

**THE RANCH PROPERTY OWNERS
ANNUAL MEETING MINUTES**

June 12, 2016
Animas Valley Grange

RPOA Board Members Present: Jeanie Emigh, President, Mary Sue Burnham, Architecture, Sam Foster, Maintenance, Bud Burgess, Past President, Jim Whittier, Treasurer, John Taber, By Laws.

Absent: Secretary, Cathy Neill

The RPOA 2016 Annual Meeting began at 2:10 P.M. with a call to order and welcome by Board members.

The Minutes of the June 14, 2015 RPOA Annual Meeting were approved.

There was a quorum of Ranch members - (29 lot owners and 34 proxies).

At this point, John Taber, Chairman of the By Law Committee described the original bylaws and followed their development up to the latest version now under discussion.

Clarification

The new voting requirement states, "these Bylaws of the Association may be amended by the consent of a *majority of the votes of the Owners (who are eligible to vote)* in the Association."

The voting requirement of the current Bylaws state," The Bylaws may be amended or repealed by a two-thirds (2/3) majority vote in person/proxy of the MEMBERS *present/represented at any Annual or Special meeting* of the Association."

A discussion began on how to proceed in order to vote on the By Laws currently on the ballot. Myriam Palmer moved that the discussion be tabled until the end of the current meeting. George Widmeyer seconded . There was a unanimous vote by all present in favor of the motion.

Three candidates for election to the RPOA Board were presented to the membership. John Simms, Shelley Walchak, and Sam Foster were unanimously elected .

President Jeanie Emigh made an appeal for volunteers to serve on the RPOA Board. The 2016-17 Board is short by one member. (A full Board consists of seven members.) If any RPOA resident wishes to serve a one year term on the Board, please speak to any board member.

An announcement of appreciation was made to Bud Burgess, Jim Whittier, and Jeanie Emigh for their three years of service on the RPOA Board. Their work has helped the neighborhood in many ways.

Also thanked were Beth Cugini who has kept the mail room swept free of dust and debris, Bob Strumpf who has overseen the removal of 23 raccoons, Linda Olmstead for trimming all the yew bushes at the bend of the road on Cottonwood Creek Road, and Mick Olmstead for overseeing maintenance of the RV lot (and Jerry Zelenka as well). Jerry has also worked to keep all our ponds stocked with fish.

A special gift was given to Liz and Paul Cahill for their weekly emptying of the doggie “dump”. Every Monday they would gather up the bags at each of the two dog “waste stations” and haul them away for disposal. (Unfortunately, the Cahills dog, Sami, died and they are now looking for a replacement to take over the doggie “dump” project. Mick Olmstead offered to empty the station at the RV lot.)

Another special gift was given to George Widmeyer for invaluable service to the entire neighborhood over the past four years, including serving on the Board as President, Maintenance, and other responsibilities. We all have seen George out and about at all hours helping homeowners in many ways, or perhaps even just having a chat.

President’s Report- Jeanie Emigh

When the Gold King Mine disaster occurred last fall, Bud Burgess, George Widmeyer, and Andrew Parker, among others, took an active part in gathering information and keeping our neighbors informed of the situation and how it impacted The Ranch. A claim has been sent to the EPA for the cost of turning down the pumps that supply irrigation water to The Ranch and then starting them up again.

You all have noticed the resurfacing of Phase III roads at The Ranch. This project was the largest since the original building of the development in 1978. Everyone seems happy with the result although there are a few remaining minor issues to be dealt with.

In the fall of 2015, Tamara Tabor, Maintenance Chairman, oversaw the removal of many diseased and dying trees on Common Land by Woodchuck. At the same time, many homeowners were able to have their trees trimmed or removed at a lower price by Woodchuck due to the volume of work. Tamara, Jeanie, and Mary Sue provided lunches to the workers some of the days they were around. This project was accomplished in connection with the Architectural Committee who toured the neighborhood and sent letters to homeowners who needed to be aware of landscape problems on their property.

A NOTE OF CAUTION: Homeowners need to be constantly aware of the presence of bears in the neighborhood. Please remember to not put your trash barrels out after 9:00 P.M. or before 6:00 A.M. as they will attract the bear population. This can be a threat to the humans as well as the bears...

It should be noted that two pickle ball courts are now available at the tennis court site for use. Training is available. Please check the posted times for learning and for playing. Currently players from Dalton Ranch will be using our courts during July as theirs are being resurfaced. They have been generous to us in letting us use their courts, so it seems only fair to reciprocate. There is also a sign up in the mail room for use of the tennis court.

After several successful Ranch Holiday Parties, this year's event will be held at the home of Doug and Desiree Collins. Watch for the announcement in late November and plan to attend!

This summer promises more Friday evening get-togethers for Ranch residents. Watch for announcements!

In late March, the RPOA Board held a very successful Spring Fling pot luck dinner at the Animas Valley Grange. It was a great opportunity for neighbors to have dinner and a chat. Topics included short term rentals, dogs, and future plans for upkeep at The Ranch.

This past Spring, two contracts were finalized:

1. Earthscapes has agreed to install and monitor a telephone line where complaints and problems can be reported. This new management system will replace home owner phone calls to the Maintenance Committee when irrigation issues or other problems crop up during the year.
2. John Randall has agreed to continue snow removal at The Ranch for the next three years.

The RPOA Board has approved a policy on Vacation Home Rentals. A short term rental is defined as being between 7 and 27 days. Five three year permits @ \$250.00 each have been offered and are in place. These permits can be revoked if the rental agents do not follow procedure or the renters do not follow the strict Ranch policies. The permits cannot be sold if the house in question is sold. The owners of the permits are allowed to rent their properties for only 26 weeks of the year.

The reason for these new rules is that VHR's have become very popular in vacation areas such as Durango. Investors have been looking at Ranch properties with an eye to using them as rentals not as living quarters. And, yet, those of us who live at The Ranch want to keep the quality of life we already experience, and not have strangers coming and going all the time. The Board will discuss this policy again at the September Board meeting.

Secretary's Report- Cathy Neill---none given

Treasurer's Report – Jim Whittier

It is a pleasure to report that all assessments for 2016 have been paid. Also, The Ranch has ended its year under budget due to fewer expenses for snow removal and lawyer fees. During the past year funding the Phase III project required the sale of some of our

Ginny Mae bonds. However, as our financial advisor, Bob Hill, recommended we use our operational account to pay most of the expenses, not too many were sold. Working with Fred Zinc, we also changed capital funds to a cost basis rather than to maintain a money market value. This proved to be difficult, but in the future, will be more accurate.

The assessment for 2016-17 was increased in order to pay for:

- 1.Contract Management (Earthscapes) (3 years)
- 2.Build up the capital reserve.

Everything is in line with the 2017 budget. Since we had over \$200,000 in our Ranch bank account, we have decided to use \$100,000 to invest in Ginny Maes.

Two years ago the RPOA Board started a reserve study for the financial control of The Ranch. Study members walked through the common assets and prepared a program for phasing in major improvements to The Ranch. This has been a very useful tool for the Board in helping to plan Phase III, new street lights, and other on-going issues with Ranch common lands.

Architectural Committee Report

First of all, I would like to thank all of you, the homeowners of The Ranch, for your participation in helping to keep our neighborhood beautiful. This has been done by you following, the RPOA Architectural Rules, for the most part. And, a huge thank you to my Committee: Ann Simms, Ken Hunter, Ed Heath and Ann Huttner for their wiliness to drop everything and help me make decisions on various requests for approvals from homeowners.

It has been a busy year, especially with the major effort last fall to clean up our neighborhood by removing dead and diseased Aspen trees. Ann Simms and I toured the neighborhood in October and send out a raft of letters to homeowners calling attention to house repairs that they might have not been aware of, and the Tree Committee headed by Sam Foster did a survey of trees. All this resulted in a flurry of activity and when all was said and done, our neighborhood looked very spruced up!

The majority of applications have been roof replacements, house painting, tree planting, landscaping, satellite dishes, and window replacements. You might be interested to know that Mick Olmstead and his neighbor Errol Mackey have found a new Owens Corning roofing material called TruDefinition DURATION shingles which were recently approved by the RPOA Board and are significantly less expensive than some of the other materials out there. And, yes there have been complaints about yard décor and fencing which have been mediated and resolved to the comfort of one and all.

Once again, I wish to thank you for helping with this onerous job. It is no fun to police the neighborhood and then deal with friends and neighbors in a sticky situation. Please continue to be understanding if I, or one of my committee members, contact you about an issue or complaint. We only wish to keep our community as beautiful as it is today!

Maintenance – Sam Foster

The Phase III road resurfacing was done with a 2” overlay. Yet there remain cracks in Phase I and II asphalt which need to be repaired.

The project to remove dead and dying Aspen and other trees last fall resulted in a \$900.00 reward from Firewise as a chipping rebate. The Maintenance and Architectural Committee will work with residents to help replace trees and shrubs that provided privacy and/or beauty to landscaping.

Early in the spring, the Fawn Lake motor and pump were replaced. And just recently the Tabor pump was replaced. It was malfunctioning earlier in the spring and it was determined that it was too old and had too many broken parts to be repaired.

John Randall will be replacing the gate to the RV area with one that works better than the current gate.

There is a need to replace all the street lights as the current ones are wooden and slowly rotting away. Last year a new concrete reinforced LED light was installed outside the mail room. Residents were asked to comment on the light as to its appearance and its brightness. Only a few positive responses were received, but mostly residents commented that other options should be explored. A consultant needs to be hired who can comment on where new lights should be placed, how much light they give out, etc. The Energy Committee is looking into various options with LED lights. New road signs will also need to be ordered.

The gardens on common land are slowly being planted with perennials which are cheaper than annual flowers and require less care. In answer to a question from the audience, Sam reported that the grass at the south end of the Ranch is cut once a month.

Sam is currently Firewise Ambassador for The Ranch. He passed out a brochure that talked about defensible space which would reduce the risk of losing your home. He talked about a home ignition zone: the house structure and the space around it. In case of fire, watch out for embers falling on the roof and deck. Firewood stacked on the deck or under the garage is not a good idea! Also, keep gutters cleaned as the debris that collects there is often fuel for fire.

The zone that extended from 15’-30’ from the home is considered to be Zone 1. Planting junipers there is not acceptable. Try to plant broadleaf evergreens. Zone 2 is the area 30’-100’ from the home. In this area it is wise to prune trees and keep watch for flammable undergrowth. Firewise is planning an assessment of The Ranch this fall.

Back to a discussion about the proposed RPOA Bylaws

Comments:

Colorado state law is purposely vague which allows individual homeowner associations to tailor their laws to fit their particular needs.

Flexibility is important.

Is it possible to have majority rule over a 2/3 required vote?

Verbiage is very important

It seems our lawyer has written a document which follows state law, but trumps our HOA? Is this true?

Myriam Palmer moved that the current meeting be postponed in order to vote the Bylaws issue. Virginia Condit seconded the motion. In the short discussion that followed, John Simms proposed that the date of the meeting be in thirty days' time in order to allow an appeal to Ranch residents for their attendance or proxies so that a 2/3 majority could be reached. It was determined that by postponing the meeting, the vote would be valid under the current DCCR's. Also, any existing proxies can be voted by Mary Sue Burnham by phone.

It was suggested that when the meeting reconvenes, that the simplified Bylaws Summary prepared by John Taber be available as a handout. All residents will be notified that the new Bylaws are available on the Ranch Property Owners website.

A "straw" vote of the members present was taken on the By-Laws issue. The result was 21 votes in favor and 8 against.

Several residents volunteered to help canvas the neighborhood and make phone calls. They were Paul and Liz Cahill, Richard Brooks, Karen Miranda, Kyla Prestwood, Julie Fuller, Bud Burgess, and Sam Foster.

The vote to postpone the meeting was unanimously approved. Jeanie Emigh and the new board will set a date for the annual meeting to reconvene and notify the membership. (The date is July 24, 2:00, Animas Valley Grange.)

The current meeting ended at 4:30 P.M.

Respectfully submitted,
Mary Sue Burnham
RPOA Secretary pro tem

The following are the minutes from the July 24, 2016, reconvened Annual Meeting:

**Minutes of the Ranch Property Owners' special meeting
Sunday, July 24, 2016**

The meeting was called to order by Board member Cathy Neill at 2:50pm. Other Board members were attendance by speaker phone: Mary Sue Burnham, Sam Foster, Shelly Walcheck, John Simms, and John Taber.

Including the ten members in attendance and the proxies, there were enough for a quorum.

Jim Whittier made a motion to call for the vote on the adoption of the revised by-laws, Paul Cahill seconded. The floor was opened for comment. Jim Whittier read a letter from John Taber entitled Bylaws Proposed Amendment Summerly, Part 2.

The votes were then counted and the account recorded as follows:

85 yes votes

9 no votes

The amended by-laws will now go into effect.

Paul Cahill motioned to adjourn the meeting. Myriam Palmer seconded, and the meeting was adjourned.

Submitted by Liz Cahil