

**Raspberry Mountain Ranch (RMR) Property Owners' Association (POA)  
Annual Membership Meeting – FINAL  
La Veta, CO**

Date: October 2, 2010

Time: 10:00 PM

Place: La Veta Public Library – 2<sup>nd</sup> Floor

**Board Members Present:**

EK Ed Kirkland #17, President

JH Jeff Hanko #22, Vice President

DB Doreen Baumann #24, Treasurer

FS Fran Sanden #6, Secretary

WC Windell Cannon #12

DN Dick Newsom #31

**Board Members Absent:**

Jon Scarpelli #21

Kevin Fritson #16

The meeting was called to order at 10:03 AM by President Ed Kirkland.

**ROLL CALL AND INTRODUCTION OF PROPERTY OWNERS IN ATTENDANCE:**

#1 Ken & Connie Hoyer

#5 Tom Bettis

#6 Fran Sanden

#12 Windell & Camille Cannon

#13 Sharon Archambault

#14 Don Elias

#17 Ed Kirkland

#20 Chris & Ricky Daly

#22 Jeff Hanko & Gina Roberti

#23 Richard & Brooke Robeson

#24 Stu & Doreen Baumann

#30 Julieta Figgs

#31 Dick & Shirley Newsom

**Members by Proxy:**

#3 Craig & Carol Clark by Fran Sanden

#7, 8, 18 Robert & Susan Parke by Ed Kirkland

#16 Kevin & Eileen Fritson by Jeff Hanko

#21 Jon Scarpelli & Rebecca Barefoot by Jeff Hanko

**CERTIFICATION OF QUORUM BY FRAN SANDEN, SECRETARY:**

19 voting members of 36 eligible voting owners certified for quorum (52%) with no waiver of notice.

**APPROVAL OF 2009 ANNUAL MEETING MINUTES:**

Minutes from the 2009 Annual Meeting were distributed but not read. JH made a motion to approve the minutes pending correction of those minutes to reflect the correct date on which JH, Chair of the Governing Docs Committee, made a motion to extend voting on the governing documents. That motion was made by JH on December 30, 2009, not January 30, 2010. DN seconded. All voted in favor. **Motion carried.**

**PRESIDENT’S REPORT (ATTACHED):**

Ed Kirkland gave a report on the following items; comments by members are noted in italics:

1. Brief overview of La Veta/Cuchara economic news
2. Overview of Past Year Accomplishments
  - a. Agricultural Exemption Status – *Sharon Archambault & JH asked about the expiration of the exemption. EK noted that there is no need to renew the exemption until our lease expires in 2017.*
  - b. Declaration and By-laws Recorded (March 2010)
  - c. Purchase of Grader/Snow Plow (June 2010)
  - d. Purchase of Weed Spraying Equipment (June 2010)
  - e. Noxious Weed Spraying (June & September)
  - f. Trash Dumpster Pad & Separate Account

*WC noted that RMR has agreed to pay 50% of the gate maintenance, .It was suggested that we send a letter to CRE regarding gate maintenance. Further, the backup generator is not working. This situation needs resolution.*

**TREASURER’S REPORT BY DOREEN BAUMANN, TREASURER:**

DB reported the RMRPOA accounts are now on QuickBooks from 2006 to the present and the 2009 taxes have been filed. She reviewed the Oct 09 to Sept 10 RMR POA financial reports. (See attached Balance Sheet Report, Bank Statement for the CRE-RMR account, Profit & Loss Report and graph.) As of Sept 30<sup>th</sup>, 2010, there was approximately \$31,500 in the operating account with a notes payable balance of \$80,305 for the grader. DB reviewed the past year Budget vs. Actual report. The road/snow maintenance account was reduced significantly due to both a light snow year and purchase of the grader in June. (Budget \$22,675 vs. Actual of \$11,001). DB said that there were two 2010 assessments outstanding and one with three years in arrears on the annual assessment. Since October 3, 2009 she has sent three statements requesting payment of the past due assessments

RMR/CRE Special Fund Report – DB noted that we had in excess of \$5,000 left in the joint CRE/RMR account. It was suggested that we split the balance with CRE and dissolve the account pending agreement from CRE.

## **COMMITTEE REPORTS:**

### **Architectural Review Committee** by Dick Newsom, Chairman

1. Snowden's (P-29) Preliminary Building Plans were the only plans approved this year.
2. ARC Design Guidelines have not been addressed as yet. DN reported that although Kevin Fritson has resigned from the Board, he still intends to be on the ARC.

### **Governing Documents** by Jeff Hanko, Chairman

1. Final Covenants (Handout) – JH noted that >67% of the membership approved the final covenants thus completing the project.
2. Eight Resolutions (Handout) as required by Colorado law – JH asked for comments returned by December 1, 2010 on the eight resolutions plus Section 9 that were sent via email within the past two weeks.

Members suggested that we need to address in the Policies, Procedures and Rules, the following:

1. Multiple owners of parcels
2. Leasing RMR's grader
3. Oil and gas lease
4. Snow plowing
5. Uncollected assessments

## **ELECTION OF BOARD MEMBERS BY JEFF HANKO, NOMINATING CHAIRMAN:**

1. Nominations from the Floor – There were no nominations from the floor.
2. Secret Ballot Vote for Board Members – Because there were seven seats up for election and seven candidates, there was a motion by the floor (Sharon Archambault) to approve the seven candidates and suspend the secret ballot. The motion was seconded and all voted in favor.

**Motion carried.**

**The new Board members are:**

Ed Kirkland  
Jeff Hanko  
Doreen Baumann  
Craig Clark  
Tom Bettis  
Windell Cannon  
Dick Newsom

## **UNFINISHED BUSINESS BY ED KIRKLAND:**

1. **Vacation of Emergency Access Easement** – Membership Vote to Proceed. WC, DB and EK explained the situation as described in the President's Report, which is attached to these minutes. DB and FS will schedule an appointment with our attorney, Gary Hanisch to file a notice of Title Record (affidavit) with Huerfano County. Sharon Archambault suggested that, as a courtesy, we place a sign at the intersection of Muleshoe and Mountain Valley Roads stating that "You are leaving Raspberry Mountain Ranch and entering Northstar Ranch." Sharon Archambault

motioned and Chris Daly seconded that we get a legal opinion on our access to this easement. All voted in favor. **Motion carried. ACTION ITEM**

2. **Robino letter** – EK discussed the letter sent to the Robino family (see President’s Report for details). Ken Hoyer asked about hunting. It was suggested that we each put a “no hunting” sign at the entrance to our property. Ken asked if we could enforce them. The BoD said it would check Colorado law. **ACTION ITEM**
3. **Rilling Canyon Road Grant of Easement** – see President’s Report for details.
4. **Forest Access Easement Grant** – see President’s Report for details

#### **NEW BUSINESS:**

**2011 Budget & Assessment Due 1/31/11 (Handout)** – Doreen Baumann, Treasurer. DB distributed the Proposed Budget for Oct 2010 to Sept 2011. The budget reflects reducing the 2011 annual assessment to \$600/per parcel. The income equaled expenses while maintaining the funds in the existing operating fund.

The following comments were made by members:

1. Ken Hoyer asked about the construction impact fee that was tabled last year. It was decided that the ARC will look at the construction impact fee in 2011.
2. Ken Hoyer asked about depreciation and interest accounting of the grader. DB will review the accounting procedure with the accountant.
3. Sharon Archambault, JH and Ken Hoyer asked about insurance (asset, liability, theft) on the grader. DB said State Farm, our insurance carrier for Officers and Directors liability insurance, does not offer insurance for heavy equipment. She said she is investigating another local source for insurance. **ACTION ITEM**
4. Since we do not know the cost of insurance for the grader, JH motioned that we set the association dues to \$650 for 2011. Ken Hoyer seconded. All voted in favor. **Motion carried**
5. Ken Hoyer asked about the access owners’ (Millard, Wood & Grace) assessments. After discussion, it was suggested that we bill them the full amount.
6. Gina Roberti asked if the developer, Jim Young, still owns any of the parcels. Board members answered that he did not.
7. Sharon Archambault asked if we should develop another “mutual interest” agreement with Cuchara River Estates (CRE). It was thought that we should re-evaluate the need for such in the future.

**2011 Annual Meeting Date:** A motion was made by JH and seconded by DB that we alternate the date of the annual meeting. The 2011 meeting will be held on September 3, 2011 (Labor Day weekend) and the 2012 meeting will be held on the first Saturday in October, Octoberfest weekend in La Veta.

#### **ADDITIONAL ITEMS FROM THE FLOOR:**

Shirley Newsom thanked the Board for their hard work. She also said that rocks have been removed from their property (#31) without their permission.

The meeting was adjourned at noon.