



Next Meeting

03/26/2016

## **Minutes of the Aspen Rose Ranch POA Board of Directors Quarterly Meeting**

*October 17, 2015*

The quarterly Aspen Rose Ranch Board of Directors meeting came to order at 10:05 a.m. Mountain time. Board members present at the meeting were: Don Cox (President) and Kit Keith (Member-at-Large). Present via telephone was Terrie Baros. Marty Gisclon (Secretary) assigned her proxy to Kit Keith. George Denbow (Treasurer) assigned his proxy to Don Cox. With five votes, we have a quorum. Also present by phone with Terrie was Fred Baros.

Following are minutes:

From Agenda

- Minutes from the Annual Meeting and the Quarterly Board Meeting held on August 8, 2015 were reviewed. No changes were identified by any at the meeting. Don moved that the minutes be approved as written; Kit seconded. The aye vote was unanimous.
- George Denbow, the Treasurer, was unable to attend, but provided up to date Financial Statements. These were reviewed. The only changes since our last meeting was a payment of an approved invoice for maintenance of Aspen Rose roads, and a small interest check received from the county. The current checking account balance is \$5590.77, and our accounts receivable \$578.71. George also indicated he would send out next year's dues invoices on November 1, 2015. Terrie moved to accept the report; Kit seconded. The aye vote was unanimous.
- Fred Baros provided an update on the status of the grazing lease. The gentleman leasing the grazing rights was very pleased with the condition of his cattle and indicated he would like to lease again next year. His cattle are going to market, and we can expect payment of \$2,000 on our about the end of October 2015.
- Kit Keith reviewed recommended language for changing policies and procedures for administration of the owner's complaint process and the complaint committee. Kit will make a minor change based on a recommendation from Terrie. Don moved to accept the recommended changes; Terrie seconded. The aye vote was unanimous.
- Terrie provided an update on behalf of the CAB Committee. After further review, and based on discussions about reducing the number of members of the board, Terrie clarified that the current approved wording is the board can be up to 7 members. We can still function with less, with business being conducted based on the number of elected board members, and the quorum determined based on that number.

- Don Cox reported that he'd had a conversation with Laura Cooley to determine if she was able to continue as a member of the board. Laura's commitments, with family and a new business, have impacted her ability to participate. She's been very gracious and a voice of reason for the past few years, but she indicated she'd likely be unable to continue.
- Terrie also indicated she'd retyped the Aspen Rose Covenants since we did not have an editable version of this document. She added two passed amendments and will file with county on Thursday or thereabouts. Don will open the Bylaws and save in Word format then send a copy to Terrie to avoid retyping.
- Terrie asked that we include Marty's email to the membership in the minutes, and so this has been inserted at the bottom of the document.

### New Business / Miscellaneous

- Regarding the fence along Aspen Rose Dr. near the entrance to the ranch: John Parrish had raised a concern about the current condition of the fence. After inspection, Don identified a few spots on the side between Dr. Visconti's access easement and the Duran property where the fence adjoining Aspen Rose Drive is in need of repair. The fence between Aspen Rose Drive and the Mendine's property is OK. Fred pointed out that Colorado Fence Law says adjoining owners share expenses for necessary maintenance, and it's a good policy to keep fences maintained, as they can lead to larger problems (e.g. movement of or downed fences result in adverse possession). Kit asked if we should send a letter to Visconti. Fred indicated we should send a letter to Visconti in any case if we decide to do anything. However, after further discussion, recognizing that the Durans have built a new fence between their property and Dr. Visconti's access easement, there is little chance for cattle to come from the Duran property to the road. We will table the issue for now but will continue to keep it as an item on our agenda for further review and discussion.
- Kit asked if anyone had been able to research Las Animas County Building Codes related to smaller abodes / "tiny houses". Don reported that he'd researched the Las Animas County Building Department web-pages, and there is nothing along these lines. He pointed out that Custer County has two levels of building permits – one for new residential building above 600 square feet, with specific guidance on plumbing, septic, and electrical requirements; and one for residential buildings less than 600 square feet. Custer County has a "Zoning Permit Application for a Residential Other (dry cabin, bunkhouse, etc.) Intended for Human Habitation". A copy will be sent with the minutes. Don also reported that there is a new "Tiny House" development in Walsenburg.
- The topic of security on the Aspen Rose Ranch was discussed. Earlier this summer, a person was spotted going to different properties here on the ranch. When he drove down to one of the occupied homes, he was challenged by the resident. The license plate number was also captured from a security camera

and reported to the Colorado State Patrol. Based on a review of Colorado Statutes, simple trespassing on the Aspen Rose Ranch is a Class 3 Misdemeanor given our agricultural zoning, and a Class 5 Felony if someone is trespassing with the intent to commit a felony (e.g. breaking and entering).

- Don Cox sent out a Request for Proposal to three different contractors. The RFP was for a 3 year Snow Removal and Road Maintenance Contract, with 2 option years. Two bids were received: one from Water Works Plus, LLC, and one from G-Jo's Trucking, Inc. The RFP sent to Robinson and Sons was returned by the U.S. Postal Service indicating there was insufficient information to deliver the letter. Because of a potential conflict of interest, Terrie Baros recused herself from any consideration of the two bids. Kit and Don reviewed both proposals, and after weighing all factors, voted to award the contract to Water Works Plus, LLC. The contract will be issued immediately, with the 3 year term ending on September 30, 2018, at which point, if both parties agree, two additional option years may be awarded. This approach is intended to eliminate the hassle of an annual renewal for two separate contracts: snow removal and road maintenance.

#### Open Action Items:

- Don Cox to contact JoenSchleisman about her willingness to take over the Secretary's position.
- Don Cox to place two No Trespassing signs in view of anyone entering the ranch – one at the entrance gate, and one at the first cattle guard.

#### Attachments:

Custer County CO Residential Other Permit

Extract of email sent by Marty Gisclon to the membership on 09/17/2015:

Dear Aspen Rose Ranch Owners,

Thank you for voting for our recent proposed amendment changes. We appreciate you taking the time to read and consider the proposals, and providing us with your feedback.

All three (3) proposals passed. The first two proposals (Fiscal Year and Annual Assessment language) passed with 100% approval. The third proposal (BOD Action without a Meeting) passed with 2 dissenting votes.

Please remember that both the BOD and the Covenants and Bylaws Committee are always open for suggestions and changes. We try to keep our governing documents current and clear - your input helps us in achieving that goal.

Sincerely,

Marty Gisclon

Secretary, ARR BOD