

CEDAR MESA RANCHES HOMEOWNERS BOARD OF DIRECTORS MEETING

Aug. 30, 2005

San Juan Basin Technical College

MINUTES

In Attendance: Board Members: Jim Bignell, Gary Brodhagen, John Lyren, Bryan Johnson, Chris Schaufele, Greg Kemp, Sean McCall and CMR-HOA members.

Meeting called to order at 7:00 p.m.

Approval of July 26th, 2005 minutes: Motion made, seconded, passed.

Secretary Report: Given by Jim Bignell because of Ruth Bignell's absence

- The minutes & newsletter went out on Aug 3rd. The following statement prepared by Ruth was read concerning the dissemination of the minutes:

The minutes and the newsletter were sent out at the same time as two separate attachments in the same email. If you got the minutes, you got the newsletter and needed to open it separately. Of the 98 emails I sent out, only 4 were returned as being undeliverable and those were sent by mail the same day. Once again, I am hearing rumblings about some homeowners claiming they did not receive the above. Please notify the person sending the document, which happens to be me. (Ruth Bignell) By complaining to others does not solve the problem. I will be more than glad to accommodate you if you just let me know. All this other stuff is not necessary.

- Lot 37 sold- no info
- Lot 4 sold- to Christie Berner form Little Rock, Arkansas
- The Annual Report was sent to the State of Colorado
- The letters that the board requested to be sent to the lot owners of #48 and #84 and there adjacent neighbors were sent. These were concerning possible covenant violations.

Treasurer Report: John Lyren

- There is currently \$22,469.14 in our account.
- There is still \$2,410.25 outstanding for the additional (\$275) 2005 dues.
- Two liens have been placed on lots 107 and 56 which have not paid the \$275 dues. The remainder of the lots which have not paid the \$275 dues have made contact with the treasurer. There are two lot owners which we are trying to contact. If contact is not made by September 15th, we will place liens on these properties also.
- The insurance budget is over spent because of purchasing liability insurance and insurance for the mailboxes.
- The road expenditures have increased due to the road grading and ditch cleaning on road 35.

Fire/Weed Committee Report: Bryan Johnson

- The county fire ban has been lifted to Moderate, but Cedar Mesa Ranches is still very dry and anyone burning should be very careful. No fire should ever be left unattended until it has been completely extinguished with water and left with no hot embers.
- A tentative date of September 10th will be set for the trial use of a bush hog mower We plan to mow the road right-of-way, now that we have liability insurance.
- It was suggested by a member that we look into whether we can set our own fire ban if we want. Bryan will look into it.

Building Advisory Committee: Greg Kemp

- Two lot owners were sent a letter concerning a possible covenant violation. Greg read the letters.
- A response was received from one lot owner who requested the name of the board members by fax. At this time, no one was present to answer for either of the two lot owners. The owner of lot 48 did appear at the end of the meeting and was referred to talk to Greg Kemp about the matter.
- Chris Schaufele said the owner of lot 84 had talked to him some time ago about the matter and told him that he was going to make a report on the matter and give it to Chris for the board. The board requested that Chris try to contact him again and get him to do this by September 15th. A motion was made, seconded and passed to do this.
- A motion was made, seconded and passed to send a letter to lot owner 48 that he contact the board by September 15th about the matter. If this is not done, the board will file a covenant violation on his property. This does not preclude further action by the board. Because this lot owner did come to the meeting after this discussion and talk to the board member (Greg Kemp) responsible for handling the matter for the board, the above request has been fulfilled and no lien will be placed. A report on the matter will be given at the next Board/membership meeting.

Road Committee: Gary Brodhagen

- The work on the front entrance will begin tomorrow. There will be a lane left open for travel during construction. This may be an inconvenience for a few days but it will be much better this winter when the entrance is without the pot holes.
- It was noted that Gary has done a great job in getting a good price for this work. The previous bids which we had received were so high that we would have had to put the project off till next year.

Activities & Grounds Committee: Ruth Bignell

- The committee was going to set a cleanup day for the front entrance but decided to wait until the roadwork was done. Hopefully, in September

Covenant Committee: Jim Bignell

- The covenant committee presented the proposed changes to the covenants and bylaws to the board. Each change was read and discussed.
- The changes have been reviewed by a lawyer and he found nothing that presented a problem.
- The board made a motion, seconded, and passed to have the changes to the covenants and bylaws put before the membership for a vote at the October board/membership meeting. A copy of the covenants and by-law changes along with a proxy ballot for members to use for voting purposes will be mailed out by the end of September. A self-addressed stamped envelope will also be enclosed for your convenience. You will then have 2 weeks to return your ballot. All votes will be counted and results given at the October meeting. A majority vote of the membership will be required to carry the changes.
- It is requested that each member read the changes carefully and cast his or her vote. Remember, failure to vote allows someone else to make the decision for you. **PLEASE PARTICIPATE IN THIS IMPORTANT ISSUE.**

New Business:

- Insurance for the mailboxes and general liability was obtained for \$750. This is a savings, as the cost of the mailbox insurance was \$750 alone. Our insurance company did a great job in working this out for us. Two birds with one stone.
- An emergency Board Meeting was held on July 29th concerning the lawsuit filed by Mr. Torin Andrews. This suit came about because the board filed a lien on his property, because he refused to pay the Association dues. Mr. Andrews claims in this suit that he is exempt from paying any dues or assessments to the Association because of the settlement made with the Association on the previous suit concerning the paving of the cul de sac in front of his property and nothing more. The board has turned

the matter over to our insurance carrier and they have assigned a lawyer to the matter, who has filed our response. These are public records and may be obtained from the county court. The lawyer and insurance co. are vigorously pursuing this matter. The board feels that no member should be allowed to be exempt from paying his or her fair share of the expenses of the Association. This is why the board requested that the matter be pursued.

- A letter from the previous owners of lot 37 was read. This letter stated that they were disappointed with the frivolous law suits which had and are now being filed. They were very appreciative of the current and previous board.
- A letter was sent to Ray & Judi Huseby. They own property at the entrance of our subdivision which our roads service. They have paid dues to the Association in the past even though they are not an Association member. They said they would continue to pay the \$150 per year. They did pay the \$175 requested for this year. This is greatly appreciated as they do not have any legal requirement to do so.
- The board also asked Huseby what he knew about the paving of the road at the front entrance when the subdivision was platted. He replied that the county took \$20,000 of the permit to have the entrance paved to reduce the dust for the neighbors including Aramark. This is stated on the plat filed with the county.

Open Discussion:

- There was none

Adjournment: A motion was made to adjourn. Seconded and passed. ***The next meeting will be: Tuesday, September 27, 2005 at 7:00 p.m.***

Respectively submitted,

Jim Bignell
President