jones Investments on April 10, 2017 to discuss the RPOA reserve fund investments, which are held at Morgan Stanley. They discussed the portfolio of GNMA bonds that are held by the reserve fund. No specific actions are being taken at this point, but we need to have further discussions with our financial advisor at Morgan Stanley.

Discussion followed to consider possible benefit of companies like Vanguard and Fidelity still maintaining Investment Grade Bonds and Money Market.

The RPOA has received payment of the annual assessment for 97.5 lots; there are 107 lots in The Ranch. One person has paid half (0.5) of the assessment and has promised to pay the second half shortly. The representative of one (1) lot contacted the treasurer and will make the payment shortly. The treasurer will contact the other eight (8) delinquent owners to remind them that payment was due on April 1.

Snow removal is under budget; New Lights, and Road Work are all proceeding within the budget.

**d. Architectural** – Mary Sue Burnham: See report below, Architectural Presentation.

**e. Finance** – George Widmeyer: We are heavy in long term investments. We are going to meet with another financial investor to consider best course future investments. We will compare with current financial investor.

**f. Maintenance** – Sam Foster:

Trees

- i. Spring Clean-up Day is scheduled for 4/21/17. Woodchuck Tree Service will prune in Common Space and chip throughout the neighborhood.
- ii. In the afternoon of 4/21/17, and possibly in the morning of 4/22/17 to honor Arbor Day, several of us will plant 60 spruce seedlings in the Ranch Reserve area. The intention is to encourage reclaiming of the Reserve as the large cottonwood trees die. Currently it is becoming a bit of a brush area. We also purchased 25 bare root native plum seedlings from the CO State Forest Service and they should arrive during the week of May 8. These will also be planted in the Reserve to develop into small trees that provide benefits such as fruit for wildlife. CO State Forest Service recommended them.
- iii. Based on a visit with Mt. Studies Institute and SW Conservation Corp. personnel, the Russian Olive trees will be cut in July. At this point we have identified about 8 trees in the Ranch. Mt. Studies Institute and La Plata Open Space will fund SW Conservation Corp. to cut the trees and begin to cut up the tree trunks. Then we will have Woodchuck Tree Service to chip the branches and finish cutting the trunks into smaller pieces which Ranch homeowners can take and use for firewood. The Maintenance Committee will replace many of the Russian Olive trees with other hardwood trees. This planting must wait until Fall 2017 in order to gain good survival and future growth.

## Irrigation

The water was turned on at the headgates in the past week. Earthscape cleaned out ditches and some ponds prior to the water coming back. We are preparing for the irrigation system to resume in the next few weeks.

## Repair Outlet in Pond

John Randle completed his contract to replace and repair the water outlet fixture on the south-side pond at the entrance to The Ranch. He removed the outlet elbow on March 21 and build a new outlet and installed 10 feet of new piping on or about April 4.

## Crack Filling in Streets

We received bids from three contractors and we are in the process of evaluating the bids. The price and capability of each contractor will be used to select a company to do the crack filling this summer.

## Capital Projects

- i. Wood Shingle Roof Replacement: Nistler Buildings, LLC removed the wood shingles on the mailroom, maintenance building in Bear Park, and the pump house in Bear Park and replaced them with Owens Corning TruDefinitions Duration asphalt shingles over a synthetic underlayment.
- ii. Replace Street Lights: No progress has been made this month on replacing the street lights. We are in the process of drafting a Request for Proposals to be posted in the Durango *Herald* as part of our normal process on large projects in the Ranch. We have done some previous work on scoping out light fixtures and need to complete that work and then post the RFP.

**g. Nominating** – Jeanie Emigh: We have several candidates: Bob Condit, Florence Short, Jeanie Emigh, Susan Higgins for ½ time sharing with Susan Jones also ½ time, and George Widmeyer.

## **4. Items Requiring Immediate Action:**

**a. Mailing** will be assembled by Jeanie, George, and Mary Sue at 4pm, May 5, at Jeanie's home, and will include documents for the annual meeting mailing:

1. Annual Meeting Cover Letter (sheet 1, front)
2. Slate of Candidates (sheet 1, back)
3. Income Statement (PDF) (sheet 2, front)
4. Balance Sheet (PDF) (sheet 2, back)
5. Short-term Rental Vote Explanation (sheet 3, front)
6. First Amendment (PDF) (sheet 3, back; sheet 4, front and back)
7. Proxy Card (card stock, front and back)

**b. Outdoor Lighting** project moving slowly: See Sam's report above, Capital Projects, ii.

## **c. Architectural Presentation:**

PROPOSED CHANGES TO THE RPOA ARCHITECTURAL RULES, April 18, 2017

### Item One: RAIN BARRELS

In May, 2017, the Colorado Legislature approved the use of rain barrels (HB 16 1005), for rooftop precipitation collection of single family homes or multi-family residence with four or fewer units as long as the collected precipitation is used only for outdoor purposes (watering lawns and gardens) on the residential property on which the precipitation is collected.

The law states that no more than 2 containers of 55 gallons each may be used for a total of 110 gallons or less. A COMMON INTEREST COMMUNITY MAY IMPOSE REASONABLE AESTHETIC REQUIREMENTS THAT GOVERN THE PLACEMENT OR EXTERNAL APPEARANCE OF A RAIN BARREL.

It has been called to the Architectural Committee's attention that the DCCR's have a rule:

Section 3.01 Paragraph Y: No tanks of any kind shall be erected, placed or permitted upon any LOT.

George Widmeyer took the issue to our RPOA lawyer, Christina Landeryou in mid-February...

*The Ranch Board of Directors is considering two issues for which we need your advice:*

*1) The DCCRs, Section 3.01, Paragraph Y states "No tanks of any kind shall be erected placed or permitted upon any LOT." The State of Colorado has now approved the use of rain barrels for single-family homes and for condo/townhome units of less than 4 combined units. Do we need to revise our DCCRs to allow "rain barrels"? I assume that Colorado law supersedes our DCCRs and so we do not have to change the DCCRs at this time. We could modify our Architectural Rules by a vote of the board to put conditions on the use of rain barrels and go back to Paragraph Y at a later time. Is this approach acceptable?*

*1. I recommend that the concerns surrounding the use of rain barrels, ie., colors, size, and location be addressed in the Design Guidelines. I do not see a need to amend the DCC&Rs to incorporate a specific rain barrel provision. Our intent, as we've discussed over the years, is to eliminate design type restrictions and criteria from the DCC&Rs as these provisions are covered in a more detailed and updated manner in the Design Guidelines. There are many provisions in the current DCC&Rs that need amending and I recommend a comprehensive amendment for the entire document. Yes, in answer to your question, CCIOA would supersede your DCC&Rs if your DCC&Rs were written to prohibit rain barrels.*

The Architectural Committee recommends that the RPOA Board vote approval of the following statement and request that it be included in the Architectural Rules:

Homeowners are allowed to install rain barrels per Colorado State law (Two 55 gallon barrels to collect no more than 110 gallons rooftop rain precipitation to be used for exterior purposes on the property upon which it is collected.) Application must be made to the Architectural Committee for approval of rain barrel size, style, color, and placement. Mosquito control is required.

Mary Sue will bring samples of Rain Barrel to the next meeting.

## PROPOSED CHANGES TO THE RPOA ARCHITECTURAL RULES, April 18, 2017

### Item Two: ROOFS

Currently, the RPOA Architectural Rules Require:

Vc. Roofs (Chimneys/Outdoor Fires)

All roof pitches shall range between 5:12 and 7:12 (inches of rise per inches of run) unless otherwise approved in writing by the Architectural Committee.

In all new construction and roof replacement, roof tiles must be made of class A fire-rated roofing materials approved by the Committee. The Committee must give prior written approval of both the materials and the color before any roofing or re-roofing is begun.

The following roofing materials are currently permitted:

- Artificial Shakes (Seneca EcoStar Cedar Shake Tiles by Carlisle SynTec Corp, and similar
- Lightweight Concrete Roof Tiles (Eagle Roofing, Westile, and similar)
- Presidential TL Shake (asphalt) by Certain Teed Corp.
- Owens Corning Woodcrest & Woodmoor Collection

This list of roofing materials may be expanded to include other materials as technology improves. An owner may bring to the Committee a request for evaluation and approval of an unlisted roofing material. The request must include supporting information about the material.

#### 1. Approval of Owens-Corning TruDef Duration Shingles:

In May of 2016, Olmsteads and Mackeys (114 CCR C-1, C-2) (Lots 34 and 35) requested permission to replace their common roof with a new material call Tru Def Duration shingles made by Owens Corning and with the same fire and wind rating as well as long range guarantee as the Woodcrest and Woodmoor shingles already approved for use at The Ranch, but less expensive.

Here is a quotation from their application:

"...because of the significant price difference and improved material technology we request permission to use a new roofing material, Owens-Corning TruDef Duration. This roof is made of Class A Fire Resistance material, as required by the Architectural Design Standards. It has a Limited Lifetime warranty (same as the currently approved Woodmoor Shake), plus 130-MPH Wind Resistance and Algae Resistance Limited Warranties. We will be using the Brownwood color, which will blend well with surrounding roofs.

The matter was taken to the May 17, RPOA Board meeting where a presentation was made by Architectural Chairman, Mary Sue Burnham. The Board approved the use of this new shingle material but did not specifically name the product.

Today, April 18, 2017, I ask the RPOA Board to revote on this matter and request that this new product (Owens-Corning TruDef Duration shingles) be listed along with the other roofing materials in the Architectural Rules.

George moved that the Board accept Owens-Corning TruDef Duration shingles in the Architectural Rules, Shelley seconded the motion, the Board unanimously approved the motion to accept Owens-Corning TruDef Duration shingles.

George moved and Shelley seconded the motion to approve the installation of Owens-Corning TruDef Duration Shingles. The motion passed unanimously.

#### 2. Metal Roofs

Over the past few years there have been requests by homeowners to install metal roofs on their homes. No action has ever been taken on this matter. However, in January of 2016, a prospective homeowner came to the Jan 12 RPOA Board meeting with samples and logic as to the value and benefit of using metal roofs. He was told that the Board in the past had been asked about this issue and no decision ever made. Ultimately, the matter became moot as the individual never purchased property at The Ranch.

In February 2017, Michael Lumsden reapplied to build a shed on his property as the original shed application, made in 2015, was never built. At this time, Michael requested a metal roof for this new shed. Mary Sue Burnham, RPOA Architectural Chairman, asked Michael for time to research the issue and to make a presentation to the RPOA Board at the April 2017 meeting. He concurred as he did not plan to build the shed until late June 2017.

Upon research, it was discovered that there are issues with the use of metal roofs.

Darren Tripp, a project manager at 4-Corners Roofing, Inc., who has completed many re-roofing projects at The Ranch made the following comments:

- Their appearance is not consistent with roofs already in place at The Ranch.
- Gutters would need to be removed
- Ice dams/piles of snow can cascade down on the decks below and cause damage
- Ice dams can damage the metal roof panels.
- There is no financial gain (metal roofs are not necessarily cheaper)
- Some metal roofs have a reflective effect that is unacceptable.
- If metal roofs were allowed, it is critical that the choice of panel used and color be determined by the Architectural Committee (he recommended Pro Panel: Burnished Slate, Brown or Mocha Brown colors.)

Finally, he commented that many HMO's do not allow metal roofs as they have a distinctive appearance which is not necessarily compatible with normal shake/asphalt shingles.

Tim Nistler was asked for his opinion about metal roofs at The Ranch. He also felt that, if allowed, metal roofs would ruin the cohesive appearance that now exists at The Ranch.

Based upon this research, the Architectural Committee recommends denial of metal roofs for use in construction or re-construction at The Ranch, and that this restriction is added to the Architectural Rules.

**d. Shelley will arrange for a representative from a roofing company to come to the May meeting.**

**e. Ranch Annual Meeting**, June 11, 2pm at Animas Valley Grange Hall, 7271 C.R. 203.

**f. Cameras** in the Mailroom, Sam will have camera in a few weeks.

**g. Parking** issues all resolved.

**5. New Business:**

**a. New Board members** appear to be a probability, so no need to consider 3 board member proposal at this time.

**b. Crack Fill Project:** We have received 3 bids, Leeder, B & M, and AJ Road Company. For this project B & M will meet our needs best and is priced lower than one and higher than another. Board moved to accept the B & M bid and proceed with project as soon as possible.

**c. A homeowner requested** permission to put out her bear proof trash container on Monday evenings because she is never home on Tuesday mornings. The board agreed to allow her to do so temporarily to see if any problems came up.

**d. Yard waste dumping:** Sam addressed the need for having compost pile for yard waste and directed Earthscapes to keep the compost pile healthy by turning on a regular basis. It should not attract insects and rodents if cared for properly. Sam will plant trees in the area of the compost pile.

We discussed of **cattail removal** without damaging the pond liners or using aquatic weed spray. Rodeo is an approved aquatic spray, not harmful to fish or animals. Application of Rodeo should be in the spring after cattails are cut.

Discussion of **appreciation gifts** for three neighbors who consistently help the board and the neighborhood..

**6. Announcements:** Mary Wright, a former neighbor, passed away this week.

**7. Next Meeting** Schedule and Location: May 24, 6pm, Shelley's home.

**8. Adjournment:** At 8pm, George moved the meeting be adjourned, Sam seconded the motion; meeting adjourned.