

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

May 31, 2007

San Juan Basin Technical College

7:00 p.m.

MINUTES

Present: Jim Bignell, Gary Brodhagen, Nova Hankins, Greg Kaylor, Greg Kemp, and Ruth Bignell.
32 HOA members were present.

Absent: Lisa Liljedahl

Call to Order: The meeting was called to order at 7:00 pm

The minutes of the March 29, 2007 minutes were approved. Motion made, 2nd and passed.

Secretary Report: Ruth Bignell

- March Meeting minutes went out on April 3, 2007
- Lot 90 sold to Stephanie Brenna from Davis, CA
- Lot 116 sold to Samuel & Loredana Arana from Miami, FL
- Lot 118 sold to Allen & Maria Giannakopolous from Miami, FL
- Letter from HOA attorneys went out on April 28, 2007
- Road Assessment & Board vote went out on May 3, 2007
- Board contact info will be included in minutes
- Thank you to Lisa Liljedahl & Susan Bryson for doing our recent mailings. Thank you to Michelle Charbonneau for making calls reminding members to send in their votes and thanks to Michelle & Georgia Chermak for counting votes and Cheryl Brodhagen for opening the envelopes.

Treasurer's Report: Ruth Bignell for Lisa Liljedahl

- Thanks to all of you for getting your dues in on time. All dues have been paid.

Committee Reports:

Fire/Weed – Jim Bignell

- Our volunteers have been out spraying the roadside for the past 3 weeks. They have noticed a lot less thistle than last year. It will continue for the next couple of weeks.
- Homeowners are required to spray their property for noxious weeds. Now is the time.
- Fire season is here so be on the lookout in your area.

Building Advisory: Greg Kemp

- Lot 17 has removed their fence. The Board appreciates the cooperation of the owners in solving this problem.
- Site plans for 3 residences were submitted. All were within the boundaries required by the covenants.
- During the winter, some of the lot/tract identification signs have deteriorated or disappeared. Now that fire season is here, it is important for your lot/tract to be identified in an emergency. Please check your signage and replace if necessary.
- In speaking with Montezuma Water regarding their service in the subdivision, we found that the main line comes in between Lot 6 & 7. It is a 4" line that supplies the CMR and pumps 30 gal. Per min which can be increased to 90 gpm. At this time, there are no plans to increase this line. They plan to increase the main line on Road 34 this year.

- Montezuma County requires a permit to install a driveway. Our roads are not maintained by the County therefore, CMR is exempt from this permit requirement

Road Committee: Greg Kaylor

- Roads have been bladed twice. A roller & water was only used once but we had plenty of moisture this last time and didn't need a roller
- The spring-cleaning project, which includes culverts and bar ditches has been delayed due the wet conditions on the road. We hope to complete it in the next 2-3 weeks.
- The fire road on J.7 has been checked and is passable.
- Jim & Gary installed 13 reflectors on several roads and a speed sign on Road 35. We have 4 more speed signs to install on Road 35.

Activity & Grounds: Ruth Bignell

- On clean up day, we had 14 members participate with mowing, trash pick up and digging out thistle. Waste Management donated a small dumpster which helped us tremendously. Thank you to Greg Kemp for piling up all the old metal that has been an eyesore for a long time. We managed to fill up the dumpster with the help of 2 tractors provided by Jim Bignell and Don Murrell.
- Thank you to Gary Brodhagen for arranging to get the potholes in our road fixed free of charge and for also providing a replacement solar light for our entrance.
- The HOA B-B-Q will be held on Sunday, July 22nd at the Bignell residence from 1-4 pm or whenever. The committee at their expense will provide meat, beans & drinks. A flyer will go out early July. We hope you all will come if you can.

New Business:

- **Qwest:** A homeowner notified the Board that Qwest might consider putting in a high-speed line if enough people call them and request it. Everyone seemed to be in favor of that. So give Qwest a call and let them know of your interest.
- **Amendment:** An amendment will be made to Covenant #7 #c which states, buildings, structures, etc must be 25" from side and rear lot lines. Montezuma County regulations require a setback of 50' for the residence only, not the out buildings. We will change ours to agree with the law of Montezuma County. A motion was made to make this change, 2nd and passed.
- **Waste Management:** Waste Management began weekly service on May 25, 2007. They removed 1 container from those that had 2. If you would like to retain a 2nd container, give them a call. They are also working on adjusting the pricing for those that will only have one container.
- **Attorney letter for Lot 107:** Most members received the letter sent out by Mr. Andrew's attorney, Stephen Allen. The Board received a lot of emails regarding this situation expressing their frustration by the latest action of Mr. Andrews. A very open and blunt discussion by members occurred at this meeting. Members were angry, frustrated and trying to understand the motives Mr. Andrews has for such actions, both previous and current.
- **HOA attorney letter:** Because Mr. Andrews directed his attorney to send a letter informing members of his version of what he thinks is happening at CMR, the Board and its attorney's felt this needed to be responded to because it contained many misrepresentations. The facts stated in the HOA attorney's letter are public record and anyone can research it if they have any further questions
- **Covenant #10:** Again, most of you have probably received an email from the owner of Lot 81 regarding mobile homes in CMR questioning our right to deny anyone from putting them in. Our covenant states mobile homes are not allowed and we have that right. Jim read the definition of a mobile home as stated under Colorado law. Any structure that fits this definition is what Covenant #10 refers to no matter what the structure is called. The definitions and Covenant #10 are attached to these minutes. When we revised the covenants, this was one we wanted to clear up the language and include manufactured, modular, doublewide and prefab homes. The lot owner stated that it was voted down. Just to clarify that, it was not voted down. The rules state we must have a majority vote of 70 to pass. When the vote was counted, we had 69 in favor. Because a majority was not reached, the covenant reverted back to its original form,

which still banned mobile homes. The irony of this is that the very next day, we got the 70th vote but too late to count. After a much-heated discussion that was unanimously against the letter from Lot 81, it was agreed that the Board would seek the advice and clarification from an attorney on this issue and report the results at the next meeting. It was also agreed that depending on the ruling from the attorney, we might have a membership vote on this covenant at a later time. A motion was made to consult a lawyer, 2nd and passed.

- **Road Assessment & Board decrease vote results:** The results of the Road Assessment vote is: Yes-53, No-45. The Board decrease vote: Yes-61, NO-32. Because neither of these issues had a majority vote of 70, they cannot be considered passed. Roadwork will continue but at a much slower pace. We will not be able to do the major work we had planned but we will be able to keep the road graded and clean and repair culverts that need it.

Open Discussion:

- The owners of Lot 14 complimented the Board on their dedication to a thankless job. He has sat on an HOA Board in his community and understands the problems that accompany every board.
- A question was asked what the road projects would be since the road proposal did not pass. The roads will be taken care of as far as grading, emergency repair and installing some culverts but major repairs cannot be done at this time.
- The owner of Lot 81 thanked the Board for their efforts.

Motion to Adjourn:

A motion was made to conclude the meeting, 2nd and passed. The meeting ended at 8:45 pm.

Next Meeting: The next meeting will be Thursday, July 26, 2007 at 7:00 pm at the San Juan Technical College.

Respectively submitted:

Ruth E. Bignell
Secretary to the Board

**Cedar Mesa Ranches-HOA
Balance Sheet
May 31, 2007**

<u>Assets</u>	2007
Cash	\$58,012.13
Accounts Receivable	\$0.00
Total Assets	\$58,012.13
<u>Liabilities</u>	
Accounts Payable	\$0.00
<u>Members' Equity</u>	
Prior Yrs Equity	\$126.00
Current Yr Equity	\$57,886.13
Total Member Equity	\$58,012.13
Total Liabilities & Members' Equity	58,012.13

Cedar Mesa Ranches
Statement of Income and Expense
May 31, 2007

Income:	2006 Actual	2007 Budget	2007 Year-To- Date Actual
Dues	\$62,275.00	\$62,275.00	\$62,425.00
Interest			<u>\$11.14</u>
Total Income:			\$62,436.14
 Expenses:			
CPA - Tax Preparation	195.00	\$150.00	150.00
Contingency Fund	822.45	\$2,000.00	
Fire Mitigation	0.00	\$100.00	
Insurance	2,649.00	\$2,000.00	
Office Supplies	1,019.99	\$1,100.00	691.52
Professional & Other Fees	42.00	\$25,000.00	
Road Maint/Improvements	58,242.03	\$25,600.00	2,000.00
Signs	201.71	\$500.00	
Snow Removal	3,600.00	\$5,000.00	1,660.00
Web Page	95.40	\$125.00	
Weed Control	1,147.88	\$700.00	<u>48.49</u>
Total Expenses:	68,015.46	62,275.00	4,550.01
Excess of Income over Expenses:	-\$5,740.46	\$0.00	\$57,886.13

There was a carryover amount of \$5,107.40 from 2005, therefore the bank balance at the beginning of 2006 was a positive amount.

* This amount includes \$275 of 2006 dues that were collected in 2007.

Covenant #10

No structure of temporary character, recreational vehicle, camper unit, trailer, mobile home, basement, tent, shack, garage, accessory building or other out-building shall be used on any parcel as a residence. A temporary camp, tent or camper unit may be used for recreational purposes but such structures 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 the 9 months per year, provided they are stored in a storage facility, i.e. barn or garage, which meets all the requirements set forth herein,

Definitions in Colorado Law for the term Mobile home

38-12-201.5. Definitions.

(2) "Mobile home" means a single-family dwelling built on a permanent chassis designed for long-term residential occupancy and containing complete electrical, plumbing, and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation, which is capable of being drawn over public highways as a unit, or in sections by special permit.

Consumer Credit Code 5-1-301

(29) "Mobile home" means a dwelling that is built on a chassis designed for long-term residential occupancy, that is capable of being installed in a permanent or semi-permanent location, with or without a permanent foundation, and with major appliances and plumbing, gas and electrical systems installed but needing the appropriate connections to make them operable, and that may be occasionally drawn over the public highways, by special permit, as a unit or in sections to its permanent or semi-permanent location.

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