

Raspberry Mountain Ranch (RMR) Property Owners' Association (POA)
Board of Directors Meeting - Final
La Veta, CO

Date: November 14, 2009

Time: 10:00 AM

Place: Fuller Western Real Estate Conference Room

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

Present by Teleconference:

DN Dick Newsom #31
KF Kevin Fritson #16 (joined in @ 10:15 AM)

Board Members Absent:

JS Jon Scarpelli #21

Member Attendants: Stu Baumann (SB) #24, Ranch Manager, Gina Roberti #22

The meeting was called to order @ 10:05 AM by President, Ed Kirkland.

1. **Approval of Past Minutes** and approval in order to sign and record into permanent records:
 - a. **Item:** CRE/RMR Joint Board Meeting Sept 17, 2007 – RMR/CRE Board Min 9-17-07.doc in order for RMR BOD to motion to rescind the Construction Impact Fee. JH made a motion to rescind the Construction Impact Fee discussed at this meeting and approve the minutes with the stricken passage. FS seconded, all voted in favor. **Motion carried.**
 - b. **Item:** RMR BOD Meeting, April 18, 2009 - RMR Board Minutes 4-18-09 Rev DRAFT .doc. WC made a motion to approved minutes of this meeting. FS seconded; all voted in favor. **Motion carried.**
 - c. **Item:** RMR BOD Meeting, September 7, 2009 RMR 2Spec meeting Minutes 9-9-09.doc. After discussion on rules re: calling a special board meeting (see Sec. 9.9 of RMR By-Laws), it was decided that this meeting was an informal meeting and not a special meeting. EK made a motion to declare this “special” meeting null and void. DN seconded. All voted in favor. **Motion carried.** Discussion points:
 - i. We need better communication among the BOD.
 - ii. In case BOD member can't attend meeting in person, onus of responsibility for call is on board member.

- iii. We need to acknowledge receipt of emails (or send them registered with a return receipt). Also need to include a "return by" date.
- d. **Item:** RMR BOD Meeting, October 3, 2009 - RMR Rev Board Minutes10-3-09.doc. EK made a motion to accept the minutes of this meeting pending receipt of treasurer's documents from JS. Windell seconded. All voted in favor. **Motion carried.**
- e. **Item:** RMR Annual Meeting, October, 2009 - RMR Rev Annual meeting Minutes for review of action items and approval for distribution to Members. After discussion re: procedure for approval of annual mtg. minutes (BOD can approve without membership voting), EK made a motion to approve minutes. FS seconded, all voted in favor. **Motion carried.**

2. Membership List Distribution

- a. DB distributed the current (Nov 2009) membership list. EK said he would post it to the RMR website.

3. Committee Reports

- a. **Ranch Management** – SB
 - i. Road Maintenance Contract - SB noted that Barr Warren has sold his grader/snow plow to Shane Rorick. DN asked if this was a breach of contract. SB said no, that we had breached the contract when CRE decided to pull Mountain Valley Road and Terrace Trail from Warren's contract. A new 3-yr. contract has been signed between RMR and Rorick. FS went on record saying the CRE did not plow Mountain Valley Rd on October 28th or 29th even though over 12" of snow fell in at 36 hour period. DN noted that he has talked to Eric Andreatta. Eric would like to be considered for a contract in the future. SB replied that RMR would be happy to consider Eric's bid when the current contract expires. SB reported, too, that Bob Millard called EK for plowing during the 10/21 snow fall. Because Rorick's machine was in the shop for repairs, EK advised Millard to call SB for plowing issues in the future. Windell suggested RMR buy equipment as RMR should be able to do it cheaper than the approximately \$22k/year we're currently paying our contractor.
 - ii. Weed Spraying – SB informed us that RMR has not yet purchased the weed spraying equipment so no weed spraying was done. The equipment will be bought over the winter so weed spraying can be done in the spring.
- b. **Governing Documents** - JH & DB

The BOD reviewed the governing documents and made final recommendations for adjustments. The Governing Documents

Committee will make changes and forward final versions to the BOD by Nov 21st, 2009. The BOD will vote and send to the membership by Dec 1st, 2009. Members will be asked to vote by Dec 31st, 2009.

On Jan 30th, 2010, JH made a motion to extend voting on the governing docs to Jan 31st, 2010. Further, JH motioned to record the changes upon receiving the required vote count. JS seconded the motion. All voted in favor. **Motion carried.**

4. Old Business

- a. **Item:** Oil & Gas Letter. EK announced that he has received ~ 6-8 email responses. Most were questioning why it was sent "return receipt." EK replied that it was to have a record that all property owners had gotten the notice. DB notified the BOD that 11 "return receipts" had been received.
- b. **Item:** Rentals. The Clarks responded to the RMR POA letter regarding short term rentals. EK read the Clark's four page response. JH volunteered to meet with Craig Clark to discuss situation.
- c. **Item:** RMR/CRE Business Agreement Proposal. RMR still has not received acknowledgement of the proposal from CRE. According to WC, CRE was to have discussed the proposal at their October 3rd POA meeting. WC said he would meet with Lance Freeman to discuss.
- d. **Item:** CRE/RMR Joint Bank Account. FS asked that the BOD establish parameters on expenses from the account. A \$1,000 President's discretion limit was suggested. Expenses in excess of \$1,000 need BOD approval. Further, it was decided that only expenses for the common trash dumpster site will be approved in the future; no gate maintenance/repairs/improvements will be authorized until the RMR/CRE Business Agreement is signed.
- e. **Item:** 2008 & 2009 Delinquent Assessments. DB informed the BOD that three parcels are in arrears. She will send bills to all three property owners as a first step toward collecting the monies owed.
- f. **Item:** 2009 Access Owner Unpaid Assessment Amount. DB will send bills to the Access Owners. DB will also review records to determine if the Access Owners sent money to CRE or RMR in 2008.
- g. **Item:** 2009-2010 Budget for approval. DB presented and reviewed the budget for 2010. DB made a motion to approve the budget as presented. DN seconded, all voted in favor. **Motion carried.**

5. New Business

- a. **Item:** Money Market Account Request. DB stated that she would like to take some of the money in the RMR bank account and transfer it to a Money Market account so that it would earn interest. The amount would be up to the Treasurer's discretion. DB made motion to set up money market account for reserve funds. DN seconded, all voted in favor. Motion carried.
- b. **Item:** Set Assessments for 2010. It was decided to keep the assessment at \$800 to be paid in full by January 31st for 2010.
- c. **Item:** Policies & Procedure Plan of Action for 2010. JH agreed to write a draft of the P&Ps. KF agreed to write a draft of the ARC Standards Policy.
- d. **Item:** FS informed the BOD that she will be out of town from Nov 25th – Jan 5th.
- e. **Item:** DB noted that all property owners with a mortgage on their RMR property need to notify the POA through the RMR Secretary, giving the name and address of the mortgagee per the By-Laws (Article VIII.1 & 2). The POA, if requested in writing by a Mortgagee, is to notify the lender of any unpaid assessments in order to assert a lien. (Note: SB100 requires mortgagees to vote on amendments ONLY if required by the Declaration. RMR does not require it.). Known as "Mortgagees of Lots," DB said she would include it in her assessment letter.
- f. **Item:** Easements. Doreen made a motion that we have an attorney proceed with the letter concerning the Emergency Exit Easement and review the National Forest Easement and the Rilling Canyon Road Easement as RMR may have rights to use them. Kevin seconded, all voted in favor. **Motion carried.**

JH made a motion that the meeting be adjourned, seconded by EK. All voted in favor. **Motion carried** and the meeting was adjourned at 1:43 PM.