

Minutes of the Aspen Rose Ranch POA Board of Directors Quarterly Meeting November 8, 2014

The quarterly Aspen Rose Ranch Board of Directors meeting came to order at 10:10 a.m. Mountain Time at the home of Kit Keith. Owners present at the meeting were: Terrie Baros (Vice-President), George Denbow (Treasurer), Kit Keith (Member-at-Large), Fred Baros, Brian Savage and his son, Cory Davis, Don and Pam Cox, Tim and Johnna Morgan, Bob Lawrence, Paula Miner, and Don and Kathy Simkins (renters of Parcel #8). Carolyn Reed (Secretary) was present by telephone. Marty Gisclon had assigned her proxy to George Denbow, and Laura Cooley had assigned her proxy to Terrie Baros.

President Ted Hyneck sold his property, so interim officers were appointed to serve until elections in August:

- Vice-president Terrie Baros was unanimously appointed to complete Ted's term as BOD president. *George Denbow moved. Kit Keith seconded.*
- Don Cox was unanimously appointed to serve as an interim director on the BOD. *Terrie Baros moved. George Denbow seconded.*
- Don Cox was unanimously elected to serve as interim BOD vice-president. *Kit Keith moved, Terrie Baros seconded.*

The minutes of the August 9 annual meeting and board meeting were unanimously approved as written. *Kit Keith moved, George Denbow seconded.*

George Denbow provided the Treasurer's Report which is included with these minutes. George reviewed these items of note:

- We have \$4,305.29 in our checking account.
- We paid \$13,539.53 for road maintenance.
- We received an invoice for \$1,225 for legal review of amendments to our governing documents.
- The negative net income line item on the balance sheet is due to the road maintenance payment.
- Half of the lien on Parcel #22 (\$572.50) was paid when the property was sold. The other half will be recovered via the tax assessor collection process.
- Our grazing lease income was \$2,000 this year.
- Annual assessments for 2015 have been invoiced to owners.
- We are operating with a very old version of QuickBooks that no longer supports email. George will research the cost of upgrading.
- Our previous bank in Trinidad cannot accept deposits unless they are walked in. As George lives in Austin, Texas, he opened an account at Wells Fargo in Austin. We agreed unanimously to give authority to both the Treasurer and the President to sign checks. *Don Cox moved, Terrie Baros seconded.*
- We are starting the process now to plan the budget for 2016. All committees should submit their proposed budget amounts.
- Because George is new to the treasurer position, he and past-treasurer Marty Gisclon need to review the treasurer's report prior to sending it to the board for approval.
- An invoice will be sent to Mike Seckar for 2015, according to the easement agreement for access to his adjacent land.

Terrie Baros presented the CAB (Covenants And Bylaws) committee report. She welcomes owners to serve on the CAB. Terrie explained the purpose of the committee:

1. Be the keeper of our ARR governing documents.
2. Draft amendments as needed to be reviewed and approved, first by the board and then by owners.
3. Keep current with CCIOA (Colorado Common Interest Ownership Act) and new legislation (e.g., we now have to register with DORA). Draft verbiage to be reviewed & approved 1st by BOD then by owners.

We currently have two amendments in process, to the Animals covenant and the Enforcement covenant (both reviewed at the annual meeting). We also are working on two additions to the Policies and Procedures document, and we need to update the complaint process. Carolyn asked that we also consider a change to the Conflict of Interest policy to minimize the paperwork and noted that Don Cox, Kit Keith, and Laura Cooley need to sign and submit their COI forms.

Terrie briefly reviewed the governing documents that were reviewed by an attorney:

- Covenant VIII. Animals
- Covenant XIII. Enforcement
- Policies & Procedures--Fines and Fees
- Policies & Procedures--Immediate Action

The CAB plans to incorporate the attorney's changes and send them to the board for review next week. Ballots should go out to owners the week of November 16. Covenant changes require approving votes from two-thirds of the eligible voting membership (i.e., current on all assessments). The CAB committee will plan to address changes to the complaint process in January.

Philip Mills and Don Simkins have agreed to serve the road committee. Because Don is a renter, the question was raised if he can serve on a committee. Although renters do not have voting rights, they are allowed to serve on committees. (Terrie Baros served on the CAB committee before she was an owner.) Terrie forwarded information from previous president Ted Hyneck to both Don and Phil regarding discussions with Robinson & Sons about snow removal for 2014-15. No written contract is yet in place.

Laura Cooley was not present for a complaint committee report. Due to the breakdown of the process, Laura and Kit will work together on "lessons learned" and present a report to the board.

Fred Baros reported about the grazing lease:

- The cows are off the Ranch for this year.
- The lessee (Butch Quinn) has paid in full (\$2,000).
- The lease is expected to be renewed for 2015 and 2016.
- Butch was overall very satisfied this year, but he is concerned about the declining amount of water available on Aspen Rose.
- There is some concern regarding the earthen dam on the Morgans' place ("the old homestead"). Although they are not living there full-time yet, they have concerns about damage to their property and pond, due to the congregation of both cows and goats. The water in the pond is the lowest it's ever been, and the dam has been damaged due to livestock trying to get water. Fred Baros offered his assistance at no charge to repair the dam.

There was some auxiliary discussion regarding how to obtain water rights (i.e., to dig a pond), as well as the legality of collecting rainwater. Rainwater collection used to be illegal in Colorado, but (according to Kit Keith) if you have a well permit, you can apply for a permit to collect rainwater. Water wells are losing production all over Las Animas County, due to the drought and possibly methane production.

The board addressed a request for waiver from Heather Cammisa and Cory Davis. They requested the waiver so they can use the existing 600 square foot cabin as a temporary living structure. After significant discussion, the board unanimously agreed to grant the waiver with some changes. The waiver will be allowed for four years, regardless of ownership. (Should they opt to sell, the waiver would transfer to the new owner until the end of the four years, at which time the owner would need to request a renewal.)
Kit Keith moved, Carolyn Reed seconded.

Kit Keith proposed a covenant change to allow a cabin or guest house to be occupied while owners are building a home or to be used for occasional occupancy. That proposal will be discussed at a later time.

Cory Davis (Parcel #22) offered firewood to owners who are unable to cut their own.

We discussed the letter received on November 4 from Todd and Tamara Gatza, regarding the invoices for grazing fees. The board unanimously agreed to waive those fees until our governing documents are clarified.

Don Cox moved, Carolyn Reed seconded.

The next quarterly board meeting is scheduled for February 26, 2015.

The meeting adjourned at 12:30 p.m.

Don Cox moved, Kit Keith seconded.