

CEDAR MESA RANCHES HOMEOWNERS BOARD OF DIRECTORS ANNUAL MEETING

***January 13, 2007
San Juan Basin Technical College
MINUTES***

Present: Jim Bignell, Gary Brodhagen, Nova Hankins, Bryan Johnson, Greg Kemp and Ruth Bignell. There were 22 HOA members present despite a snowstorm.

Absent: Eric Gray and Chris Schaufele

Meeting called to order at 3:03 p.m.

Introduction of Board Members: President Jim Bignell introduced the current board members.

Introduction of members present: HOA members introduced themselves to each other.

Approval of Minutes: A motion was made to approve the minutes of the November 28, 2006 meeting, 2nd and passed.

President's Remarks: Jim Bignell

- Jim asked members to turn in their dues & ballots at the sign-in desk.
- Jim thanked all the members who supported him and the Board over the past year.

President's Year-end Report:

- A Fire Strike Task Force was organized in the spring. Its mission to spot and be first responders to a fire before it gets out of hand. Three areas were set up: (1) Spotters – those members that live on the ridges, (2) Coordinators – those members that relay the information to the local fire department and firefighters (3) Firefighters- two groups are in this area: (a) those with ATVs that can go into the BLM area if necessary and (b) those that can respond where needed. This project has been very successful. 8 fires were responded to this past summer.
- The litigation involving Mr. Torin Andrews was settled in August 2006.

Secretary Report: Ruth Bignell

- Minutes, ballot, annual mtg. notice and dues notice went out on Dec. 5, 2006. Thank you to Cheryl Brodhagen, Lanita McCafferty and Natalie Orlando for helping with this project.
- Lot 38 sold to Christie Berner of Little Rock, Arkansas
- Lot 98 sold to Jim & Jennifer Pflieger of Ojai, CA
- Lot 104 sold to John Pike of Albuquerque, NM
- If there is any changes in your contact information especially your email, please update it ASAP. We would like to send the minutes via email if possible.

Treasurer's Report: Lanita McCafferty

- All invoices have been paid for 2006. A balance of \$126.00 will be carried over into the 2007 budget.
- There is still \$225 in dues outstanding. A lien remains on that property.

Committee Current & Year End Reports:

Fire & Weed: Bryan Johnson

- During the past year, we have changed how we deal with noxious weeds along the road right-of-way. We purchased 5-25gal tanks to mount on the back of ATV's. Five members volunteered to mount them on their personal ATV's and to spray the weeds instead of hiring it done. By doing this, we have saved at least \$1200 and can do it better. We also use these tanks to respond to fires in the area. The tanks have proved their worth in the case of small fires and in dealing with hot spots on larger fires. Anyone interested in staying abreast of the news concerning fire in our area may go to www.southwestcoloragofires.org

Building Advisory: Greg Kemp

- Current issues involve Lot 17 and 44. The owners of Lot 17 were present and it was agreed that Greg and the owners would meet at a mutual time to discuss the fence setback on their property. A letter was received from the owner of Lot 44 restating that the additional house he is building will only be used as a guesthouse. The committee had requested site plans and they were to be given to the committee. As of today, these have not been received and a letter will go out requesting the plans. A motion was made, 2nd and passed to request a site plan.

Year End Report:

- The covenants state that all property must have lot identification, either a lot number or an address. We had 100% compliance to our request.
- 3 letters were sent out to lot owners to clear up a possible covenant violation. All have complied with this request.
- This committee would like to thank all HOA members for helping us make our jobs easier and complying to all our requests when asked.
- A neighborhood watch sign was placed at the front entrance in hopes of slowing down speeding drivers.

Roads – Gary Brodhagen

- 48 reflectors were placed on various hills and turns throughout the subdivision. Greg Kemp donated the stakes and Jim Bignell and Gary Brodhagen put up the reflectors.
- A lot of work was done on the roads this year:
 - a. January – blade, water and compact Road 35. 4 loads of gravel were put on the hill.
 - b. February – Road 36.7 cleared ditches, new culverts and holding ponds installed. Repaired ditch at Mud Creek
 - c. March – Blade Road 35 and K.3.
 - d. June – Blade, water and compact Road 35.
 - e. July – Blade Road 35
 - f. August – Clean culverts, one on Rd. 35 and two on J.7
 - g. September – Asphalt front entrance. Blade, water, compact roads 35, J.8, K.1, K.3, J.9 & J.6
 - h. November – Blade, water and compact Road 35. 4 loads of gravel put on Road 35.
 - i. December - Roads plowed 3 times.
- Some things to remember: (1) only the board can call to have the roads bladed or plowed. If you want you private driveway plowed, you are responsible for the payment to that person. (2) The general rule is that the roads are plowed when accumulation reaches 5". Gary drives the roads to determine if plowing is necessary if it is less than 5". The cost for each snow removal is \$650-\$700. It is also important for everyone to be extremely careful when driving these roads in the snow especially on the hills and sharp turns.

Activity & Grounds: Ruth Bignell

- 27 members attended cleanup day in May.
- Dumpster was provided for 3 weeks in May; over 6 ton of trash was collected.

- Summer Newsletter went out in July thanks to Nancy Schaufele.
- 36 members attended the July HOA BBQ.
- 3 members helped mow the front entrance in August.
- 38 attended the HOA Christmas Party in December

At the moment, we have no activities scheduled. We will schedule a cleanup day in May at a later time. I want to thank the other 2 members of the committee, Cheryl Brodhagen and Nance Schaufele for all their help. Earlier this year, this committee received criticism for spending HOA funds for some of our activities. Our budget gave us \$200 for the year. As of June, we had spent \$14. Since then, this committee has personally provided their own money to fund the BBQ and Christmas party. I cannot thank them enough for stepping forward so we could all get together, get to know each other better and have a good time doing it. I want to stress that all members were invited and I hope that all who came enjoyed it.

Nomination Committee-Ruth Bignell

- A thank you to Cheryl Brodhagen, Lanita McCafferty and Natalie Orlando for helping organize and send out the documents for the BOD vote.
- Thank you to Georgia Chermak, Char Neisinger and Pat Murrell for volunteering to open and count the votes for the election.

New Business: Jim Bignell

- Mr. Torin Andrews has sent the Board of Directors and individual board members a draft of 2 potential lawsuits. Documents from his attorney and the two potential lawsuits were read to the members present. As of today, they have not been filed. The Board has reported this incident to our insurance company. For those of you not present, here is a very general overview: In the letter from his attorney, he claims that he has been denied his rights based on statements made in a deposition by Jim Bignell and also a complaint by the Cedar Mesa Lot Owners Assoc. regarding the roads. A settlement of \$50,000 for compensatory damages and \$50,000 from the CMR to purchase the roads was presented to cover all claims he currently has against the CMR-HOA.

The Cedar Mesa Lot Owners Association, Inc. of which as far as we know, Mr. Andrews is the only member on record makes the first complaint. In this document, it states that the Lot Owners Association is the fee simple owner of all roads and roadways in Cedar Mesa. This is based on his quick claim deed dated Oct. 28, 2004. It also questions our right to maintain, pave, improve or modify the roads. He requests that: 1) the court enter a declaratory judgment stating that CMR HOA has no right, title or interest in the roads. 2) Stop CMR-HOA from performing any roadwork without giving 30 days written notice to the Lot Owners Assoc. 3) Enter a quieting title to roads and roadways in CMR in favor of the Cedar Mesa Lot Owners Assoc. Inc. and 4) Award Lot Owners Assoc. any further and appropriate relief.

The President explained to the members that the quick claim deed acquired by Mr. Andrews states he was given – **“all roads or roadways not previously conveyed or dedicated to Montezuma County or others within Cedar Mesa Ranches Subdivision as designated and platted in Book 13, Page 138”**. **All** CMR roads were platted, conveyed and dedicated to Montezuma County on August 31, 1998. Both Redstone Corp. and the Montezuma County Commissioners signed the document. Based on this, the Cedar Mesa Lot Owners Association, Inc. has no claim on the roads. The quick claim deed is filed with Montezuma County.

The second complaint is made by Mr. Torin Andrews against 5 of the current board members, 1 officer and 2 members of the 2005 board. Reference is made to testimony made by Jim Bignell in a deposition and that an abuse of process was filed against him by the board members. The legality of liens placed on his property for non-payment of dues was also brought into question. Board members are charged by Mr. Andrews with 1) Abuse of Process, 2) Conspiracy to Commit Abuse of Process, 3) Slander of Title and 4) Civil Conspiracy to Commit Slander of Title. In return, the court is asked to: 1) Award judgment

in the amount of \$1,250,000 for #1, 2) Award judgment in the amount of \$1,250,000 for #2, 3) Award judgment in the amount of \$400,000 for #3 and 4) Award judgment in the amount of \$400,00 for #4. These charges and awards are asked of each of the 5 current, 1 officer and 2 previous board members.

A lot of discussion followed this report.

Open Discussion:

- The Board was thanked for all there hard work. The problem of bright lights was brought up again. It was suggested that people that live on mesas recheck their lights, even a light position change would help those that live in the valleys.
- The problem of dogs running loose was brought up again. Please try to keep your dogs in your yards. We don't want any of them to get hurt by being in the road.
- A question was asked regarding break ins. There have been none that we know about since last summer.
- An article was read from the Cortez Police Blotter. It involved a lot in the 10000 block of CMR stating that a member of the HOA may have tampered with a lock. The Board does not condone this type of action and suggests that if you see anyone lurking about to please call the Sheriff.
- A suggestion was made that any further complaint letters from HOA members should be signed.
- A thank you was given to the Board for their dedication.
- A problem with hunters in the area was brought up. Outside hunters are not allowed to shoot in the subdivision or carry a weapon with a shell in the chamber. They are allowed by permission from the lot owner to hunt on or cross their property to get to the BLM land. If you see a hunter that you think does not live in the subdivision, please stop and ask questions but be civil about it.

Board of Directors Voting Results:

- 78 HOA members voted in this election. The results are:

Jim Bignell	78
Gary Brodhagen	77
Nova Hankins	75
Greg Kaylor	76
Greg Kemp	78
Lisa Liljedahl	76

The Board requested that anyone interested in serving in the 7th board position to contact Jim Bignell.

Motion to Adjourn: A motion was made, 2nd and passed to adjourn the meeting at 4:45 p.m.

Next Meeting: The next meeting will be Thursday, February 22, 2007 at the San Juan Technical College at 7:00 p.m.

Respectfully submitted,

Ruth E. Bignell
Secretary to the Board

Note: The Bylaws require that the new board hold an organizational meeting immediately following the annual meeting. The following were elected: Jim Bignell, President, Gary Brodhagen, Vice President, Lisa Liljedahl, Treasurer and Ruth Bignell was appointed as Secretary to the Board.

The Board has changed the meeting day to the last Thursday of the month. There will be a meeting on February 22nd and March 29th. After March, the Board will meet every other month or as necessary.

**Cedar Mesa Ranches Financial
2006 Budget
12/31/06**

<i>Accounts Receivable</i>	Owe	Accounts Paid	Balance Owed 2006
2003 DUES/ROAD ASSESSMENT	\$475.00		\$669.61
2005 DUES	\$175.00		
2005 DUES INCREASE	\$550.00		\$320.67
2006 DUES	\$62,275.00		\$62,141.00
2006 DUES REFUND			-91
TOTAL	\$63,475.00	\$63,040.28	\$225.00

<i>Accounts Payable</i>	\$53.50 Refund check to Colorado Land (Lot #90)
	\$37.50 Refund check to Lot #42
	"Overpayment of dues"
TOTAL	\$91.00

CARRYOVER FROM 2005	\$4,910.01
DEPOSIT DUES-2006	\$62,141.00
2006 DUES REFUND	-
2003/2005 DUES	\$990.28
2006 DUES - LIENS PAID (Interest/late fees)	\$50.17
EXPENDITURES	\$68,029.46
LOT SIGNS-Lot Owners Paid	\$255.00
LOT SIGNS-Reimbursed	-
TOTAL CASH ON HAND	\$126.00

WORKING BUDGET (2006)

Item	Budgeted Amount	Spent to date	Balance
CPA/TAX Prep	\$200.00	\$195.00	\$5.00
Contingency Fund	\$2,000.00	\$822.45	\$1,177.55
Fire Mitigation	\$100.00	\$0.00	\$100.00
Insurance	\$4,000.00	\$2,649.00	\$1,351.00
Office Supplies	\$1,200.00	\$1,019.99	\$180.01
Professional & Other Fees	\$700.00	\$42.00	\$658.00
Road Maint/Improvements	\$55,432.40	\$58,242.03	(\$2,809.63)
Shed/Mailboxes	\$0.00	\$0.00	\$0.00
Signs	\$250.00	\$201.71	\$48.29
Snow Removal	\$2,300.00	\$3,600.00	(\$1,300.00)
Social	\$50.00	\$14.00	\$36.00
Web Page	\$125.00	\$95.40	\$29.60
Weed Control	\$1,200.00	\$1,147.88	\$52.12
TOTAL	\$67,557.40	\$68,029.46	(\$472.06)

