

Minutes of the Cedar Mesa Ranches Homeowners Board of Directors Meeting and Membership Meeting

April 26, 2005

San Juan Basin Technical College – 6:30 p.m.

1. The meeting was called to order by the board president, James Bignell at 6:40 p.m. He reminded all that the meeting was to run by Robert's rules of order. There were 13 lot owners present and the following board members. (Greg Kemp, Gary Brodhagen, James Bignell, Bryan Johnson, Chris Schaufele, Sean McCall) John Lyren was absent.
2. The minutes of the March 29th meeting were approved with the following change. The sentence (Susan Bryson requested that the Board send letters to covenant violators requesting the same information ----) was changed to (Susan Bryson requested that the Board send letters to people living under similar conditions requesting the same information ---) A motion to make the change was made and seconded, then approved.
3. The Secretary Report was given by James Bignell. The Secretary (Ruth Bignell) was not present due to a death in the family.
 - The meetings will be taped from now on to aid in creating the minutes.
 - Track G was recently sold.
 - The letters to realtors explaining the Covenants and mobile homes has been sent out as requested at the previous meeting.
 - Reminders, Email and Phone calls were made to lot owners to vote on the dues increase.
 - The newsletter will go out in July.
4. The Treasurer Report was also given by James Bignell as the Treasurer (John Lyren) was absent. A copy of the report is Attached. Letters to lot owners who have not yet paid the \$175 dues have gone out and those who have not paid will now receive a property lien notice if the dues continue to be delinquent.
5. Committee Report on Fire and Weed was given by Bryan Johnson:
 - There will be a Fire evacuation meeting at the fire house located at the entrance to the subdivision on Saturday May 14 from 9:00 a.m. to 11:00 a.m. Susan Bryson and Cindy Swan have helped in setting up this meeting. Fire ready will be in attendance.
 - Weed spraying on the roads will begin soon after the budget is passed which will be at the next meeting.
 - There is a need for new members on this committee as two of the present member are leaving . If you have and interest contact Bryan Johnson.
 - There were comments made by members that the emergency fire roads need work.
6. The Building Advisory Committee Report Was given by Greg Kemp:
 - A motion was made by Greg Kemp, seconded and passed to make it the policy of the Board to have the Building Advisory Committee investigate only written complaints by lot owners of covenant violations and report back to the board for action. The complete transcript of the motion is attached. The motion was debated and the sentence (The lot owner will be notified by the Building Advisory Committee of any visit) was added. The motion to make this change was made by Sean McCall, seconded and passed.
7. The Covenant Committee Report was give by James Bignell: The board had a consultation with a lawyer to look over all the association documents and covenants with respect to Colorado law as to what we can do and can't do. The conclusion is that it will take a majority vote of the membership to change the covenants. The covenant committee will meet and report back to the board on proposed changes at the next meeting.

8. The Road Committee Report was given by Gary Brodhagen: The bid from Dale to repair the front entrance did not include paving . The bid last year from Four Corners to do the same work with paving was for \$13,000. A new bid from Four Corners to do the same work now was \$18,278. Other bids will be requested from other companies. The tract roads will be given first priority. It was asked why the entrance must be paved. It was explained that the county paid to have it paved by reducing the filing fees to Red stone when the plat was filed. This does not mean that the home owner association must do the same but it would not be to our advantage to not pave the entrance. It was also noted that the entrance is not asphalt but chip seal.

9. The lot owners of lot 108 have replied in writing to the request by the board as to when they intend to start their house. They replied that they will start as soon as the ground is dry enough to dig and will comply with the covenants as to the completion date.

- Gary Brodhagen reported that 4 complaints of covenant violations were investigated and that three of them should have letters sent to them inquiring about the matter. A motion was made by Gary, seconded and passed to do this.
- Nick Bird reported on the association website. He reported that the password access to information has been removed. He also stated that if your Email address is on the site that you may get Spam as a result because that is the way many Stammers get addresses. Nick asked for people to look over the website and give him feed back. The board thanked Nick for his work and complimented him on the professional look of the site.

10. The board meeting was switched to a membership meeting to address the membership vote on the pending dues increase. The chair explained that in order to conduct any business at a membership meeting there must be a quorum of 50% of the members present or present by proxy. There was a quorum by proxy on the dues matter. A majority vote was required to pass the increase. This is a minimum of 70 votes. Each lot owner has one vote for each lot he owns. After tallying all the membership votes, the dues increase passed by 76 for and 28 against with 35 not voting. **This will increase the Cedar mesa ranches home owners annual dues to \$450 from \$150 for the next three years. At the end of the three years the board of directors will evaluate the dues amount and lower it if possible. The difference between the \$175 paid as the regular dues this year and the new amount (\$450) (which is \$275) is due no later than June 1 2005.**

The board will work with anyone who has a hardship. To request a payment schedule, contact John Lyren his phone is 970-565-1462 or email: jvlyren@animas.net

- The Board has notified it's insurance carrier of a possible lawsuit by Mr. Torin Andrews. This comes from a letter sent to the president of the board of directors in which he threatened a suit if the letter sent to lot owners of 108 by the previous board was not rescinded by the current board. The stand on this matter was made in a motion at the last board meeting in March. Mr. Andrews also stated in the letter that he was resigning from the Cedar Mesa Ranches Homeowner Association and would not be paying any more dues. The board drafted a letter which contains the information and the legal documentation as to why he cannot do this. The only way a lot owner can remove himself or be removed by the association from membership in the Cedar Mesa Ranches Homeowner Association is to no longer be a lot owner in the Cedar Mesa Ranches plated subdivision. There was discussion on this matter. A motion was made by James Bignell, seconded and passed with no debate to place this information on the Website.
- With the passing of the dues increase, a motion was made by James Bignell, seconded and passed to adopt the proposed budget which was sent out to the homeowners with the proxy ballot as the current budget for this year. It was noted in the debate that any budget is open to change and that the needs of the roads will be the main priority.
- There was open discussion on the Covenants, roads and other matters by the members present and the board.
- The next meeting was set by motion for June 28th at 7:00 p.m. at the San Juan Basin Technical College

12 The meeting was adjourn by motion.

CMR-HOA Operational Budget Analysis

Road Improvements:		
	Upgrading the roads based on a 3 year plan.	\$32,584
Road Maintenance:		
	The yearly maintenance of the roads in an asis state. This is based on once a month grading new gravel and ditch and culverts maintenance. This is lower than it would be if the road upgrade was not being done.	\$10,000
Snow Removal:		
	Yearly cost of removing snow.	\$3250
Emergency road Repair:		
	This is for such things as washed out roads, plugged culverts and filled ditches which are not part of general maintenance.	\$2,000
Contingency Fund:		
	Budget category for unexpected expenses. This should have about \$10,000 but may not be in some years. (start with 2000 for 5 yr.)	\$2000
Insurance:		
	This is litigation insurance and property damage on the mail boxes. Amount paid this year was approx. \$1500. This is expected to increase.	\$1850
Weed Control:		
	This is required by Colorado law.	\$2800
Office Supplies:		
	This covers mailings and materials for running the HOA. This will increase this year due to the increase in mailings. \$989.32 was spent last year.	\$1300
CPA Tax Preparation:		
	Tax preparation for non-profit HOA.	\$200
Legal Professional Fees:		
	Legal fees paid. Last year the cost was (\$10,728.19)	\$5,000
Social:		\$200
Fire Mitigation:		
	Last year \$875 was spent for matching portion for a grant that was worth \$8,000. It is not known if this will be needed in the future.	\$1,000
Web Page:		
	This is the yearly cost of posting our web page. Nick Bird manages if for free	\$125
	Total budget -----	\$62,309
	Total with % 1.5 inflation ----	\$63,244
	139 lot owners (Cost/lot) ----	\$455

**Cedar Mesa Ranches
Financial Report to BOD**

April 17, 2005

Accounts Receivable

2001 Dues	\$150.00
2003 Dues	\$200.00
2004 Dues	\$300.00
2005 Dues	\$4,525.00
Road assessment	\$1,000.00

Total	\$6,175.00
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Accounts Payable

\$0.00

Total	\$0.00
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Cash on Hand

\$16,376.53

**Working Budget
(2005)**

Item	Budgeted amount	Spent to date
CPA/tax prep	\$0.00	\$192.00
Fees	\$0.00	\$136.80
Fire mitigation	\$0.00	\$0.00
Insurance	\$0.00	\$1,300.00
Office supplies	\$0.00	\$435.50
Professional Fees	\$0.00	\$4,884.98
Road Maintenance	\$0.00	\$1,785.03
Shed/mail boxes	\$0.00	\$0.00
Signs	\$0.00	\$0.00
Snow removal	\$0.00	\$2,200.00
Social	\$0.00	\$0.00
Web Page	\$0.00	\$0.00
Weed control	\$0.00	\$0.00
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Total	\$0.00	\$10,934.31

Policy Motion Passed by the Board

The Building Advisory Committee will be responsible for investigating any alleged Covenant violations. A written report regarding the alleged violation will be submitted to the full board. The board will determine what action, if any is appropriate at the monthly meeting following its receipt of the advisory committee report. The lot owner will be notified by the building advisory committee of any visit. The lot owners in alleged violation will be specifically invited to this meeting. They may present any issues pertinent to their alleged violation in person, by representative, or writing. Owners of property adjacent to the alleged violator's will also be specifically invited to this meeting. They, too may present any issues pertinent to the alleged violation in person, by representative or in writing.

The lot owner in alleged violation will be notified in writing of the decision of the Board. This information will also be posted on the association website.

Only reports of alleged covenant violations submitted in writing to the Board of Directors will be investigated. The letter describing the alleged covenant violation and identifying the alleged violator need not be signed.