

# ***CEDAR MESA RANCHES HOMEOWNERS BOARD OF DIRECTORS MEETING***

***July 26, 2005***

***San Juan Basin Technical College***

***MINUTES***

***In Attendance:*** Board Members: Jim Bignell, Gary Brodhagen, John Lyren, Bryan Johnson, Chris Schaufele and Greg Kemp. Absent: Sean McCall. CMR-HOA Members: Five members of the CMR subdivision were present.

***Meeting called to order at 7:04 p.m.***

***Approval of June 28, 2005 minutes: Motion made, seconded, passed.***

## ***Secretary Report: Ruth Bignell***

- Reminder email sent re: Additional dues increase deadline July 22, 2005.
- Lot 88 sold to Jeff Alcock
- Lot 28 sold to Kevin & Dana Deplanes- Durango
- Tract I sold to Andrea Baker & Peter Tolin - Mancos
- The newsletter is finished. It will go out with the minutes. A big thank you to Nancy Schaufele for putting this together.
- The Durango Herald is now available for delivery in Cedar Mesa Ranches. The rate is \$109 per year. At the moment, if you subscribe, they are offering a \$25 gas card for Mobil/Exxon. You will need to request a paper receptacle for your driveway.
- E-mails: Several lot owners have stated that they have/did not received minutes and/or special notices, yet stated that they received the dues reminder even though it was sent to the same email address. To say the least, some were not kind. I find this very unusual. If an email is not delivered, I get a reply that the email address was "not known" or that it was "undeliverable". I have received neither from any of the emails sent to lot owners. So, that tells me, it was received. After questioning some of them, it turns out that they don't open their emails or don't recognize the sender. This is not the Boards fault. The subject line will be: CMR-HOA Minutes. Attached to the March minutes was a list of board members and their contact information including email addresses. The Board meets the last Tuesday of the month at 7:00 pm at the San Juan Tech School. The minutes go out within 7-10 days. If you do not receive the minutes, please let me know and I will be glad to send again or mail to you. The other option for those that live here is to come to the meetings. I will also be glad to send previous minutes to anyone that would like to receive them. My email is: [biggyr02@aol.com](mailto:biggyr02@aol.com). This Board is very conscientious about communicating with lot owners and making them aware of what is going on in the subdivision and welcomes any questions or inquiries you may have.

## ***Treasurer Report: John Lyren***

- There is currently \$20,816.57 in our account.
- There is still \$8,513.00 outstanding for the additional (\$275) 2005 dues.
- A \$250 rebate was received for the weed spraying last month.
- Lien on Lot #56: The company handling the sale of this property indicates they may be able to retrieve the money owed for past dues. They are trying to clear the title. Hopefully, we will know the results in the near future.
- Because several lot owners stated they did not get the dues reminder, the Board has again extended the due date one more time. The additional \$275 dues are due by August 15, 2005. A motion was made, seconded and passed to send a certified, return receipt letter on August 1<sup>st</sup> to those that have not paid or

contacted John for other arrangements. If the dues are not paid by the new deadline, a lien will be placed on that property shortly thereafter. Contact John at: [jvlyren@animas.net](mailto:jvlyren@animas.net) Dues can be mailed to John at 10700 Road 35, Mancos, CO 81328

- A question was asked regarding the Professional & Other Fees category and why it is over budget. This category is set at \$5,000 with disbursements of \$5,552.78. Of this amount, only \$512.00 was spent by this board for attorney consultations. The balance paid (\$4,884.98) was a carryover from the previous board for litigation fees. This we had to pay out of our current budget. We had small association and accounting fees in the amount of \$155.80.

#### ***Fire/Weed Committee Report: Bryan Johnson***

- There is a fire ban in effect in Montezuma County.
- Two weeks ago, there was a fire 1 mile north of the subdivision in the BLM land. It was called in and within 30 mins., a helicopter was on the scene and sprayed several loads of fire retardant. The only other fires have been small ones, which were put out by several volunteers in the subdivision.
- The committee is still looking into renting a bush hog to mow all the weeds that have sprouted up along the roads. The rental is \$215 per day. Because of insurance issues, a motion to table this issue was made, seconded and passed. The committee will continue to research this issue.

#### ***Building Advisory Committee: Greg Kemp***

- Jim Siscoe, the Resource Specialist at the Montezuma County Planning Dept. has responded to the letter regarding two occupied lots that may not have a septic system. He states that the county has no septic system permits on record for these properties. The resolution passed at the April 26, 2005 board meeting, requires this committee to draft a written notice of an apparent covenant violation to those properties. A motion was made, seconded and passed to prepare this letter.

#### ***Road Committee: Gary Brodhagen***

- Finally after the recent 2-day rain, roads have been bladed. Next week, we will be doing culverts and ditches. There will be some large rocks after this work but they will be cleaned up.
- Gary gave a report from AJ Construction regarding an inquiry about using Class 6 gravel on our roads. This is a term the state uses for the material they put on the highways. It is more expensive than what we currently use. AJ has been asked inspect the road and front entrance and to give the committee a bid.
- We are still trying to figure out the best way to do the front entrance. It will be done by winter.
- A discussion was held on the AA Campground/Huseby Group and its relation to this subdivision. This was tabled until we can do some research.
- The road progress is on track for this year. Everyone should be mindful that this is a 3-year project and the cost is spread out over this 3-year period.

#### ***Covenant Committee: Jim Bignell***

- The covenant committee has held three meetings and will meet again next week. The 3rd draft has gone out to committee members. The committee hopes to present the revisions to the membership in September. The committee will not drastically change the existing covenants but will try to clear up the language and contradictions. The committee is also working on the bylaws

#### ***Activities & Grounds Committee: Ruth Bignell***

- 35 homeowners attended the CMR-HOA BBQ held on July 3rd. We had a great time and an abundance of delicious food. A big thanks to all who attended.
- 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.

***New Business:***

- An email was received by the Board President from Lot owner 107, Mr. Torin Andrews, stating two possible suits will be filed. . One against the previous board and the second one against the CMR-HOA. In the suit against the HOA, he is disputing his membership in the HOA and states that he is not required to be a member nor pay dues and/or assessments based on a previous settlement. The CMR-HOA By-laws state that everyone pays his fair share, there are no exceptions. Should this suit progress; this Board will contact an attorney.

**UPDATE:** By permission of the Board members, we report an update on this situation. Mr. Andrews filed a suit against the CMR-HOA on Tuesday, July 26<sup>th</sup> at 12:37 pm. for the above reasons. He alleges that the “CMR-HOA does not have the power to require Andrews to pay assessments, that the Association is not a mandatory association” This lawsuit public record and will be placed on the CMR-HOA website for your information.

***Open Discussion:***

- The owner of Tract K has requested that if any members of the board come down to check the roadwork or the emergency fire road, that they please call her before coming. They have German shepherds and do not want anyone to get hurt or scared should they be out.

Michelle also inquired about getting “no access”, “emergency road” signs for the fire road as there seems to be a lot of traffic on that road. Most are going to the BLM land.

- John Lyren asked the Covenant Committee to consider denying voting rights to lot owners that are not current in their dues. The Committee will discuss this issue at there next meeting.

***Adjournment:*** A motion was made to adjourn. Seconded and passed. The meeting adjourned at 8:514p.m. ***The next meeting will be: Tuesday, August 30, 2005 at 7:00 p.m.***

***Respectively submitted,***

***Ruth E. Bignell***  
***Secretary to the Board***

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