

**Cedar Mesa Ranches HOA
Board of Directors Meeting
April 12, 2004
Bryson/Liljedahl Residence, Tract O
7:00 – 9:15 pm**

In attendance: President, Terry Michael, Vice-President, Lisa Liljedahl, Treasurer, Steve Ludemann, Secretary, Susan Bryson and Member at Large, Terri Montoya.

Not in attendance: Members at Large, Nancy Schaufele and Suzanne Duke

Meeting called to order at 7:06 pm

Approval of March 4, 2004 Annual Meeting Minutes: Lisa made a motion to approve the minutes as written. Steve seconded the motion. Motion passed.

Financial Report: Steve handed out the April 12, 2004 Financial Report and announced that our accounts receivable has gone down by \$150 since our last meeting. We still show 17 lot owners who haven't paid either the Road Assessment Dues and/or the 2003 Annual Dues.

The 2004 Annual Dues (\$150) are due on May 1, 2004. Steve drafted a proposed letter for collection of dues and gave us all a copy. As discussed previously, this letter will be a separate mailing from our Newsletter.

Steve also drafted a proposed collection letter that we reviewed and discussed.

Lisa made a motion approving both the "Dues" letter and the "Collection" letter. Susan seconded the motion. Motion passed. Steve will mail the Collection letter certified return receipt requested, as described in the bylaws. Terry agreed to mail the Dues letter once Susan furnishes the mailing labels.

Two lot owners have already paid their 2004 dues. Hence the amount we intend to collect is $137 \times \$150$ for a net of \$20,550.

Lisa made a motion to approve the April 12, 2004 Financial Report as prepared and submitted. Terry seconded the motion. Motion passed.

Return Address: We discussed the ongoing dilemma of not having a physical address for the HOA and agreed that since Steve will be out of town from the middle of June until the first of September that Terry will show his address as the HOA return address. However, Steve will have his return address reflected on the Collection letter in that we will need to file liens prior to his departure.

HOA Bank Account: It was agreed that two officers should have signature authority on the checking account. Terry made a motion to strike Nancy's name (no longer an officer) and add Lisa Liljedahl's name. Steve Ludemann's name will remain. Susan seconded the motion. Motion passed.

Lisa will schedule a time to meet Steve at the bank to make this change. Lisa also offered to take over the Treasurer's tasks this summer during Steve's absence. Steve will transfer the accounting information prior to his departure.

Raising Dues: We must address the very difficult and controversial topic of raising HOA dues in order to be fiscally responsible. The Bylaws state that the Annual Dues are \$150. If we were to increase the dues we would need to amend the Bylaws which will require a vote of the full membership.

After considerable discussion it was agreed that the Board is obligated by our Bylaws to have a "contingency fund." We maintain a very small amount in "Miscellaneous" and the Board suggested we rename it on our budget as a "contingency fund." Additionally, we all agreed to consult with representatives of other subdivisions to find out what their HOA is required to maintain. Terry agreed to ask our attorney what he would recommend and if he would be willing to give us contact information for other Southwest Colorado subdivisions.

As a Board we believe that we have a fiscal responsibility to represent the interests of the HOA. This includes fiscal concerns for:

- Contingency Fund
- Legal Fees
- Roads/Maintenance*
- Capital Improvements (i.e. roads, etc.)

*The Roads will continue to be an ongoing and exhausting nemesis.

We discussed the method(s) for determining our long term projected expenses and agreed we need to present a plan and/or good argument to the HOA. Steve started such a project and will e-mail the spreadsheet to Terry and Lisa to begin developing a projected long term budget.

It was agreed to create a self-imposed deadline of June 2004 to present a report on long term projected expenses and a recommendation to the Board. Terry, Lisa and Steve agreed to work on this document.

Construction Impact Fees Assessment: We have previously discussed the possibility of imposing an impact fee retroactive to all lot owners who have already constructed their home. It is a known fact that large equipment and day to day travel by contractors is a large reason why the roads deteriorate so quickly. Moreover, we have all witnessed the builders arriving at excessive speed and departing in the same manner and do our best to get them to slow

down. It's impossible to manage this ongoing problem. Nevertheless, the Board agreed that it would be a managerial nightmare to impose and collect an impact fee and would prefer not to proceed in that direction.

Mill Levy Tax: Terry agreed to call the Assessor's office to find out if our property taxes have been reduced because of the un-maintained county roads in this subdivision. If they haven't been reduced – are we eligible to challenge our tax?

Mobile/Modular Homes: We agreed to stand firm in our previous interpretation of Mobile/Modular home and will bump the attorney to secure the “clarification” as soon as possible. One lot owner is threatening litigation and we are prepared to defend our position.

Temporary Structures: To paraphrase Paragraph 11 of our Covenants, it states that a “temporary structure may not be allowed to remain or be stored on any lot for a period of more than 9 months in a given year. Recreational vehicles may be stored longer than 9 months per year, provided they are stored in a storage facility (i.e., barn or garage).”

We have already addressed the yurt question determining that it is a temporary structure and cannot remain on the lot for more than 9 months in a given year.

Susan mentioned that representatives of the Covenant Committee will drive the roads and identify the apparent violations by the end of April. Terry agreed to write a letter to the violating lot owner but will first ask our attorney for the recommended wording for this “notice” letter.

E-mailing to HOA members: Terry suggested that in the future we list the names under bcc out of courtesy to our membership and Susan agreed to do so.

Easements to BLM (public) land: The board agreed that public land access must be made available to the “general public” and we cannot limit access to HOA members only. What we can do, out of courtesy to the lot owners, is hopefully minimize the use by not calling attention to the easements. We agreed to re-think the use of signs, etc. so as to not necessarily call attention to the access easement.

Road Update: We still have some remaining drainage issues on Road 35. Dale will need to install two or possibly three culverts and build bar ditches. Road J.7 also needs some base.

Lisa also mentioned that after driving the roads she noticed we have several areas where the bar ditches are 2-3 feet deep and eventually they will grow in size and create a cavern that undermines the road. Steve concurred. The easiest long term solution is to build more culverts across the road. We need to

keep this ongoing problem on our radar screen when considering a long term projection of costs.

Steve mentioned that he needs to contact the blacktop company to come out and repair the area at the entrance (Road 35).

Speeding: We have all been taking individual responsibility to try and slow down drivers that are speeding. After considerable discussion it was agreed that we should post a sign at the front of the subdivision that reads: **SAVE OUR ROADS – DRIVE SLOW**. Apparently several county roads in La Plata County have had some success with this solution. Nancy was on the Board at the time we ordered other signs and we will ask her to spearhead this project.

Fire Mitigation: Susan reviewed the grant proposal and mentioned that the majority of funding will be to help with slash removal. She will ask for two competitive bids. Susan will be meeting with the Fire Committee personnel and discussing the other issues.

Terry agreed to take over the management of the fire sign posted at the entrance.

Susan will be attending and representing CMR HOA at an upcoming HOA Fire Symposium in May and all are invited. The first workshop is on May 18th from 6:30-8:00 pm at the La Plata Electric Association Meeting Room (in Bodo Park). The presentation will focus on insurance issues and Legalities for HOA's in enforcing defensible space covenants. The second workshop is on May 25th from 6:30-8:00 pm at the same location. The presentation will focus on Developing an Evacuation Plan for subdivisions; Dealing with Slash as a Neighborhood; and a "What Works" discussion – successes and challenges of subdivisions and how to address the challenges.

Acquisition of Lot #11: Terry, Susan, and Lisa feel that it is a long term visionary solution to address a number of issues that will surface as this subdivision grows. To name a few issues, the lot could serve as our school bus stop, centralized mailbox, mailing address, meeting room, parking of snow plowing equipment, car-pool parking, etc. The lot is for sale and the current lot owners have contacted the HOA and expressed their willingness to work out a payment plan. Steve said that we simply don't have the money and he recommended against the suggestion. Terri was open to the "suggestion" and agreed that we needed more information but certainly realized that money was the huge obstacle.

New Business:

- **Lot Owner's request to Concrete Pave a Portion of the cul-de-sac adjacent to his lot** - After much discussion it was unanimously agreed that the road was common property and for a variety of reasons we would

not allow the concrete paving of the common road. Susan made a motion to deny the lot owner's request to pave the common road. Terry seconded the motion. Motion passed.

- **Paving Main Road:** Lisa has been corresponding with another lot owner that would like us to seriously consider asphalt paving the roads – certainly the main road. The costs to pave, in addition to creating a winter nightmare, will preclude us from paving. The rest of the board concurred.
- **Centralized Mailboxes** – Lisa provided the recent history of the continuing mailbox saga and stated that the Mancos Postmaster is offering CMR HOA nine (9) brand new boxes that will accommodate all 139 lots. The boxes will contain 18 large package boxes. The new pedestals will fit on the existing concrete pad. In exchange for these new boxes we agreed to ask our lot owners to cooperate with the post office when they reassign boxes and exchange keys. The lot owners currently receiving home delivery will continue to do so. They will have the option; however, of receiving centralized delivery.
- **Financial Hardship** – We discussed some of the recent written requests from lot owners claiming financial hardship and talked about how to address this issue. We all have considerable compassion for their hardship but believe it is imperative as a fiscal agent for this HOA to remain steadfast in our mandate that the money is owed and must be paid.

A motion was made and seconded to adjourn the meeting. Motion unanimously passed. Meeting adjourned at 9:15 pm.

Respectfully submitted,

Susan Bryson
Secretary, CMR HOA